Board of Selectmen

Meeting Agenda

The Provincetown Board of Selectmen will hold a public meeting on Monday, June 9, 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) Increase the annual John Henry Trust fund from $9,000 to $15,000
2) Proclamation: Recognizing June 19, 2014 as Susan Avellar Day
3) Auditorium Beer and Wine Request Provincetown Art Association and Museum (October 11, 2014)
4) DPW Annual Service Contracts: Sprinkler System, Fire Extinguisher Service, Pest Control, Drain Maintenance, Elevator Inspections, Uniforms
5) Refinance Request for 6 Sandy Hill Lane Unit #10 – Michelle Jarusiewicz
6) Mass Community Development Block Grant FY 2012 Close-out – Michelle Jarusiewicz

1. Public Hearings - Votes may be taken on the following items:
   1A. FY2015 Town Wide Goals Review Process – Public Comment on FY2014 Goals and suggestions for proposed FY2015 Goals
   1B. Parking Lot Rate Fee Increase Proposal. Proposal to increase the parking rates for the MacMillan Pier Municipal Parking Lot, Grace Hall Municipal Parking Lot and all lots administered by an automated parking pay station.

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. Joint Meeting with the Cemetery Commission – Discussion for the need for a new DPW Facility.

5. Appointments - Votes may be taken on the following items: - None

6. Requests - Votes may be taken on the following items:
   A. Monthly Police Report for May 2014 – Acting Chief Golden
   B. PARC Grant application – Hall
   C. Bond Anticipation Note #1104 – Dan Hoort approval required
   D. Town of Provincetown will be bonding a General Obligation Municipal Purpose Loan in the amount of $5,718,910, with a maturity schedule of June 15, 2034

7. Town Manager / Assistant Town Manager - Votes may be taken on the following items:
   A. Town Manager follow-up
   B. Other - Other matters that may legally come before the board not known at the time of posting

8, Minutes – Approve minutes of previous meetings. Vote may be taken.

9. Closing Statements - Closing comments from the Selectmen. Discussion dependent, votes may be taken.

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 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) Increase the annual John Henry Trust Fund from $9,000 to $15,000
2) Proclamation recognizing June 19, 2014 as Susan Avellar Day
3) Auditorium Beer and Wine Request Provincetown Art Association and Museum
4) DPW Annual Service Contracts:
   a. Sprinkler System Service – Mass Fire Protection, West Barnstable
   b. Fire Extinguisher Service – Ralph J. Perry, Inc., Hyannis
   c. Pest Control Services – Griggs & Browne, Buzzards Bay
   d. Drain Maintenance – Advanced Pollution Control, Bridgewater
   e. Elevator Inspections – Associated Elevator, South Yarmouth
   f. Uniforms – Unifirst Corp, Sandwich
5) Refinance Request for 6 Sandy Hill Lane Unit #10 – Michelle Jarusiewicz
6) Mass Community Development Block Grant FY2012 Close-out – Michelle Jarusiewicz

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

JOHN A. HENRY TRUST FUND

Overview

The John A. Henry Trust Fund provides funds to assist financially eligible Provincetown children 0-18 years of age with specific categories of needs. The Cape Cod Children's Place (CCCP) administers the fund (including publicity, applications, seeking alternate funding sources when appropriate, making referrals to families for additional services, managing vouchers) through a town human services grant. The fund is overseen by the Human Services Committee (including annual public hearing and meetings with CCCP representative to review expenditures, issues) and the Director of Public Health and Human Services (including processing vouchers, reviewing grant quarterly reports, providing information and support to CCCP staff). The CCCP representative, Charlotte Fyfe, maintains office hours at the VMCC to meet with parents and offer services.

History

The John A. Henry Trust Fund was started in 2003 with a donation of $350,000. John Henry was a Provincetown resident who passed away in 2002 at the age of 86. He left the money to be used to "benefit underprivileged children" in Provincetown. At that time, the Human Services Committee held public hearings, then met to determine recommendations on use of the funds. In November, 2003, the Board of Selectmen approved the following recommendations and set the limit on funds used at $9,000/year:

1. Distribute money on voucher system for variety of needs
2. Needs include emergency assistance (for example-housing, prescription meds, health-related needs, food, clothing), transportation (medical/dental appointments), day care (with focus on children under 5 years of age)
3. Vendor must have a physical presence in Town of Provincetown
4. Recipients must be year-round residents
5. To be managed on fiscal year basis
6. Unused funds will be rolled over to be used in the following year
7. Only interest will be used but requests can be made to the Board of Selectmen to use principle if necessary
8. Cape Cod Children's Place encouraged to apply for town human services grant to administer the fund

In November, 2005, the Board of Selectmen approved a recommendation by the Human Services Committee to add orthodontic care to the list of approved services.

Current Request

Over the years, Ms. Fyfe, CCCP, has done a commendable job of reaching out to children and families in need and processing applications for assistance. Most grants have gone towards day care and housing needs and, most years, there have been funds available to roll over into the next year. In the past few years, the number of requests for assistance as well as the amounts requested have increased considerably. While the average request in previous years was about $500, that figure has risen to $750. In addition, there have been an unusually high number of housing assistance requests in recent months, each for more than $1,000 and each for multiple-child households. Most were families in danger of eviction.

This spring, Ms. Fyfe contacted the Director with concerns that requests are approaching the allowed amount. The Human Services Committee met on May 14, 2014 to review reports and discuss funding levels. They voted to ask the Board of Selectmen to increase the spending for the John A. Henry Trust Fund from $9,000 to $15,000/year beginning FY2015. This is the first request for an increase since the inception of the fund and the Committee feels it will be adequate to meet the needs for several years.

Respectfully submitted,

Cynthia Franco, Chairperson, Human Services Committee

Chris Hottle, Director, Council on Aging/Public Health/Human Services

PROCLAMATION

Be It Hereby Proclaimed by the Provincetown Board of Selectmen that;

WHEREAS the Town of Provincetown has traditionally honored its senior citizens for generations, and

WHEREAS, the Provincetown Council on Aging sets aside a day of celebration among themselves and with friends in a festive observance of the Senior of the Year, and

WHEREAS, Susan Avellar makes a significant contribution on a daily basis to our Community and has set an example for residents of all ages in her professional career and her civic engagement, and

WHEREAS, Susan Avellar accomplishes all of this with a deep love of Provincetown and of the sea, a strong commitment to town youth and a vast knowledge of town history and lore, and

WHEREAS, Susan Avellar is a vital thread in the beautiful tapestry that is Provincetown

NOW, THEREFORE, the Board of Selectmen in the Town of Provincetown, in the County of Barnstable of the Commonwealth of Massachusetts, does hereby proclaim

THURSDAY, JUNE 19, 2014

as

SUSAN AVELLAR DAY

in the Town of Provincetown.

and encourages our Citizens to express their gratitude, pride and continued support of Susan Avellar and to pay tribute to her on this day in appreciation of her commitment to the well-being of this Community.

The Honorable Board of Selectmen

Tom Donegan, Chairman **Erik Yingling, Vice Chair**

Cheryl Andrews **Robert Anthony**

Raphael Richter **ATTEST: Acting Town Manager David Gardner**

200 1st
100 thereafter

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 ART ASSOCIATION AND MUSEUM
Address: 460 COMMERCIAL STREET

Authorized Representative Or Contact Name: SHEILA MCGUINNESS
Mailing Address: PAAM 460 COMMERCIAL STREET
Email Address: smcguinness@paam.org

Telephone Days: (508) 487 1750 x12 Mobile: ( ) In Provincetown: ( )

Event Date(s): OCTOBER 11, 2014 **Event Time:** tentative 5:30 pm

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)
(tentative) thurs Oct 9 tent set up; friday Oct 10 rentals arrive; Sunday October 12 Breakdown

Description of Proposed Event: (attach additional information if necessary)
PAAM GALA

Anticipated Attendance: 350? **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:** May Ultimate Food
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.

Sheila McGuinness 11/7/13
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:
Rental/Utility Fee $ _____ **x No. of Days** ____ = $ _____
DEPOSIT AMOUNT (50% OF TOTAL RENTAL FEE) = $ _____ **Paid On** _____ **Ch#** _____
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**

PAAM 100

A CENTURY OF INSPIRATION

PAAM has a successful nine-year history of running a formal gala during October in the east end, for the past two years including the use of an adjacent property—the parking area at Angel Foods. Last year, the Board of Selectmen allowed PAAM's guests to have open containers of alcohol in a restricted area of Commercial Street, which went off without incident as confirmed after the event in a telephone conversation with Lieutenant Golden.

On October 11, 2014, PAAM will again host a formal gala, this year at Town Hall and the Bas Relief. This is PAAM's biggest annual fundraising event and the culminating event of its centennial anniversary celebration PAAM100. The gala's success is essential to the Museum's financial well-being. And it enhances Provincetown's reputation as a significant arts destination by celebrating the lifetime achievements of artists and supporters with national and international reputations—this year: Seamen's Bank, which has been a PAAM supporter since its founding in 1914; Robert Duffy, who has supported PAAM and many other Provincetown organizations; Joyce Johnson, who is a nationally renowned long-time artist member of PAAM and founder of Castle Hill in Truro; and Jarrod Beck, who is an artist member of PAAM and former Fine Arts Work Center fellow with growing renown in New York and surrounds.

It is fitting that PAAM celebrate its centennial at Town Hall, which played such an important part in PAAM's history. Town Hall was the venue for the Art Association's Summer Show for the first five years after its founding. Overall, it is our intention to hold a three-part event beginning at 5pm with a formal cocktail party, having pre-recorded music, for about 345 people. This will feature hot hors d'oeuvres/wine/beer/ spirits/ waters—in a tent in the Bas Relief Park. At 6:30, we will move into Town Hall for a formal sit-down first course/entree/dessert/wine/beer dinner—also for video presentations about PAAM and its four honorees. By 8:30, we will reconvene in the tent at the Bas Relief; we expect about half our guests will join about 200 additional invited guests for PAAM's final birthday party: cake, champagne, wine/beer/spirits, and dancing to music by a DJ. There will be a modestly priced invitation to this "dessert and entertainment" event to those in the community who are unable to attend the dinner. The entertainment will end by 10:30 pm, and service will end by 11pm out of respect for the neighbors. Besides PAAM's Planning Committee, who have nine years' experience planning and executing fundraising events that are sensitive to the needs of PAAM, its neighbors, and the Provincetown community, this event will benefit from the professional expertise of Bryan Rafanelli Events—which has produced several events using these same properties—and of MAX Ultimate Foods—which has worked with both Rafanelli and PAAM for several years. MAX Ultimate Foods is a Boston-based firm that has a caterer's liquor license.

Although we have never had an issue in the past, PAAM's invited guests will wear nametags, bracelets or other event-specific identification to differentiate them from anyone uninvited. In addition to nine PAAM staffers and fifteen PAAM Trustees who provide security for the tent entrance and both events, PAAM will follow the requirements of the Provincetown Police Department for police details. We have already contacted Acting Police Chief Golden who believes we will need three officers for the duration of the event.

PROVINCETOWN ART ASSOCIATION AND MUSEUM
460 Commercial Street Provincetown, MA 02657
TEL 508 487 1750 FAX 508 487 4372 paam.org

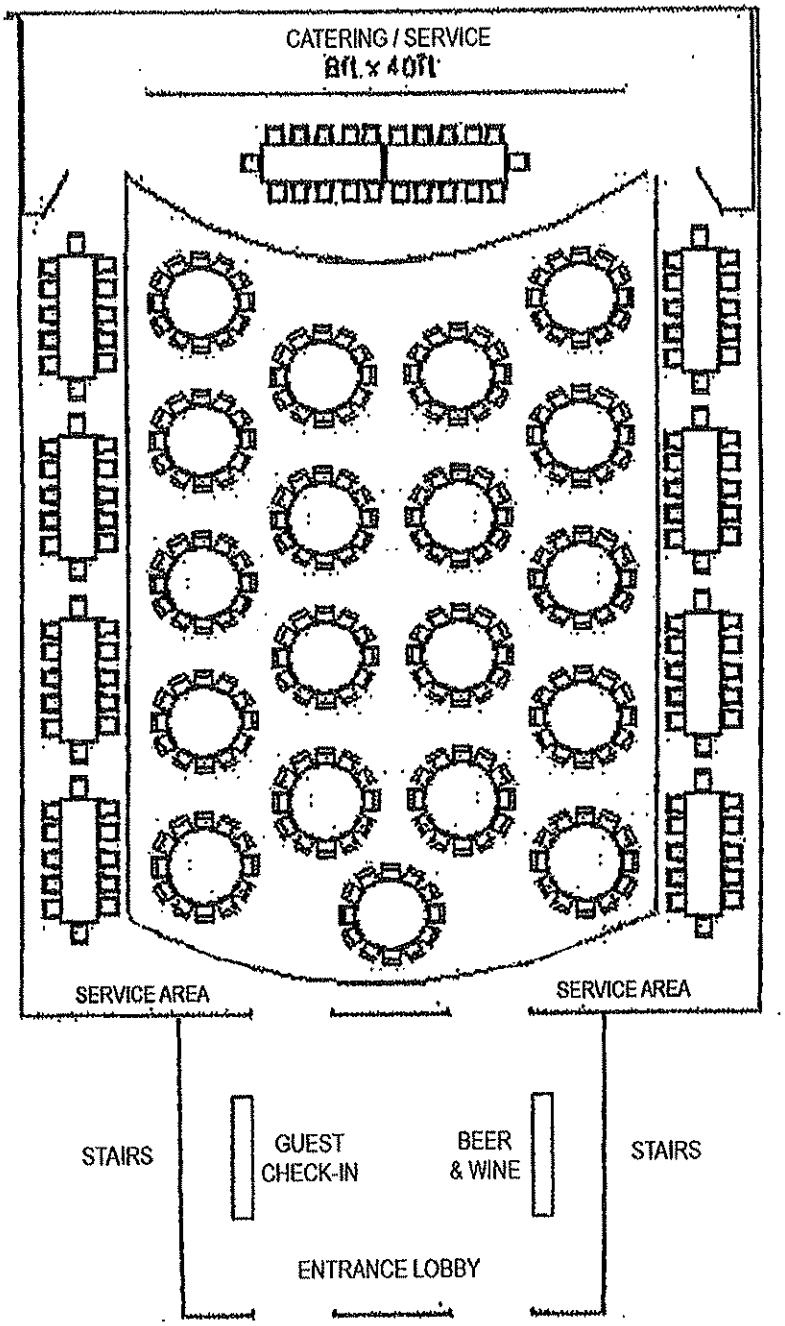
TOWN HALL

AUDITORIUM FLOOR

60 FT W X 84 FT H

STAGE

44FT WIDE X 20FT DEEP



+/- 345 SEATS

19 @ 72" ROUND (228 SEATS)

10 @ 10' x 36" (117 SEATS)

Internal Revenue Service

Department of the Treasury

District Director

JUL 23 1985

[redacted]

Date:

P. O. BOX C9050 GPO
BROOKLYN, N. Y. 11201

Provincetown Art Association
460 Commercial Street
Provincetown, MA 02657

Attn: Ellen O'Donnell

Person to Contact:
Mrs. E. Casa
Contact Telephone Number:
(718) 780-6622

Re: 04-2210747

Dear Madam:

Reference is made to your request for verification of the tax exempt status of Provincetown Art Asscoation, Inc..

A determination or ruling letter issued to an organization granting exemption under the Internal Revenue Code of 1954 or under a prior or subsequent Revenue Act remains in effect until exempt status has been terminated, revoked or modified.

Our records indicate that exemption was granted as shown below.

Sincerely yours,

Leonard Gass
District Disclosure Officer

Name of Organization: Provincetown Art Association, Inc.

Date of Exemption Letter: March, 1952

Exemption granted pursuant to 1954 Code section 501(c)(3) or its predecessor Code Section.

Foundation Classification (If Applicable): Not a private foundation as you are an organization described in section 509(a)(1) of the Internal Revenue Code.

NAR Form BKN 9-187 (Rev. 9-80)

Town of Provincetown

260 Commercial Street, Town Hall
Town Manager/Selectmen's Office

April 24, 2014 Closing: 12:00 P.M.

Invitation for Bids: Sprinkler System Inspections FY 2015

NAME AND ADDRESS	Amount
Mass Fire Protection P.O. Box 695 West Barnstable, Ma 02668	$100.00 / hr wknd: holiday $150.00/hr.
Clarion Fire	$127.00 / hr wknd: holiday $190.00 / hr.

Received by: 4/24/14

Witnessed by: Jane Patterson

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Sprinkler System Inspection and Repairs for all town buildings (List Included) with the exception of the schools, for the period commencing on July 1,2014 and ending on June 30, 2015 in the amount indicated in space provided:

Quarterly Inspections Cost: $ see list 10,000.00

Hourly Rate $ 100 P.H

Hourly Rate Weekends & Holidays $ 150 P.H

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: 4/18/2014

Name of General Bidder: MASS FIRE PROTECTION SYSTEMS INC.

Person Signing Bid: TERENCE O'SHEA

Title (if applicable): PRESIDENT

Business/Home Address:

MASS FIRE PROTECTION SYSTEMS INC.
P.O. BOX 695
WEST BARNSTABLE MA 02668

PHYSICAL — 259 GREAT WESTERN ROAD.
SOUTH DENNIS MA. 02660

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

_____
Town Manager
Chief Procurement Officer

CONTRACTOR

TERENCE O'SHEA
Name

MASS FIRE PROTECTION SYSTEMS INC
Company

PRESIDENT
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

_____
Town Accountant

Board of Selectmen:

_____

_____

_____

_____

_____

CERTIFICATION OF COMPLIANCE
M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 18 day of APRIL, 2014.

Printed Name of Individual or Corporation: MASS FIRE PROTECTION SYSTEMS INC.

Name and Title of Corporate Officer (if applicable):
TERENCE O'SHEA PRESIDENT

Signature of Individual or Corporate Officer:
Terence O'Shea

Social Security or Federal Identification Number:
F.I.D 04-3082385

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed: Terence O'Shea

Name: TERENCE O'SHEA

Name of Business: MASS FIRE PROTECTION SYSTEMS INC.

Address: PO BOX 695
WEST BARNSTABLE MA. 02660

Telephone: 508 790 4696

Town of Provincetown

260 Commercial Street, Town Hall
Town Manager/Selectmen's Office

April 24, 2014 Closing: 12:00 P.M.

Invitation for Bids: Fire Extinguisher Maintenance FY 2015

NAME AND ADDRESS	Amount
Ralph J Perry 96 Falmouth Rd. Hyannis, Ma 02601	$40.00 per he. Insp. only
R.E. Lyons & Son 197 YFW Dr. Rockland, Ma 02370	$25.00. he.

Received by: 4/21/14

Witnessed by: Joe Petterson

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Fire Extinguisher testing, maintaining and replacing as necessary for all Town Buildings, for the period commencing on July 1, 2014 and ending on June 30, 2015 in the amount indicated in space provided:

Hourly Rate Regular Time $ 40 / hr Inspection only

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: 4-17-14

Name of General Bidder: RALPH J. PERRY, INC

Person Signing Bid: Kim Sullivan

Title (if applicable): PRESIDENT

Business/Home Address: 96 FALMOUTH RD
HYANNIS MA 02601

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

Town Manager
Chief Procurement Officer

CONTRACTOR

Kim M Sullivan
Name

RALPH J. PERRY INC
Company

President
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

Town Accountant

Board of Selectmen:

CERTIFICATION OF COMPLIANCE
M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 17th day of April, 2014.

Printed Name of Individual or Corporation: Ralph J. Perry, Inc.

Name and Title of Corporate Officer (if applicable):
Kim M. Sullivan

Signature of Individual or Corporate Officer:
KM Sullivan

Social Security or Federal Identification Number:
042270873

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed: KM Sullivan

Name: Kim M. Sullivan

Name of Business: Ralph J. Perry Inc

Address: 96 Falmouth Rd
Hyannis MA 02601

Telephone: 508-775-3473

Town of Provincetown

260 Commercial Street, Town Hall
Town Manager/Selectmen's Office

April 24, 2014 Closing: 12:00 P.M.

Invitation for Bids: Pest Control Services FY 2015

NAME AND ADDRESS	Amount
Griggs & Browne 203 Main St. Buzzards Bay, Ma 02532	UMCC $55.00 mth. T.H., Library, Freeman $100.00/ Qtr

Received by: 4/24/14

Witnessed by: Jane Patterson

RECEIVED
APR 14 2014
TOWN MGR OFFICE

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Pest Control Services for town buildings, List included separately, for the period commencing on July 1, 2014 and ending June 30, 2015 in the amount indicated in space provided:

Quarterly Maintenance Cost: $ see list

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: 4/9/14

Name of General Bidder: Griggs & Berne

Person Signing Bid: Bob Drummey

Title (if applicable): MNGR.

Business/Home Address: 203 Main St
Buzzards Bay
02532

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

Town Manager
Chief Procurement Officer

CONTRACTOR

Bob Drummey
Name

Griggs + Browne
Company

Mngr.
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

Town Accountant

Board of Selectmen:

CERTIFICATION OF COMPLIANCE
M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 9th day of April, 2014.

Printed Name of Individual or Corporation: Griggs + Browne

Name and Title of Corporate Officer (if applicable):

NA

Signature of Individual or Corporate Officer:

Bob Drumm

Social Security or Federal Identification Number:

05-0152305

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed: Bob Drumm

Name: Bob Drumm

Name of Business: Griggs + Browne

Address: 203 Main St
Buzzards Bay
02532

Telephone: (508) 759-2200

Town of Provincetown

260 Commercial Street, Town Hall
Town Manager/Selectmen's Office

April 24, 2014 Closing: 12:00 P.M.

Invitation for Bids: Drain Maintenance FY 2015

NAME AND ADDRESS	Amount
Advanced Pollution Contr. Corp. 120 High St. Bridgewater, Ma 02324	$580.00 / HR.

Received by: SR 4/24/14

Witnessed by: Jane Petteson

RECEIVED
APR 18 2014
TOWN MGR OFFICE

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Drainage Infiltration Cleaning (Vacuumed 1 to 2 times per year), for the period commencing on July 1, 2014 and ending June 30, 2015 in the amount indicated in space provided:

Hourly Rate Regular Time: $580.00 Please see attached letter

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: April 18, 2014

Name of General Bidder: Advanced Pollution Control Corporation

Person Signing Bid: Michael F. Flaherty III

Title (if applicable): President

Business/Home Address: 120 High Street

Bridgewater, MA 02324

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

_____
Town Manager
Chief Procurement Officer

CONTRACTOR

Michael F. Flaherty III
Name

Advanced Pollution Control Corporation
Company

President
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

_____
Town Accountant

Board of Selectmen:

_____

_____

_____

_____

_____

CERTIFICATION OF COMPLIANCE
M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 18th day of April, 2014.

Printed Name of Individual or Corporation: Advanced Pollution Control Corporation

Name and Title of Corporate Officer (if applicable):

Michael F. Flaherty III, President

Signature of Individual or Corporate Officer:

Michael F. Flaherty III

Social Security or Federal Identification Number:

042577919

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed: Michael F. Flaherty III

Name: Michael F. Flaherty III

Name of Business: Advanced Pollution Control Corporation

Address: 120 High Street
Bridgewater, MA 02324

Telephone: (508) 697-4199

Town of Provincetown

260 Commercial Street, Town Hall
Town Manager/Selectmen's Office

April 24, 2014 Closing: 12:00 P.M.

Invitation for Bids: Elevator Inspections FY 2015

NAME AND ADDRESS	Amount
Associated Elevator 583D Forest Rd. So. Yarmouth, Ma 02664	mthy 250.00 /elevator Hrly 175.00 hr. wknd/Hol. 225.00 hr
BBE Corp. 27 Congress St. Suite 205.5 Salem, Ma 01970	mthly $350.00 elev. Hrly $160.00 hr. wknd/Hol. $275.00 hr

Received by: 4/24/14

Witnessed by: Jane Petteso

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Elevator Maintenance and Repairs for all town buildings (list included) with the exception of the schools, for the period commencing on July 1, 2014 and ending on June 30, 2015 in the amount indicated in space provided:

Monthly Maintenance Cost:	$ 250.00/elevator
Hourly Rate	$ 175.00
Hourly Rate Weekends & Holidays	$ 225.00

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: April 22, 2014

Name of General Bidder: Associated Elevator Companies, Inc.

Person Signing Bid: Meredith Baker

Title (if applicable): President

Business/Home Address: 583D Forest Road

South Yarmouth, MA 02664

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

Town Manager
Chief Procurement Officer

CONTRACTOR

Meredith Baker

Name Meredith Baker

Associated Elevator Companies, Inc.
Company

President
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

Town Accountant

Board of Selectmen:

CERTIFICATION OF COMPLIANCE
M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 22nd day of April, 2014.

Printed Name of Individual or Corporation: Associated Elevator Companies, Inc.

Name and Title of Corporate Officer (if applicable):

Meredith Baker, President

Signature of Individual or Corporate Officer:

Meredith Baker

Social Security or Federal Identification Number:

04-3093454

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed: Meredith Baker

Name: Meredith Baker

Name of Business: Associated Elevator Companies, Inc.

Address: 583D Forest Road
South Yarmouth, MA 02664

Telephone: 508-760-3875

Town of Provincetown

260 Commercial Street, Town Hall
Judge Welsh Hearing Room

Date: May 22, 2014 *Time 12:00pm*

Bids for: **UNIFORMS**

NAME AND ADDRESS OF BIDDER	AMOUNT OF BID
UNIFIRST CORPORATION ROBERT J. GROVES 1 VICTORY DRIVE SANDWICH, MA 02563	$13,225.00

Bids Received By: 5/22/14

Witnessed By: 5/22/14

FORM OF GENERAL BID

TO: Town Manager
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

The undersigned proposes to provide Uniforms for the Town's Public Works Dept, (see attached specs) for the period commencing on July 1, 2014 and ending on June 30, 2015 in the amount indicated in space provided:

Cost $ 13,225.00

To the Town of Provincetown, Commonwealth of Massachusetts, in accordance with the Form of General Bid and any other related documents.

The undersigned shall provide the following with the proposed bid:

Two General Bid Agreements
Tax Certification (attached)
Non-Collusion Certification (attached)

DATE: 9 MAY 14

Name of General Bidder: UniFirst Corporation

Person Signing Bid: Robert J Groves

Title (if applicable): Branch Mgr

Business/Home Address: 1 Victory Dr
Sandwich MA 02563

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

TOWN OF PROVINCETOWN

_____
Town Manager
Chief Procurement Officer

CONTRACTOR

UniFirst Corporation
Name

Robert J Groves
Company

Branch Mgr
Title

Certification of Appropriation under MGL c.44, s31C:
Adequate funding in the amount sufficient to cover the total cost of this contract/change order is available.

_____
Town Accountant

Board of Selectmen:

_____

_____

_____

_____

_____

CERTIFICATION OF COMPLIANCE

M.G.L. Chapter 62C, Section 49A

Pursuant to Section 49A of Chapter 62C of the General Laws of Massachusetts, I hereby certify that I have complied with all Laws of the Commonwealth of Massachusetts relating to taxes.

This statement is made under the pains and penalties of perjury this 9th day of May, 2014.

Printed Name of Individual or Corporation: UniFirst Corporation

Name and Title of Corporate Officer (if applicable):

Robert J Groves

Signature of Individual or Corporate Officer:

Social Security or Federal Identification Number:

04-2103460

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other persons. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signed:

Name: Robert J Groves

Name of Business: UniFirst Corporation

Address: 1 Victory Dr
Sandwich MA 02563

Telephone: 508-888-5637

Community Housing Specialist

Memo

To: Board of Selectmen, Acting Town Manager David Gardner

From: Michelle Jarusiewicz, Community Housing Specialist

Date: June 4, 2014

Re: Refinance Request 6 Sandy Hill Lane Unit #10

The owner of a median income condominium that is deed restricted as part of the Sandy Hill Lane development has requested approval for refinancing. Refinancing requires approval from the Town [see attached excerpt from deed restriction]. The refinancing will save the owner approximately $250 per month. *I recommend approval of the request as it meets the standards for such including term, rate, and total amount to be refinanced is well within the value.*

Owner: Brenda LeBlanc
6 Sandy Hill Lane Unit #10
Purchased: 6/19/08 for $155,000; deed restriction for 99 years through 2107.
Refinance amount: $132,000 for 30 years fixed at 4.625%
Appraised value: $170,000 [4/25/14] and FY '14 assessed value $158,300

I have attached the request to refinance from the owner and the information from the bank including appraisal. Please let me know if you have any questions.

Provincetown Community Housing Property Sheet

Address: **6 Sandy Hill Lane #10** 1 bedroom

Owner [name/address/phone/email]:
Brenda LeBlanc, 6 Sandy Hill Lane #10

Type [# units]: **1 median ownership**

Regulatory Agreement/AH Restriction Parties:

Brenda LeBlanc Town of Provincetown

Recorded: Date:6 /19 /08 Book: 22990 Page: 91 #: 33228
Amended: Date: Book: Page: #:

Term: 99 years Expiration date: 2107
Original sale price: 155,000 Date: 6/16 /08

Maximum Resale Multiplier: 2.11

Comprehensive 40B Permit? ☐Yes ☑No
Recorded: Date: Book: Page: #:

Comments: undivided percentage interest in common area and facilities 7.25%

Monitoring Agent: Town of Provincetown

Comments: FY'14 Assessed value $158,300
4/25/14 appraised value $170,000

Bk 22990 Pg88 #33227
06-19-2008 @ 12:47p

Property Address: 6 Sandy Hill Lane #10, Provincetown, MA

CONDOMINIUM UNIT DEED

ANATHAN BENSON LLC, a Massachusetts limited liability company with a business address of 244 Commercial Street, Provincetown, Massachusetts ("Grantor")

For consideration paid of One Hundred Fifty Five Thousand ($155,000.00) Dollars

Grant to Brenda LeBlanc, of 6 Sandy Hill Lane #10, Provincetown, MA 02657 ("Grantee")

With QUITCLAIM COVENANTS

Unit No. 10 of Gull's Nest Condominium ("Unit"), created by Master Deed dated February 1, 2008, and recorded with Barnstable Registry of Deeds on February 7, 2008, in Book 22656, Page 202, and as shown on Plans recorded with said Registry of Deeds in Plan Book 623, Pages 80 to 82.

The unit is further shown on a plan recorded herewith to which is affixed a verified statement in the form provided by M.G.L. c. 183A, § 9, and is conveyed subject to and with the benefit of the obligations, restrictions, rights and liabilities contained in M.G.L. c. 183A, the Master Deed, the documents establishing the organization of unit owners and the By-Laws, all as amended of record. The Unit is also hereby conveyed with the exclusive use to use Parking Space No. 10 as shown on the plan entitled "Master Site Plan: Gull's Nest Condominium, Provincetown, MA" recorded with said Registry of Deeds in Plan Book 623, Page 80.

Each of the units in the Condominium is intended solely for residential purposes and such other uses as are set forth in the Master Deed as permissible by the applicable Zoning Ordinances.

The undivided percentage interest of the unit in the common areas and facilities is 7.25%.

The Post Office Address of the Condominium is: 6 Sandy Hill Lane, Provincetown, MA 02657.

This Unit is further subject to the terms of the Affordable Housing Deed Restriction recorded immediately following this instrument.

(e) Notwithstanding anything to the contrary contained in this Housing Restriction, the Maximum Resale Price shall not be less than the purchase price which the Owner paid for the Property plus the costs of marketing expenses.

(f) The Owner understands and agrees that nothing in this Housing Restriction in any way constitutes a promise or guarantee by the Municipality that the Owner shall actually receive the Maximum Resale Price for the Property or any other price for the Property.

4. Restrictions Against Leasing and Junior Encumbrances:

The Property shall not be leased, refinanced, encumbered (voluntarily or otherwise) or mortgaged without the prior written consent of the Municipality, provided, however, that this provision shall not apply to mortgages granted in connection with this conveyance. In other words, **the Owner must occupy the Property as his/her year-round residence, and may not rent any portion of the Property or refinance the Property without the express written consent of the Municipality.**

Any rents, profits, or proceeds from any transaction described in the last preceding sentence which transaction has not received the prior written consent of the Municipality shall be paid to and be the property of the Municipality. In the event that the Municipality in the exercise of its absolute discretion consent to any such leases, refinancing, encumbrance or mortgage, it shall be a condition to such consent that all rents, profits or proceeds from such transaction which exceed the carrying costs of the Property as determined by the Municipality in their sole discretion shall be paid to and be the property of the Municipality.

5. Rights of Mortgagees:

(a) Notwithstanding anything herein to the contrary, but subject to the next succeeding paragraph hereof, if the holder of record (other than the Grantor or any person related to the Grantor by blood, adoption, or marriage, or any entity in which the Grantor has a financial interest (an "Interested Party")) of a first mortgage granted to a state or national bank, state or federal savings and loan association, cooperative bank, mortgage company, trust company, insurance company or other institutional lender or its successors or assigns (other than an Interested Party) shall acquire the Property by reason of foreclosure or similar remedial action under the provisions of such mortgage or upon conveyance of the Property in lieu of foreclosure, and provided that the holder of such mortgage has given the Municipality not less the ninety (90) days prior written notice of its intention to foreclose upon its mortgage or to accept a conveyance of the Property in lieu of foreclosure and has complied with the provisions of Section 2 herein, the rights and restrictions contained herein shall not apply to such holder upon such acquisition of the Property, any purchaser (other than the Grantor, or any person related to the Grantor by blood, adoption or marriage, or any entity in which the Grantor has a financial interest) of the Property at a foreclosure sale conducted by such holder, or any purchaser (other than an Interested Party) of the Property from such holder, and subject to the disposition of proceeds established in Paragraph 5(b) hereof such Property shall thereupon and thereafter be free from all such

11

guaranteed Rate

1001 Hingham Street

Rockland, MA 02370

May 19, 2014

Michelle Jarusiewicz

Town of Provincetown

260 Commercial Street

Provincetown, MA 02657

RE: Refinance of 6 Sandy Hill Lane, #10

Dear Michelle:

As per your request, enclosed, please find the property appraisal, letter from the homeowner and commitment letter for Brenda LeBlanc's refinance request for the above-mentioned property.

If you have any questions, please do not hesitate to contact me at 508.237.1424. Thank you.

Sincerely,

Maryann Taormina

Branch Manager

NMLS #28020

Brenda LeBlanc
6 Sandy Hill Lane #10
Provincetown, MA 02657

May 12, 2014

Michelle Jarusiewicz
Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

RE: Refinance of 6 Sandy Hill Lane, #10

Dear Michelle:

Please be advised that I am in the process of refinancing my current loan with Guaranteed Rate, Inc. into a new 30 year fixed rate at 4.625%. This refinance will save me over $250. per month on the monthly payment so I request the necessary approval from the Town of Provincetown in order to close on this refinance.

The closing attorney is Rita Kaouris from Residential Title & Escrow and she can be reached at 508.948.3314.

If you have any questions, please do not hesitate to contact me at 508.681.5721. Thank you.

Sincerely,

LOAN COMMITMENT

guaranteed Rate

1001 Hingham Street
Rockland, MA, 02370
Phone: FAX:

Date:5/20/2014
Loan Number: 141057323
Borrower: Brenda LeBlanc
Co- Borrower:
6 Sandy Hill Ln Unit 10
Provincetown, MA
02657
Rate Lock/Commitment Expiration: 06/10/2014
Doc Expiration:07/14/2014
Total Origination Points: %
Loan Program: Conforming 30 Year Fixed DU Refi Plus
If an Adjustable Rate Mortgage (ARM): Margin: % Caps: % Index: %
Prepayment Penalty Yes/No: N

Loan Amount:	$132,000.00
Loan Term:	360 Months
Interest Rate:	4.625%
P & I Payment:	$678.66
Monthly Tax Est.	$101.67
Monthly Hazard Est.	$0.00
Monthly MI Estimate	$
Total Est Payment:	$873.33
Total Discount Points:	%

We are pleased to inform you that your application for a mortgage loan on the above referenced property has been approved. Guaranteed Rate reserves the right to modify this approval or to declare it null and void if any representations made in the loan application are incorrect or incomplete, if any material facts appear which have not been previously revealed to us or if any adverse change in the borrower's credit, outstanding obligations, or employment or in the value or condition of the property, prior to closing. This loan commitment is not assignable or transferable and is subject to all terms and conditions stated herein:
***All Conditions Are Subject To Acceptance By Guaranteed Rate, Inc.

- Provide soft pull inquiry report when submitting conditions for final approval.
- Tax Transcripts are ordered upon receipt of 4506T form. Tax transcript income must support the income documentation in the file.
- Provide a SS verification form and matching report via dataverify to verify the SSNof the borrower.
- Provide completed GRI Net Tangible Benefit Worksheet completed by the borrower(s) where the benefit(s) are initialed by each borrower as per the instructions listed on page 2 of borrower form.
- Obtain a signed and dated letter from the current employer or a WVOE confirming that the borrower has no ownership in the business as well as provide the seasonal dates of employment.

Any of the following events may adversely affect the loan decision. Therefore, you are required to immediately inform us if any of the below events or actions occurs prior to the closing and funding of your loan:

- Change in employment status or income, or change of employer.
- Any new inquiry into your credit, any new debt or credit obtained, or co-signing on any other loan.
- Any new property obtained, or undisclosed ownership in property at the time of application.
- All funds used for downpayment and closing must be from an account verified on your loan application.

Due to recent market volatility, this Loan Commitment is contingent upon, and subject to, the availability of this loan product and program in the secondary market from the issuance of this Loan Commitment through the closing and funding of the loan. We require 5 business days notice on all closings.

-The Fire and Extended Coverage Insurance Policy or Binder (Home Owner's Insurance) of a carrier acceptable to Lender must be produced five (5) business days prior to settlement, along with paid receipt. The policy must be an amount at least equal to the mortgage for a minimum of 1 year (for New Jersey & New York properties lesser of replacement cost or loan amount), and contain a mortgage endorsement showing Lender as first mortgagee. The insurance carrier must satisfy Lender requirements applicable at the time of closing. The policy must provide that said insurance shall not be canceled or coverage changed unless 30 days' prior written notice has been given to Lender. Not applicable for condos.

-Certificate of Insurance itemizing $1,000,000 dollar coverage for Hazard, Liability, and Fidelity Bond Coverage (if applicable) is required on Condominium projects or for common areas in PUD projects. New construction must be 100% complete including floors, carpeting, driveway, etc. The property must be inspected at least 5 days prior to closing including photos by the appraiser.

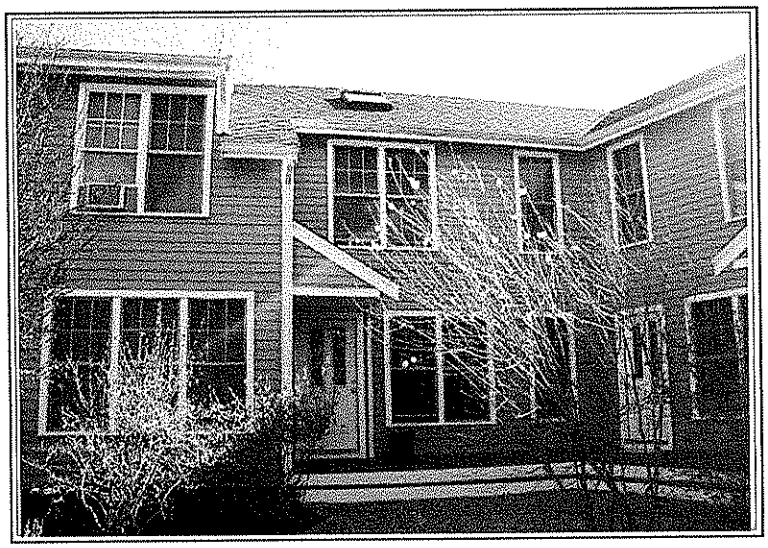
We thank you for this opportunity to be of service to you and we hope that this offer of financing is acceptable. If you have any questions concerning this commitment, please call the Vice President or the Mortgage Consultant for clarification.

Sincerely, Maryann Taormina License #MA - MLO28020 - MC2611

_____ _____

Brenda LeBlanc Date

APPRAISAL OF



A Condominium

LOCATED AT:

6 Sandy Hill Ln
Provincetown, MA 02657-1520

FOR:

Guaranteed Rate, Inc.
3940 North Ravenswood
Chicago, IL 60613

BORROWER:

Brenda LeBlanc

AS OF:

April 25, 2014

BY:

Patrick Roy
Ma. Cert Res R E Appraiser #75486

04/29/2014

Absolute Value Inc.
Guaranteed Rate, Inc.
3940 North Ravenswood
Chicago, IL 60613

File Number: 1304922

Dear Client,

In accordance with your request, I have appraised the real property at:

6 Sandy Hill Ln
Provincetown, MA 02657-1520

The purpose of this appraisal is to develop an opinion of the market value of the subject property, as improved. The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the market value of the property as of April 25, 2014 is:

$170,000
One Hundred Seventy Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, limiting conditions and appropriate certifications.

Respectfully,

Patrick Roy
Ma. Cert Res R E Appraiser #75486

Absolute Value, Inc.

141057323

Individual Condominium Unit Appraisal Report

File No. 1304922

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

SUBJECT

Property Address 6 Sandy Hill Ln | Unit # 10 | City Provincetown | State MA | Zip Code 02657-1520

Borrower Brenda LeBlanc | Owner of Public Record Brenda LeBlanc | County Barnstable

Legal Description Barnstable County Registry of Deeds Book 22990 Page 88

Assessor's Parcel # Map 9 Parcel B:1 L:2 U:010R | Tax Year 2014 | R.E. Taxes $ 1,197

Project Name Gulls Nest | Phase # 1 | Map Reference MSA# 12700 | Census Tract 0101.00

Occupant [X] Owner [ ] Tenant [ ] Vacant | Special Assessments $ 0 | HOA $ 93 [ ] per year [X] per month

Property Rights Appraised [X] Fee Simple [ ] Leasehold [ ] Other (describe)

Assignment Type [ ] Purchase Transaction [X] Refinance Transaction [ ] Other (describe)

Lender/Client Guaranteed Rate, Inc. | Address 3940 North Ravenswood, Chicago, IL 60613

Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? [ ] Yes [X] No

Report data source(s) used, offering price(s), and date(s). According to MLS, the subject is not currently being offered for sale, nor has it been offered for sale in the twelve months prior to the effective date of this appraisal.

CONTRACT

I [ ] did [ ] did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price $ | Date of Contract | Is the property seller the owner of public record? [ ] Yes [ ] No | Data Source(s)

Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? [ ] Yes [ ] No

If Yes, report the total dollar amount and describe the items to be paid.

NEIGHBORHOOD

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics			Condominium Unit Housing Trends			Condominium Housing		Present Land Use %	
Location	[ ] Urban	[X] Suburban	[ ] Rural	Property Values	[ ] Increasing	[X] Stable	[ ] Declining	PRICE $(000)	AGE (yrs)	One-Unit	85 %
Built-Up	[X] Over 75%	[ ] 25-75%	[ ] Under 25%	Demand/Supply	[ ] Shortage	[X] In Balance	[ ] Over Supply			2-4 Unit	%
Growth	[ ] Rapid	[X] Stable	[ ] Slow	Marketing Time	[ ] Under 3 mths	[X] 3-6 mths	[ ] Over 6 mths	155 Low	0	Multi-Family	%
								575 High	214	Commercial	15 %
								310 Pred.	115	Other	%

Neighborhood Boundaries The subject is bounded north by The Atlantic Ocean, south by Route 6, east by the Town of Truro, and west by Province Lands Road.

Neighborhood Description See Attached Addendum

Market Conditions (including support for the above conclusions) Please refer to the attached FNMA 1004 MC for a detailed description of market conditions in the subject community.

PROJECT SITE

Topography Generally Level | Size 28848 sf | Density Typical | View N;Res;

Specific Zoning Classification R3 | Zoning Description Minimum 5,000 square feet with at least 50 feet of frontage

Zoning Compliance [X] Legal [ ] Legal Nonconforming – Do the zoning regulations permit rebuilding to current density? [ ] Yes [ ] No

[ ] No Zoning [ ] Illegal (describe)

Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? [X] Yes [ ] No If No, describe. See Attached Addendum

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[X]	[ ]	Water	[X]	[ ]	Street Asphalt	[X]	[ ]
Gas	[ ]	[X] Propane	Sanitary Sewer	[ ]	[X] Private Sewer	Alley None	[ ]	[ ]

FEMA Special Flood Hazard Area [ ] Yes [X] No | FEMA Flood Zone C | FEMA Map # 2552180003C | FEMA Map Date 07/15/1992

Are the utilities and off-site improvements typical for the market area? [X] Yes [ ] No If No, describe.

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? [ ] Yes [X] No If Yes, describe. See Attached Addendum

PROJECT INFORMATION

Data source(s) for project information Owner, Broker, MLS

Project Description [ ] Detached [X] Row or Townhouse [ ] Garden [ ] Mid-Rise [ ] High-Rise [ ] Other(describe)

General Description	General Description	Subject Phase		If Project Completed		If Project Incomplete	
# of Stories 2	Exterior Walls Vinyl/Good	# of Units	12	# of Phases	1	# of Planned Phases	
# of Elevators 0	Roof Surface Asph Sh/Gd	# of Units Completed	12	# of Units	12	# of Planned Units	
[X] Existing [ ] Proposed	Total # Parking 16	# of Units For Sale	0	# of Units for Sale	0	# of Units for Sale	
[ ] Under Construction	Ratio (spaces/units) 1.1	# of Units Sold	12	# of Units Sold	12	# of Units Sold	
Year Built 2008	Type Open	# of Units Rented	0	# of Units Rented	0	# of Units Rented	
Effective Age 3	Guest Parking 4	# of Owner Occupied Units	12	# of Owner Occupied Units	12	# of Owner Occupied Units	

Project Primary Occupancy [X] Principal Residence [ ] Second Home or Recreational [ ] Tenant

Is the developer/builder in control of the Homeowners' Association (HOA)? [ ] Yes [X] No

Management Group – [X] Homeowners' Association [ ] Developer [ ] Management Agent – Provide name of management company.

Does any single entity (the same individual, investor group, corporation, etc.) own more than 10% of the total units in the project? [ ] Yes [X] No If Yes, describe

Was the project created by the conversion of an existing building(s) into a condominium? [ ] Yes [X] No If Yes, describe the original use and the date of conversion.

Are the units, common elements, and recreation facilities complete (including any planned rehabilitation for a condominium conversion)? [X] Yes [ ] No If No, describe

Is there any commercial space in the project? [ ] Yes [X] No If Yes, describe and indicate the overall percentage of the commercial space.

PROJECT INFORMATION

Describe the condition of the project and quality of construction. The project appeared to be of good overall quality of construction and in good overall condition as it is only a 5 year old complex. The building is LEED Certified and was built using "green" materials including having numerous solar panels.

Describe the common elements and recreational facilities. The subject has a monthly association fee of $93 which includes exterior and road maintenance, snow and trash removal, a master insurance policy.

Are any common elements leased to or by the Homeowners' Association? ☐ Yes ☒ No If Yes, describe the rental terms and options.

Is the project subject to a ground rent? ☐ Yes ☒ No If Yes, $ _____ per year (describe terms and conditions)

Are the parking facilities adequate for the project size and type? ☒ Yes ☐ No If No, describe and comment on the effect on value and marketability.

PROJECT ANALYSIS

I ☐ did ☒ did not analyze the condominium project budget for the current year. Explain the results of the analysis of the budget (adequacy of fees, reserves, etc.), or why the analysis was not performed. The project budget was not available to analyze. The appraiser assumes that the budget is adequate to properly maintain the project.

Are there any other fees (other than regular HOA charges) for the use of the project facilities? ☒ Yes ☐ No If Yes, report the monthly facility charges and describe. According to the owner, there is a quarterly electricity and gas bill charged to the owners which varies throughout the year with the change of seasons.

Compared to other competitive projects of similar quality and design, the subject unit charge appears ☐ High ☒ Average ☐ Low If High or Low, describe.

Are there any special or unusual characteristics of the project (based on the condominium documents, HOA meetings, or other information) known to the appraiser? ☐ Yes ☒ No If Yes, describe and explain the effect on value and marketability.

UNIT DESCRIPTION

Unit Charge $ 93.00 per month X 12 = $ 1,116 per year Annual assessment charge per year per square feet of gross living area = $ 2.11

Utilities included in the unit monthly assessment ☒ None ☐ Heat ☐ Air Conditioning ☐ Electricity ☐ Gas ☐ Water ☐ Sewer ☐ Cable ☐ Other (describe)
No utilities included in monthly assessment. Heat and electricity are billed quarterly.

GENERAL DESCRIPTION	INTERIOR materials/condition	AMENITIES	Appliances	CAR STORAGE
Floor # 1+2	Floors Bamboo/Good	☐ Fireplace(s) # 0	☒ Refrigerator	☐ None
# of Levels 2	Walls Drywall/Paint/Good	☐ Woodstove(s) # 0	☒ Range/Oven	☐ Garage ☐ Covered ☒ Open
Heating Type Pump Fuel Gas	Trim/Finish Wood/Paint/Good	☒ Deck/Patio 0/1	☐ Disp ☒ Microwave	# of Cars 1
☐ Central AC ☐ Individual AC	Bath Wainscot Fiberglass/Good	☐ Porch/Balcony None	☒ Dishwasher	☒ Assigned ☐ Owned
☒ Other (describe) None	Doors Solid/Panel/Good	☐ Other None	☒ Washer/Dryer 1/1	Parking Space # 10

Finished area above grade contains: 2 Rooms 1 Bedrooms 1.0 Bath(s) 528 Square Feet of Gross Living Area Above Grade

Are the heating and cooling for the individual units separately metered? ☐ Yes ☒ No If No, describe and comment on compatibility to other projects in the market area.
See Attached Addendum

Additional features (special energy efficient items, etc.). Patio;Solar Panels

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). C3;No updates in the prior 15 years;The subject is a 1 bedroom 1 bathroom interior unit originally built in 2008. The kitchen has granite counters, stainless appliances, and therma foil wrapped cabinets. There is a dining area and a living area on the first floor. The second floor has a bedroom, bathroom and laundry closet as well. The owner has installed bamboo floors on the second floor, installed the washer and dryer and an extra kitchen cabinet as well. The subject is of good quality and was in good condition.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No If Yes, describe
The inspection of the subject property was accomplished for valuation purposes only. It should be noted that the appraiser is not a professional home inspector or structural expert and only viewed areas of the subject property which were readily observable. No attempt was made by the appraiser to gain access to any crawl space, attic areas without a full staircase, or any area which could be considered to be dangerous to access by the appraiser. See Scope of Work in the attached addendum.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe. See Attached Addendum

PRIOR SALE HISTORY

I ☒ did ☐ did not research the sale or transfer history of the subject property and comparable sales. If not, explain In researching the Sales/Transfer history of the subject property and comparable sales, I relied exclusively on information provided by the on-line services, MLS and/or the Warren Groups Banker and Tradesmen.

My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.
Data source(s) Public Record and The Warren Group

My research ☒ did ☐ did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.
Data source(s) Public Record and The Warren Group

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
Date of Prior Sale/Transfer				
Price of Prior Sale/Transfer				
Data Source(s)	The Warren Group	The Warren Group	The Warren Group	The Warren Group
Effective Date of Data Source(s)	04/25/2014	04/25/2014	04/25/2014	04/25/2014

Analysis of prior sale or transfer history of the subject property and comparable sales The subject did not sell three years prior to the effective date of this appraisal and the comparables did not sell within one year prior to the date of the comparable sale except for sale 4 which sold as a foreclosure on 04/18/2013 for $201,514 before it was last purchased as an REO.

Absolute Value, Inc.

141057323

Individual Condominium Unit Appraisal Report

File No. 1304922

There are 39 comparable properties currently offered for sale in the subject neighborhood ranging in price from $ 100,000 to $ 500,000

There are 34 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from $ 100,000 to $ 500,000

FEATURE	SUBJECT	COMPARABLE SALE NO. 1		COMPARABLE SALE NO. 2		COMPARABLE SALE NO. 3	
Address and Unit #	6 Sandy Hill Ln 10, Provincetown, MA 02657-152	23 Harry Kemp Way C, Provincetown, MA 02657		616 Commercial St 9, Provincetown, MA 02657		6 Sandy Hill Ln 11, Provincetown, MA 02657	
Project Name and Phase	Gulls Nest 1	23 Harry Kemp 1		The White Dory 1		Gulls Nest 1	
Proximity to Subject		0.39 miles SE		1.2 miles NE		0.01 miles S	
Sale Price	$ 0		$ 260,000		$ 281,000		$ 176,000
Sale Price/Gross Liv. Area	$ 0.00 sq. ft.	$ 465.95 sq. ft.		$ 416.91 sq. ft.		$ 312.61 sq. ft.	
Data Source(s)		CAPE MLS #21309455;DOM 137		CAPE MLS #21204195;DOM 499		CAPE MLS #0;DOM Unk	
Verification Source(s)		Warren Group; Exterior Inspect		Warren Group; Exterior Inspect		Warren Group; Assessor Data	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sale or Financing Concessions		ArmLth Cash;0		ArmLth Conv;0		ArmLth Cash;0	
Date of Sale/Time		s02/14;c02/14		s09/13;c09/13		s10/10;unk	
Location	N;Res;	N;Res;		B;Res;	-28,100	N;Res;	
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
HOA Mo. Assessment	$93	$160	0	$300	0	$93	
Common Elements and Rec. Facilities	Shared Grounds None	Shared Grounds None		Shared Grounds None		Shared Grounds None	
Floor Location	1+2	1	0	2	0	1+2	
View	N;Res;	N;Res;		N;Wtr;BayPks	-10,000	N;Res;	
Design (Style)	RT2L;TwnHse/Int	RT1L;TwnHse/End	-5,000	GR1L;Garden/Int	0	RT2L;TwnHse/Int	
Quality of Construction	Q3	Q3		Q4	14,050	Q3	
Actual Age	6	39	0	114	0	6	
Condition	C3	C3		C3		C3	
Above Grade Room Count (Total / Bdrms / Baths)	2 / 1 / 1.0	2 / 1 / 1.0		3 / 1 / 1.0	0	2 / 1 / 1.0	
Gross Living Area 35	528 sq. ft.	558 sq. ft.	-1,050	674 sq. ft.	-5,110	563 sq. ft.	0
Basement & Finished Rooms Below Grade	0sf	0sf		674sf0sfwu	-2,500	0sf	
Functional Utility	Average	Average		Average		Average	
Heating/Cooling	HeatPump,None	ElectricBB, None	0	ElectricBB, None	0	HeatPump,None	
Energy Efficient Items	None	None		None		None	
Garage/Carport	1op;Assigned	1op;Assigned		1op;Assigned		1op;Assigned	
Porch/Patio/Deck	Patio	None Noted	1,000	None Noted	1,000	Patio	
Other	Deed Restricted	No Deed Restrict	-70,000	No Deed Restrict	-70,000	Deed Restricted	
Net Adjustment (Total)		☐ + ☒ -	$ 75,050	☐ + ☒ -	$ 100,660	☒ + ☐ -	$ 0
Adjusted Sale Price of Comparables		Net Adj. -28.9% Gross Adj. 29.6%	$ 184,950	Net Adj. -35.8% Gross Adj. 46.5%	$ 180,340	Net Adj. 0.0% Gross Adj. 0.0%	$ 176,000

SALES COMPARISON APPROACH

Summary of Sales Comparison Approach $35 per s.f. adjustment used for GLA difference. Having a full basement was adjusted at $2500. See Attached Addendum for comments on other adjustments.

All sales are considered good indicators of value for the subject, however the most relevant comparable is Sale 3 due to it being the only re-sale within the subject complex, which is the only deed restricted condominium complex in the town of Provincetown. The appraiser searched the entire Cape Cod MLS database for any similar condominium complexes on the Cape and found none noted. The subject is located in a median housing complex that when developed in 2008, units were sold to those who had not owned any real property in the three years prior to 2008. A one person household income had to be less than $51,800 and a 2 person household was less than $59,200. The units cannot be sold at market value as they are deed restricted to be sold at 100% of the median income, and no greater, according to the Master Deed reviewed by the appraiser in the Barnstable County Registry of Deeds Book 22102 Page 196. According to the United States Department of Commerce Census Bureau, the median household income for Barnstable County in 2013

Indicated Value by Sales Comparison Approach $ 170,000 A list of UAD definitions & explanation of abbreviations is attached to this report

INCOME APPROACH TO VALUE (not required by Fannie Mae)

INCOME

Estimated Monthly Market Rent $ 0 X Gross Rent Multiplier 0 = $ 0 Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM) No reliance was given to the income approach since condominiums within this market are not typically purchased for their income potential.

Indicated Value by: Sales Comparison Approach $ 170,000 Income Approach (if developed) $ 0

RECONCILIATION

See Attached Addendum

This appraisal is made ☒ "as is," ☐ subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, ☐ subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or ☐ subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair: This report is made as is. No repairs are necessary to support the indicated market value.

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is $ 170,000 as of 04/25/2014, which is the date of inspection and the effective date of this appraisal.

This report form is designed to report an appraisal of a unit in a condominium project or a condominium unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject unit, (2) inspect and analyze the condominium project, (3) inspect the neighborhood, (4) inspect each of the comparable sales from at least the street, (5) research, verify, and analyze data from reliable public and/or private sources, and (6) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.

2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.

3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.

6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.

2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.

3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.

5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.

6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.

7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.

8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.

9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.

10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.

11. I have knowledge and experience in appraising this type of property in this market area.

12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.

13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.

14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.

15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.

16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.

17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.

18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).

19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.

20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.

4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature
Name Patrick Roy
Company Name Absolute Value
Company Address 585 Boylston Street
Boston, MA 02116
Telephone Number 617-314-7446
Email Address orders@absolutevalueinc.com
Date of Signature and Report 04/30/2014
Effective Date of Appraisal 04/25/2014
State Certification # MACR #75486
or State License #
or Other (describe) State #
State MA
Expiration Date of Certification or License 08/17/2015

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature
Name
Company Name
Company Address
Telephone Number
Email Address
Date of Signature
State Certification #
or State License #
State
Expiration Date of Certification or License

ADDRESS OF PROPERTY APPRAISED
6 Sandy Hill Ln Unit # 10
Provincetown, MA 02657-1520

APPRAISED VALUE OF SUBJECT PROPERTY $ 170,000

LENDER/CLIENT
Name Absolute Value Inc.
Company Name Guaranteed Rate, Inc.
Company Address 3940 North Ravenswood
Chicago, IL 60613
Email Address

SUBJECT PROPERTY
☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
Date of Inspection
☐ Did inspect interior and exterior of subject property
Date of Inspection

COMPARABLE SALES
☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
Date of Inspection

Absolute Value, Inc.

141057323

Individual Condominium Unit Appraisal Report

File No. 1304922

FEATURE	SUBJECT	COMPARABLE SALE NO. 4		COMPARABLE SALE NO. 5		COMPARABLE SALE NO. 6	
Address and Unit #	6 Sandy Hill Ln 10, Provincetown, MA 02657-152	24 Bangs St 1, Provincetown, MA 02657		146 Commercial St 3, Provincetown, MA 02657		22 Pearl St 4, Provincetown, MA 02657	
Project Name and Phase	Gulls Nest 1	24 Bangs Street 1		The Red Square 1		22 Pearl Street 1	
Proximity to Subject		0.55 miles SE		0.86 miles SE		0.45 miles SE	
Sale Price	$ 0		$ 202,000		$ 325,000		$ 239,000
Sale Price/Gross Liv. Area	$ 0.00 sq. ft.	$ 470.86 sq. ft.		$ 717.44 sq. ft.		$ 1,034.63 sq. ft.	
Data Source(s)		CAPE MLS #21306133;DOM 91		CAPE MLS #21401127;DOM 76		CAPE MLS #21400625;DOM 91	
Verification Source(s)		Warren Group; Exterior Inspect		Warren Group; Exterior Inspect		Warren Group; Exterior Inspect	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sale or Financing Concessions		REO Cash;0		Listing ;0		Listing ;0	
Date of Sale/Time		s10/13;c09/13		Active	-13,000	Active	-9,560
Location	N;Res;	N;Res;		N;WtrFr;	-32,500	N;Res;	
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
HOA Mo. Assessment	$93	$143	0	$117	0	$155	0
Common Elements and Rec. Facilities	Shared Grounds None	Shared Grounds None		Shared Grounds None		Shared Grounds None	
Floor Location	1+2	1+2		1	0	2	0
View	N;Res;	N;Res;		N;Res;		N;Res;	
Design (Style)	RT2L;TwnHse/Int	RT1L;TwnHse/End	-5,000	RT2L;TwnHse/Int		GR1L;Garden/Int	0
Quality of Construction	Q3	Q4	10,100	Q4	16,250	Q4	11,950
Actual Age	6	64	0	164	0	164	0
Condition	C3	C5	20,200	C3		C3	
Above Grade Room Count (Total / Bdrms / Baths)	2 / 1 / 1.0	3 / 1 / 1.0	0	2 / 1 / 1.0		2 / 1 / 1.0	
Gross Living Area 35	528 sq. ft.	429 sq. ft.	0	453 sq. ft.	0	231 sq. ft.	10,395
Basement & Finished Rooms Below Grade	0sf	0sf		0sf		0sf	
Functional Utility	Average	Average		Average		Average	
Heating/Cooling	HeatPump,None	HWBB, None	0	HWBB, None	0	HWBB, None	0
Energy Efficient Items	None	None		None		None	
Garage/Carport	1op;Assigned	1op;Assigned		1op;Assigned		1op;Assigned	
Porch/Patio/Deck	Patio	Deck	0	Patio		Deck	0
Other	Deed Restricted	No Deed Restrict	-70,000	No Deed Restrict	-70,000	No Deed Restrict	-70,000
Net Adjustment (Total)		☐+ ☒-	$ 44,700	☐+ ☒-	$ 99,250	☐+ ☒-	$ 57,215
Adjusted Sale Price of Comparables		Net Adj. -22.1% Gross Adj. 52.1%	$ 157,300	Net Adj. -30.5% Gross Adj. 40.5%	$ 225,750	Net Adj. -23.9% Gross Adj. 42.6%	$ 181,785

SALES COMPARISON APPROACH

ITEM	SUBJECT	COMPARABLE SALE NO. 4	COMPARABLE SALE NO. 5	COMPARABLE SALE NO. 6
Date of Prior Sale/Transfer		04/18/2013		
Price of Prior Sale/Transfer		$201,514		
Data Source(s)	The Warren Group	The Warren Group	The Warren Group	The Warren Group
Effective Date of Data Source(s)	04/25/2014	04/25/2014	04/25/2014	04/25/2014

Summary of Sales Comparison Approach See Attached Addendum

Condition Ratings and Definitions

C1 The improvements have been very recently constructed and have not previously been occupied. The entire structure and all components are new and the dwelling features no physical depreciation.*

**Note: Newly constructed improvements that feature recycled materials and/or components can be considered new dwellings provided that the dwelling is placed on a 100% new foundation and the recycled materials and the recycled components have been rehabilitated/re-manufactured into like-new condition. Recently constructed improvements that have not been previously occupied are not considered "new" if they have any significant physical depreciation (i.e., newly constructed dwellings that have been vacant for an extended period of time without adequate maintenance or upkeep).*

C2 The improvements feature no deferred maintenance, little or no physical depreciation, and require no repairs. Virtually all building components are new or have been recently repaired, refinished, or rehabilitated. All outdated components and finishes have been updated and/or replaced with components that meet current standards. Dwellings in this category either are almost new or have been recently completely renovated and are similar in condition to new construction.

**Note: The improvements represent a relatively new property that is well maintained with no deferred maintenance and little or no physical depreciation, or an older property that has been recently completely renovated.*

C3 The improvements are well maintained and feature limited physical depreciation due to normal wear and tear. Some components, but not every major building component, may be updated or recently rehabilitated. The structure has been well maintained.

**Note: The improvement is in its first-cycle of replacing short-lived building components (appliances, floor coverings, HVAC, etc.) and is being well maintained. Its estimated effective age is less than its actual age. It also may reflect a property in which the majority of short-lived building components have been replaced but not to the level of a complete renovation.*

C4 The improvements feature some minor deferred maintenance and physical deterioration due to normal wear and tear. The dwelling has been adequately maintained and requires only minimal repairs to building components/mechanical systems and cosmetic repairs. All major building components have been adequately maintained and are functionally adequate.

**Note: The estimated effective age may be close to or equal to its actual age. It reflects a property in which some of the short-lived building components have been replaced, and some short-lived building components are at or near the end of their physical life expectancy; however, they still function adequately. Most minor repairs have been addressed on an ongoing basis resulting in an adequately maintained property.*

C5 The improvements feature obvious deferred maintenance and are in need of some significant repairs. Some building components need repairs, rehabilitation, or updating. The functional utility and overall livability is somewhat diminished due to condition, but the dwelling remains useable and functional as a residence.

**Note: Some significant repairs are needed to the improvements due to the lack of adequate maintenance. It reflects a property in which many of its short-lived building components are at the end of or have exceeded their physical life expectancy but remain functional.*

C6 The improvements have substantial damage or deferred maintenance with deficiencies or defects that are severe enough to affect the safety, soundness, or structural integrity of the improvements. The improvements are in need of substantial repairs and rehabilitation, including many or most major components.

**Note: Substantial repairs are needed to the improvements due to the lack of adequate maintenance or property damage. It reflects a property with conditions severe enough to affect the safety, soundness, or structural integrity of the improvements.*

Quality Ratings and Definitions

Q1 Dwellings with this quality rating are usually unique structures that are individually designed by an architect for a specified user. Such residences typically are constructed from detailed architectural plans and specifications and feature an exceptionally high level of workmanship and exceptionally high-grade materials throughout the interior and exterior of the structure. The design features exceptionally high-quality exterior refinements and ornamentation, and exceptionally high-quality interior refinements. The workmanship, materials, and finishes throughout the dwelling are of exceptionally high quality.

Q2 Dwellings with this quality rating are often custom designed for construction on an individual property owner's site. However, dwellings in this quality grade are also found in high-quality tract developments featuring residences constructed from individual plans or from highly modified or upgraded plans. The design features detailed, high-quality exterior ornamentation, high-quality interior refinements, and detail. The workmanship, materials, and finishes throughout the dwelling are generally of high or very high quality.

Q3 Dwellings with this quality rating are residences of higher quality built from individual or readily available designer plans in above-standard residential tract developments or on an individual property owner's site. The design includes significant exterior ornamentation and interiors that are well finished. The workmanship exceeds acceptable standards and many materials and finishes throughout the dwelling have been upgraded from "stock" standards.

Q4 Dwellings with this quality rating meet or exceed the requirements of applicable building codes. Standard or modified standard building plans are utilized and the design includes adequate fenestration and some exterior ornamentation and interior refinements. Materials, workmanship, finish, and equipment are of stock or builder grade and may feature some upgrades.

Q5 Dwellings with this quality rating feature economy of construction and basic functionality as main considerations. Such dwellings feature a plain design using readily available or basic floor plans featuring minimal fenestration and basic finishes with minimal exterior ornamentation and limited interior detail. These dwellings meet minimum building codes and are constructed with inexpensive, stock materials with limited refinements and upgrades.

Q6 Dwellings with this quality rating are of basic quality and lower cost; some may not be suitable for year-round occupancy. Such dwellings are often built with simple plans or without plans, often utilizing the lowest quality building materials. Such dwellings are often built or expanded by persons who are professionally unskilled or possess only minimal construction skills. Electrical, plumbing, and other mechanical systems and equipment may be minimal or non-existent. Older dwellings may feature one or more substandard or non-conforming additions to the original structure.

Definitions of Not Updated, Updated, and Remodeled

Not Updated

Little or no updating or modernization. This description includes, but is not limited to, new homes.
Residential properties of fifteen years of age or less often reflect an original condition with no updating, if no major components have been replaced or updated. Those over fifteen years of age are also considered not updated if the appliances, fixtures, and finishes are predominantly dated. An area that is 'Not Updated' may still be well maintained and fully functional, and this rating does not necessarily imply deferred maintenance or physical /functional deterioration.

Updated

The area of the home has been modified to meet current market expectations. These modifications are limited in terms of both scope and cost.
An updated area of the home should have an improved look and feel, or functional utility. Changes that constitute updates include refurbishment and/or replacing components to meet existing market expectations. Updates do not include significant alterations to the existing structure.

Remodeled

Significant finish and/or structural changes have been made that increase utility and appeal through complete replacement and/ or expansion.
A remodeled area reflects fundamental changes that include multiple alterations. These alterations may include some or all of the following: replacement of a major component (cabinet(s), bathtub, or bathroom tile), relocation of plumbing/gas fixtures/appliances, significant structural alterations (relocating walls, and/or the addition of square footage). This would include a complete gutting and rebuild.

Explanation of Bathroom Count

The number of full and half baths is reported by separating the two values by a period. The full bath is represented to the left of the period. The half bath count is represented to the right of the period. Three-quarter baths are to be counted as a full bath in all cases. Quarter baths (baths that feature only toilet) are not to be included in the bathroom count.

Absolute Value, Inc.

Uniform Appraisal Dataset Definitions

141057323
File No. 1304922

Abbreviations Used in Data Standardization Text

Abbrev.	Full Name	Appropriate Fields
ac	Acres	Area, Site
AdjPrk	Adjacent to Park	Location
AdjPwr	Adjacent to Power Lines	Location
A	Adverse	Location & View
ArmLth	Arms Length Sale	Sale or Financing Concessions
AT	Attached Structure	Design(Style)
ba	Bathroom(s)	Basement & Finished Rooms Below Grade
br	Bedroom	Basement & Finished Rooms Below Grade
B	Beneficial	Location & View
BsyRd	Busy Road	Location
cp	Carport	Garage/Carport
Cash	Cash	Sale or Financing Concessions
CtySky	City View Skyline View	View
CtyStr	City Street View	View
Comm	Commercial Influence	Location
c	Contracted Date	Date of Sale/Time
Conv	Conventional	Sale or Financing Concessions
cv	Covered	Garage/Carport
CrtOrd	Court Ordered Sale	Sale or Financing Concessions
DOM	Days On Market	Data Sources
DT	Detached Structure	Design(Style)
dw	Driveway	Garage/Carport
Estate	Estate Sale	Sale or Financing Concessions
e	Expiration Date	Date of Sale/Time
FHA	Federal Housing Authority	Sale or Financing Concessions
g	Garage	Garage/Carport
ga	Garage - Attached	Garage/Carport
gbi	Garage - Built-in	Garage/Carport
gd	Garage - Detached	Garage/Carport
GR	Garden Structure	Design(Style)
GlfCse	Golf Course	Location
Glfvw	Golf Course View	View
HR	High Rise Structure	Design(Style)
Ind	Industrial	Location & View
in	Interior Only Stairs	Basement & Finished Rooms Below Grade
Lndfl	Landfill	Location
LtdSght	Limited Sight	View
Listing	Listing	Sale or Financing Concessions
MR	Mid-Rise Structure	Design(Style)
Mtn	Mountain View	View
N	Neutral	Location & View
NonArm	Non-Arms Length Sale	Sale or Financing Concessions
op	Open	Garage/Carport
o	Other	Basement & Finished Rooms Below Grade
O	Other	Design(Style)
Prk	Park View	View
Pstrl	Pastoral View	View
PwrLn	Power Lines	View
PubTrn	Public Transportation	Location
rr	Recreational (Rec) Room	Basement & Finished Rooms Below Grade
Relo	Relocation Sale	Sale or Financing Concessions
REO	REO Sale	Sale or Financing Concessions
Res	Residential	Location & View
RT	Row or Townhouse	Design(Style)
RH	Rural Housing - USDA	Sale or Financing Concessions
SD	Semi-detached Structure	Design(Style)
s	Settlement Date	Date of Sale/Time
Short	Short Sale	Sale or Financing Concessions
sf	Square Feet	Area, Site, Basement
sqm	Square Meters	Area, Site, Basement
Unk	Unknown	Date of Sale/Time
VA	Veterans Administration	Sale or Financing Concessions
wo	Walk Out Basement	Basement & Finished Rooms Below Grade
wu	Walk Up Basement	Basement & Finished Rooms Below Grade
WtrFr	Water Frontage	Location
Wtr	Water View	View
w	Withdrawn Date	Date of Sale/Time
Woods	Woods View	View

Other Appraiser-Defined Abbreviations

Abbrev.	Full Name	Appropriate Fields

Abbrev.	Full Name	Appropriate Fields

ADDENDUM

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

EXPANDED SCOPE OF WORK AND ADDITIONAL CERTIFICATIONS:

1. DEFINITION OF INSPECTION: The term "Inspection", as used in this report, is for valuation purposes only, it is not the same level of inspection that is required for a "Professional Home Inspection". This visual inspection is of readily accessible areas only. The appraiser does not fully inspect the electrical system, plumbing system, mechanical systems, foundation system, floor structure, or subfloor. The appraiser is not an expert in construction materials and the purpose of the appraisal is to make an economic evaluation of the subject property. If the client needs a more detailed inspection of the property, a home inspection, by a Professional Home Inspector, is suggested.

2. CLARIFICATION OF CERTIFICATION #23: The Intended User of this appraisal report is the lender/client. The Intended Use is to evaluate the property that is the subject of this appraisal for a mortgage finance transaction, subject to the stated scope of work, purpose of the appraisal, reporting requirements of this appraisal report form and definition of market value. No additional Intended Users are identified by the appraiser.

3. REPORT OPTION: This is an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation that is not provided with the report concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in the report. The appraiser is not responsible for unauthorized use of this report.

4. ADDITIONAL CERTIFICATION: I have performed no services as an appraiser or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

5. EXPOSURE TIME: The exposure time is the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. The estimated exposure time for the subject property is 60-120 days based on an analysis of the most recent, similar market data available.

6. PRIVATE SEWER: The site has an on site sewerage system which is common to the area and does not affect the marketability of the subject. There were no obvious odors or seepage (surface water) at the time of inspection. The appraiser assumes that the subject's sewer system is a typical sewer system with leaching fields or an operational cesspool, which is functional and meets all state requirements (Title V) for a healthy system.

APPRAISAL SCOPE OF WORK FOR THIS ASSIGNMENT INCLUDING Uniform Appraisal Dataset (UAD) REQUIREMENTS

Scope of work statement for "UAD" requirements - At the request of the client, this appraisal report has been prepared in compliance with the Uniform Appraisal Dataset (UAD) requirements issued by Fannie Mae and Freddie Mac. The UAD requires the appraiser to use standardized responses within this appraisal report that include specific formats, definitions, abbreviations, and acronyms. In completing this appraisal assignment, the appraiser has attempted to obtain an adequate amount of information in the normal course of business regarding the subject property, as well as the sales and listings utilized within the sales comparison approach. Some of the standardized responses required by the UAD, especially those in which the appraiser has NOT had the opportunity to verify by a personal physical viewing or measurement, could mistakenly imply a level of precision and reliability in the data than is factually correct or typical in the normal course of business. Examples include the subjective condition and quality ratings presented within this report for the sales and listing data. Accordingly, please note that the appraiser makes no representations, guarantees or warranties, express or implied, regarding the building materials of the sales and listings presented herein, their fitness, quality, condition or remaining economic life.

Not every element of the subject property was viewable. The appraiser did not move any personal property, due to liability concerns for potential damage to the property, to disclose or reveal any concealed or hidden defects to the structure, nor did the appraiser dismantle or probe the structure to observe enclosed, encased, or otherwise concealed areas.

All comparable sales and listing data presented herein was generally obtained from third-party sources including but not limited to the local MLS, community Assessor offices, online resources, and additional public data sources that may be readily available in the normal course of business. Consequently, the UAD information presented within this report should be considered an "estimate" based upon sources the appraiser deems to be reliable, unless otherwise specifically noted by the appraiser within this appraisal report.

Neighborhood Description

The subject is located in the Gulls Nest Townhouse Condominiums, which is located in the northern section of town, off of Route 6, by the National Seashore. It is a median income housing complex that is deed restricted. The center of town such as Bradford Street and Commercial Street are located within 1 mile. A number of retail oriented businesses, restaurants, coffee shops, and other gift shops can be found along those streets. They span over 3 miles long and are very heavily visited during the spring, summer, and fall months. The neighborhood consists of single family homes, condominiums, hotels, and bed and breakfast's. Recreational facilities for boating, fishing and swimming are within the immediate area at Race Point, first beach, and Cape Cod Bay. The Elementary School and Middle School are within 3 miles with public school bus transportation provided. Route 6, the major highway servicing the Cape Cod Region and beyond is within .1 mile and provides good access to major employment centers and to Boston. Appeal of the neighborhood to the market is good and employment appears to be stable. No adverse conditions were noted.

Highest and Best Use

Based upon current zoning requirements and legally permitted uses at the subject property's location, the current legal use of the subject property as a condominium complex is also considered to be its highest and best use.

Site Comments

No apparent adverse easements, encroachments, nor special assessments were noted at the time of the inspection. Private

sewer systems and propane gas are not uncommon to the area and have no adverse effect on marketability. The appraiser assumes that the private sewer system meets all Title V requirements. No seepage noted. If destroyed, the subject can be 100% rebuilt. Town sewer is not available for hook-up.

Heating and Cooling Compatibility to Other Projects
The heat is not separately metered and is billed quarterly. This is not common as most condominium units have separately metered units.

Property Conformity to Neighborhood
In general, the property conforms well with the neighborhood which consists of numerous Condominium complexes however the subject complex is deed restricted based on median income. This is the only known median income complex within Provincetown. The subject is valued greater than 10% less of the "predominant value" of the neighborhood based on its deed restrictions. I have personally measured the exterior of the subject and have calculated the Gross Living Area (GLA) according to common appraisal practice. Please note, the public records including the municipal assessor's office, may have a different GLA according to their specific methodology.

Comments on Sales Comparison
was $70,520 therefore each unit that is not deed restricted was adjusted -$70,000. The subject was last purchased in June of 2008 for $155,000 when the median household income was $60,424. Since that time the median household income has increased $10,000 at a rate of roughly $2000 or 2% per year. It is the appraiser's opinion that the subject unit is currently valued at a 2% increased rate per year from when it was last purchased. Please note that due to limited views and the fact that people were outside in front of certain units at the time the appraiser drove by each of the comparables, MLS photos had to be utilized.

PROXIMITY: The analysis of comparables was expanded over 1 mile in order to analyze comps sharing one or more of the subject's major value characteristics, including; location in the immediate subject neighborhood or a competing Provincetown neighborhood; and/or improvements similar in style, construction quality, effective age and condition, room count, bathroom count, some amenities, and/or overall utility and marketability. Due to the shortage of recent similar sales in the immediate neighborhood, it was necessary to use sale 2 which is located more than 1 mile from the subject.

DATE OF SALE: It should be noted that due to present market conditions, the subject market has experienced limited sales as compared to prior years. Consequently, due to the limited amount of sales available to utilize to estimate a market value for the subject property, it was necessary to use sales beyond 6 months. An exhaustive search of data for sales in the local market community revealed limited relevant comparable sales that closed within the past 6 months located within the subject community. Accordingly, to estimate a market value for the subject property, it was necessary to utilize sales that closed beyond the preferred 6 month time period. These sales which sold beyond the six month period were utilized due to their similar location, size, age, quality and condition. Time was not adjusted predicated by current market conditions. Sales 2, 3 and 4 each sold over three months from the effective date of the appraisal therefore the appraiser used four closed sales from the last year as well as two active listings in which support the opinion of value.

PROXIMITY and DATE OF SALE: It should be noted that due to present market conditions, the subject market has experienced limited sales as compared to prior years. Consequently, due to the limited amount of sales available to utilize to estimate a market value for the subject property, it was necessary to use sales beyond 6 months and 1 mile away from the subject. An exhaustive search of data for sales in the local market community revealed limited relevant comparable sales that closed within the past 6 months located within the subject community. Accordingly, to estimate a market value for the subject property, it was necessary to utilize sales that closed beyond the preferred 6 month time period and 1 mile radius. These sales which sold beyond the 6 month sales period were utilized due to their similar location, size, age, quality, and condition. Time was not adjusted predicated by current market conditions. Due to the shortage of recent similar sales in the immediate neighborhood, it was necessary to use Sales 3 and 4 which are located more than one mile from the subject. Sales 1 and 2 sold over three months from the effective date of the appraisal therefor this appraiser used four closed sales from the last year in which support the opinion of value.

LOCATION: Sale 2 and listing 5 are located along Commercial Street, a highly desired street where homes sell at a premium due to the closeness to the bay and numerous shops as well and therefore were adjusted -10%.

VIEW: Sale 2 offers peaks of the bay and was adjusted -$10,000.

DESIGN: The subject is an interior Townhouse style unit. End units typically sell for greater amounts than interior units and were adjusted -$5000 including sales 2 and 4.

QUALITY OF CONSTRUCTION: The subject is more recently built with energy saving materials. Sales 2, 4 and listings 5 and 6 are not as recently built or have not been recently updated as seen on MLS photos and were adjusted 5%.

CONDITION: Sale 4 was sold as an REO and was adjusted 10% for its inferior condition as it was in need of renovating/repairs as seen on MLS photos. This sale was used to bracket the subject on the lower end of the market value.

ACTIVE LISTINGS 5 and 6: A 4% sale price/list price ratio adjustment was made to Listings 5 and 6 to estimate a possible selling price. This adjustment was based on the ratio of sold vs. listings in the subject's price range for the past 3 months.

NET AND GROSS ADJUSTMENTS: The appraiser also acknowledges that the net and gross adjustments of comps 1, 2, 4, 5 and 6 exceed the normal 15% and 25% guidelines however were required to reflect the significant differences/amenities between the subject and the proposed comparable sales and due to the fact that they are not deed restricted and required an adjustment of greater than a 10% line item adjustment.

20% GLA DIFFERENCE: Due to the lack of available sales data in the last year, it was necessary to utilize homes that differ by greater than 20% GLA than the subject including sale 2 and listing 6.

The adjusted sale price range exceeds 10% as well due to the lack of available sales data in the last year.

ADDENDUM

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

Final Reconciliation

The appraiser has considered all three approaches to value. The best indication of value is represented by the Sales Comparison Analysis. The Income Approach was not developed since condominiums are not typically purchased for their income producing capabilities. Greatest reliance was given to the direct sales comparison approach. This approach to value, fairly reflects actions of typical buyers and sellers within the subject market.

The data presented represents the best evidence available and concerns properties that would effectively compete with the subject.

The data presented in the sales comparison approach indicated an unadjusted value range of $176,000 to $325,000. After adjusting for significant differences, the sales range was refined from $157,300 to $184,950. Given the age, condition, and location of the subject, the appraiser is of the opinion that the value of the property is best indicated by the middle of the adjusted range.

Absolute Value, Inc.

141057323

Market Conditions Addendum to the Appraisal Report

File No. 1304922

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address 6 Sandy Hill Ln City Provincetown State MA Zip Code 02657-1520

Borrower Brenda LeBlanc

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below; if it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

MARKET RESEARCH & ANALYSIS

Inventory Analysis	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	24	4	6	☐ Increasing	☒ Stable	☐ Declining
Absorption Rate (Total Sales/Months)	4.00	1.33	2.00	☐ Increasing	☒ Stable	☐ Declining
Total # of Comparable Active Listings	32	38	39	☐ Declining	☒ Stable	☐ Increasing
Months of Housing Supply (Total Listings/Ab.Rate)	8.00	28.57	19.50	☐ Declining	☒ Stable	☐ Increasing

Median Sale & List Price, DOM, Sale/List %	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Median Comparable Sale Price	296,250	290,000	392,000	☐ Increasing	☒ Stable	☐ Declining
Median Comparable Sales Days on Market	85	105	133	☐ Declining	☐ Stable	☒ Increasing
Median Comparable List Price	325,000	364,250	349,000	☐ Increasing	☒ Stable	☐ Declining
Median Comparable Listings Days on Market	94	133	147	☐ Declining	☐ Stable	☒ Increasing
Median Sale Price as % of List Price	95.25%	94.25%	95.50%	☐ Increasing	☒ Stable	☐ Declining
Seller-(developer, builder, etc.)paid financial assistance prevalent? ☐ Yes ☒ No				☐ Declining	☒ Stable	☐ Increasing

Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.).
Generally, based upon information obtained from MLS and local broker input, sales concessions in the local market area are now common as result of current market conditions. Concessions by the seller in the local market, when utilized, typically involve the seller giving the buyer a defined sum of money at the closing to assist in covering the buyer's closing costs. It is also not uncommon for the seller to complete a defined list of repairs to the property being sold prior to the closing. The use of "buy downs" and "options" are typical in the local market.

Are foreclosure sales (REO sales) a factor in the market? ☐ Yes ☒ No If yes, explain (including the trends in listings and sales of foreclosed properties).
According to data obtained from the Warren Group, foreclosure activity has been moderate over the past number of quarters and, as of the effective date of this report, foreclosures along with short sales, are an insignificant factor in the sale of residential properties in the subject community. Recent foreclosure activity does not appear to be directly impacting market values in the subject neighborhood.

Cite data sources for above information. Cape Cod Multiple Listing Service

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.
See Attached Addendum

CONDO / CO-OP PROJECTS

If the subject is a unit in a condominium or cooperative project, complete the following: Condominium Project Name: Gulls Nest

Subject Project Data	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	0	0	0	☐ Increasing	☒ Stable	☐ Declining
Absorption Rate (Total Sales/Months)	0.00	0.00	0.00	☐ Increasing	☒ Stable	☐ Declining
Total # of Active Comparable Listings	0	0	0	☐ Declining	☒ Stable	☐ Increasing
Months of Unit Supply (Total Listings/Ab. Rate)	0.00	0.00	0.00	☐ Declining	☒ Stable	☐ Increasing

Are foreclosure sales (REO sales) a factor in the project? ☐ Yes ☒ No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project. The subject is located in the only median income deed restricted complex within Provincetown. There has only been 1 resale of a unit since the complex was built in 2008.

APPRAISER

APPRAISER	SUPERVISORY APPRAISER (ONLY IF REQUIRED)
Signature	Signature
Name Patrick Roy	Name
Company Name Absolute Value	Company Name
Company Address 585 Boylston Street	Company Address
Boston, MA 02116	
State License/Certification # MACR #75486 State MA	State License/Certification # State
Email Address orders@absolutevalueinc.com	Email Address

ADDENDUM

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

Market Analysis Comments

It is important to note that this form has been provided at the request of the lender. Insufficient data is available to accurately reflect current market conditions as presented on page one of the appraisal report.

The only data service utilized to complete the sales and listing history analysis presented herein was MLS. MLS is the only data service available in the subject market that contains information regarding brokered listings and sales.

Due to the inherent limitations associated with completing a data search within MLS, it is not possible to extract the information from MLS necessary to complete this 1004 MC form as intended. The boundaries of the subject's neighborhood are as defined in the neighborhood section of this report. MLS does not provide for the ability to limit a data search by the specific streets that bound the subject neighborhood. Further, to specifically limit the data search for this analysis to those ". . . Properties that compete with the subject property, as determined by applying the criteria that would be used by a prospective buyer of the subject property . . . " would severely limit the data sample. Effectively, there are an insufficient number of properties in the neighborhood that meet the suggested criteria, thereby making any resulting analysis statistically irrelevant and useless for determining meaningful changes in the local market.

Accordingly, based upon the limitations of the data service utilized to complete this analysis, and to provide meaningful information for use within this appraisal report, the data analysis completed in this 1004MC form is based upon information available for the entire 1 bedroom, 1 bathroom condominium market within the subject community which have sold from $100,000 - $500,000. This data set includes properties of various architectural styles, lot sizes, gla's, room counts, etc. By utilizing this broader approach to accumulate market data, a sufficient data sample size is available from which a meaningful market analysis can be accomplished.

All information presented herein is believed to be the best available as of the effective date of this report.

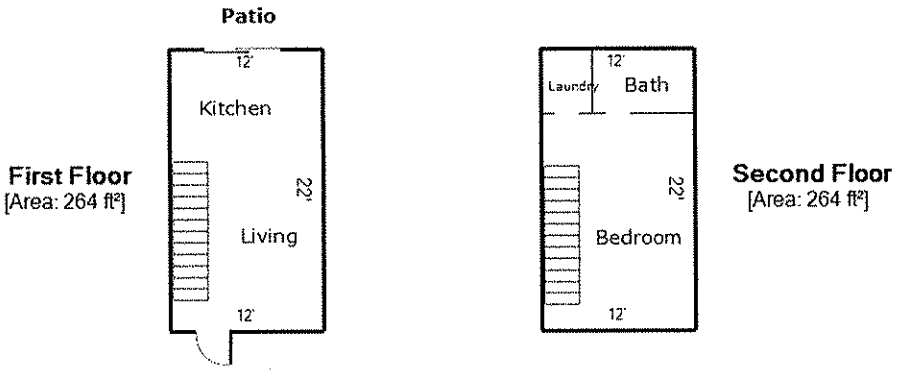
A typical marketing time for a property that is perceived by the local market as being reasonably priced has been approximately 190 days for the past 3 month time period. According to information presented on page 1 of this 1004 MC form, marketing times for condominiums in the Town of Provincetown have been stable recently. Based upon current listing data, it appears that this trend will continue over the near term.

Generally, based upon the information presented within this form, market values for condominiums have been stable over the past 12 months. Also, through conversations with local brokers and the appraisers knowledge of the local market, condominium home sales have been stable over the last year. Based upon this information, for the purposes of this appraisal report, no time adjustment has been utilized in the sales comparison approach.

FLOORPLAN SKETCH

Borrower: Brenda LeBlanc	File No.: 1304922
Property Address: 6 Sandy Hill Ln	Case No.: 141057323
City: Provincetown State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.	

Sketch

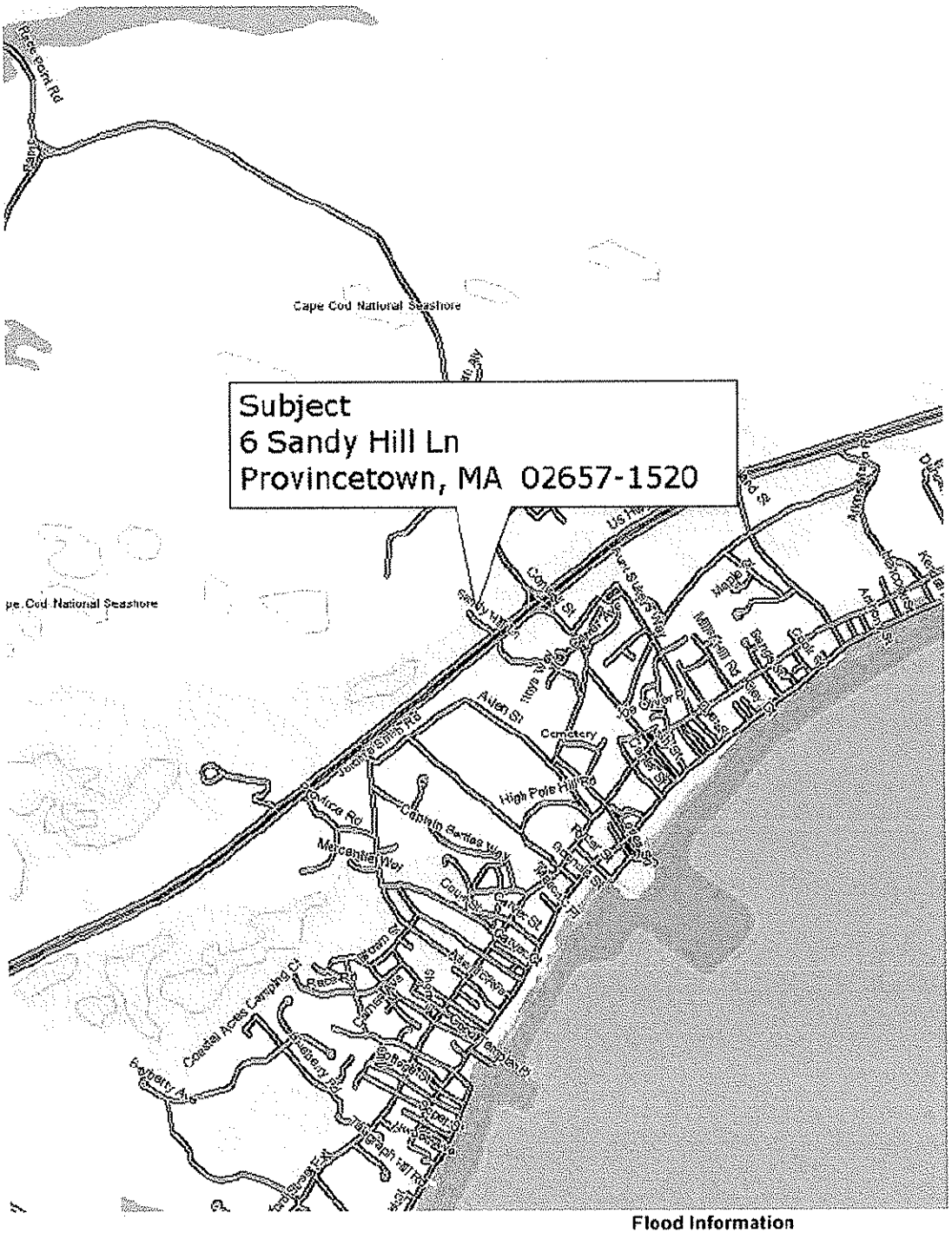


10 ft

Living Area		Area Calculation				
First Floor	264 ft²	First Floor				x 1.00 = 264 ft²
Second Floor	264 ft²		12' x	22' x	1.00 =	264 ft²
		Second Floor				x 1.00 = 264 ft²
Total Living Area (rounded):	528 ft²		12' x	22' x	1.00 =	264 ft²

FLOOD MAP

Borrower: Brenda LeBlanc	File No.: 1304922	
Property Address: 6 Sandy Hill Ln	Case No.: 141057323	
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		



FloodMap Legend

Flood Zones

- Areas inundated by 500-year flooding
- Areas outside of the 100- and 500-year floodplains
- Areas inundated by 100-year flooding
- Areas inundated by 100-year flooding with velocity hazard
- Floodway areas
- Floodway areas with velocity hazard
- Areas of undetermined but possible flood hazards
- Areas not mapped on any published FIRM

Flood Information

Community: 255218 - PROVINCETOWN, TOWN OF

Property is not in a FEMA special flood hazard area.

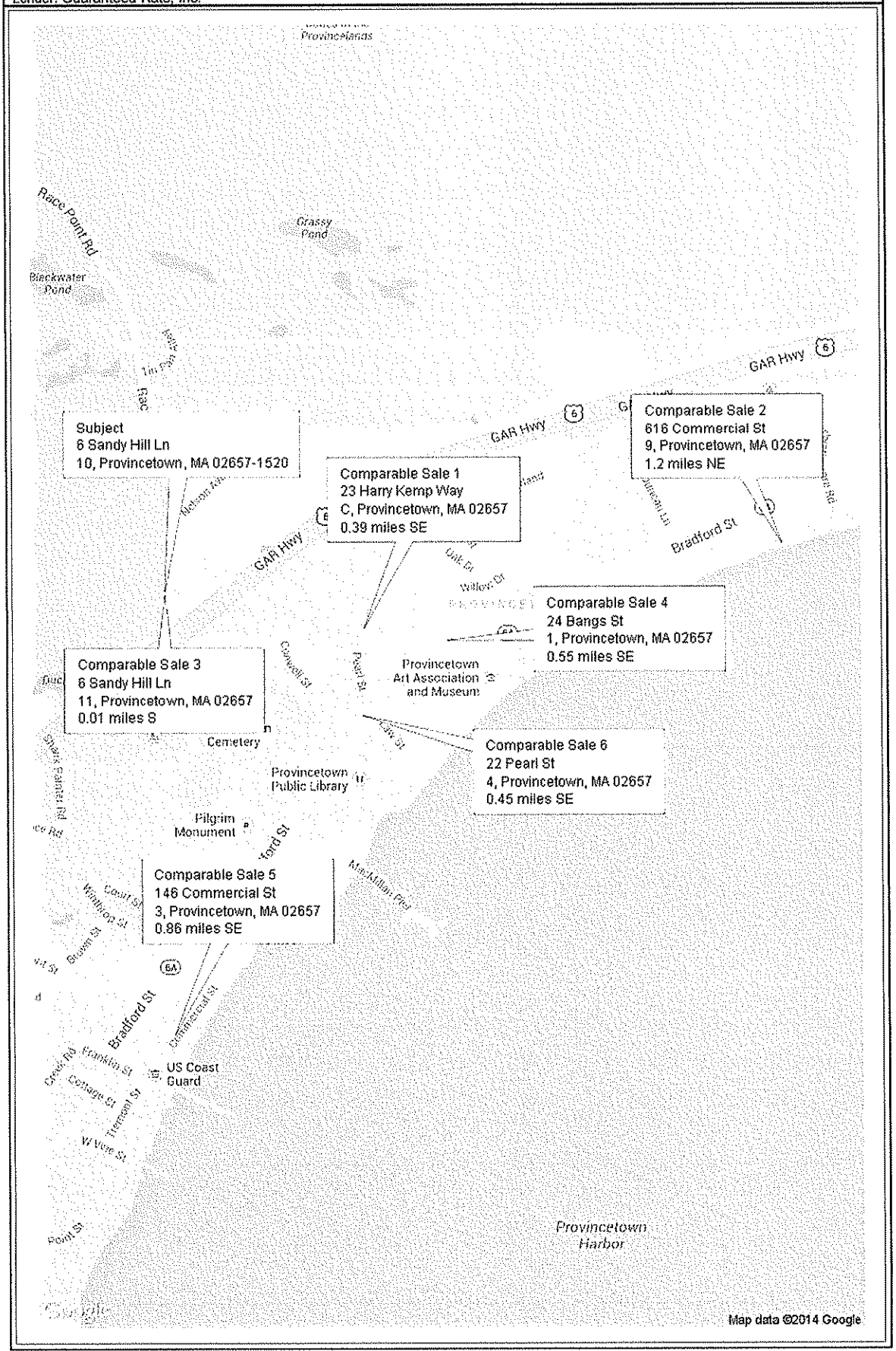
Map Number: 25521800 03C
Panel: 0003C
Zone: C

Map Date: 07/15/1992
FIPS: 25001

Neither Transamerica Flood Hazard Certification (TFHC) nor ACI make any representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose. Neither TFHC nor ACI nor the seller of this flood report shall have any liability to any third party for any use or misuse of this flood report.

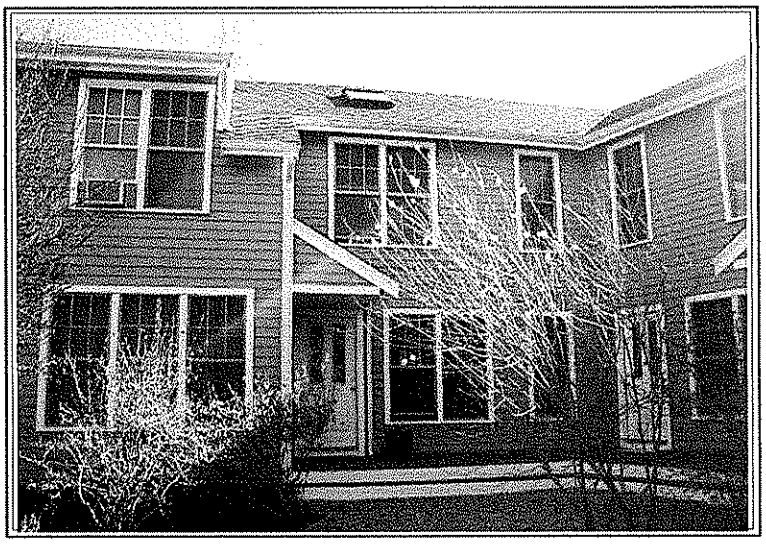
LOCATION MAP

Borrower: Brenda LeBlanc	File No.: 1304922
Property Address: 6 Sandy Hill Ln	Case No.: 141057323
City: Provincetown	State: MA Zip: 02657-1520
Lender: Guaranteed Rate, Inc.	



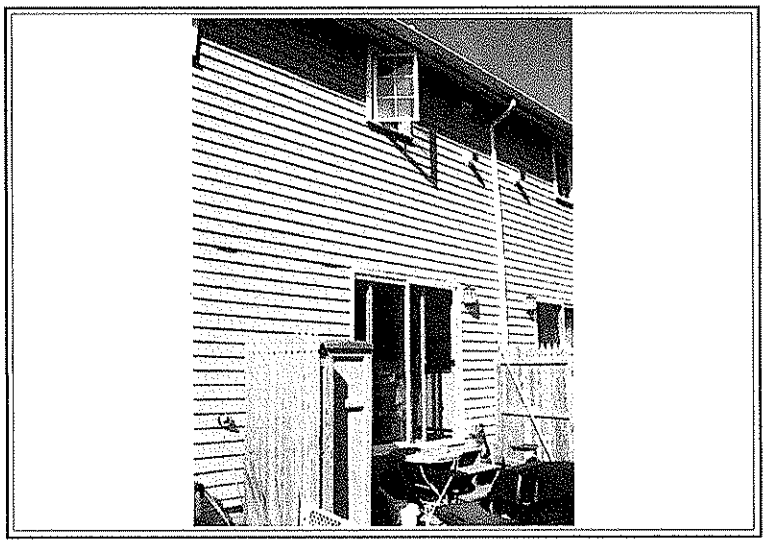
SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

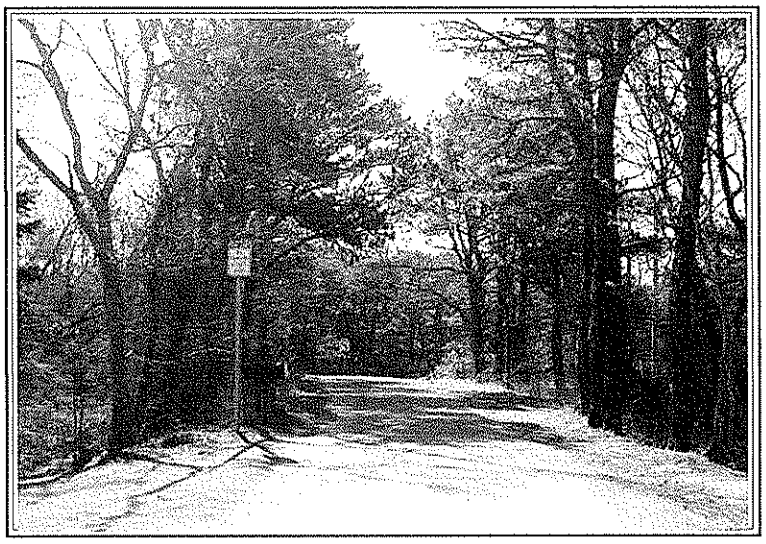


FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: April 25, 2014
Appraised Value: $ 170,000



REAR VIEW OF
SUBJECT PROPERTY



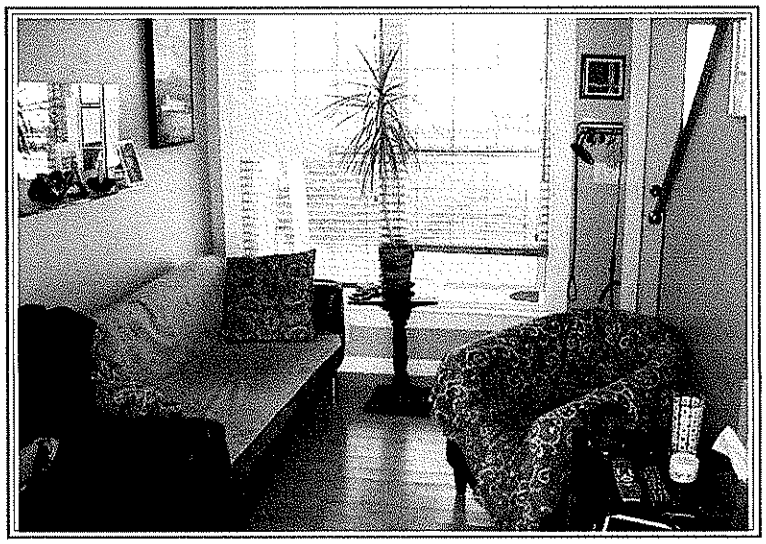
STREET SCENE

INTERIOR PHOTOS

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

Kitchen

Comment:



Living Area

Description:

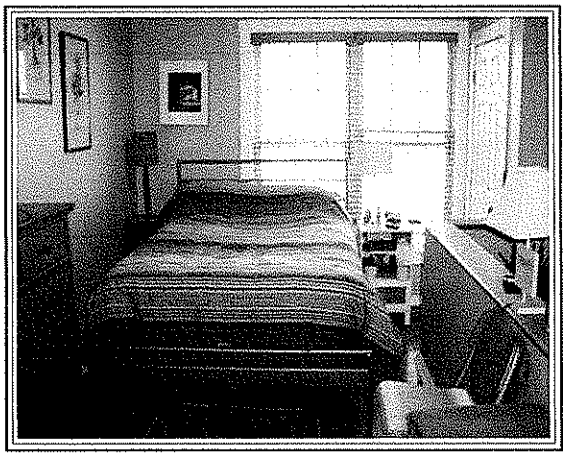
Comment:

Bathroom

Description:

Comment:

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

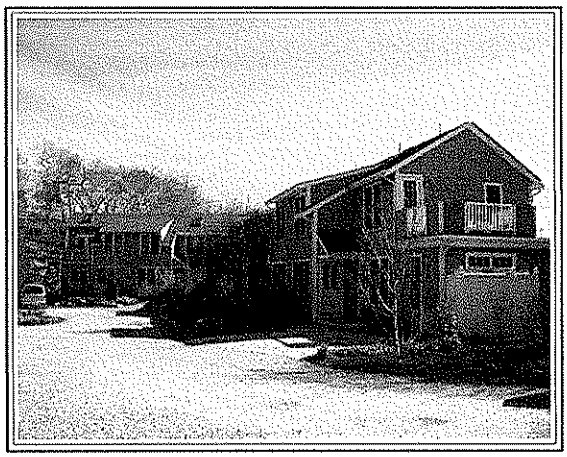


Bedroom

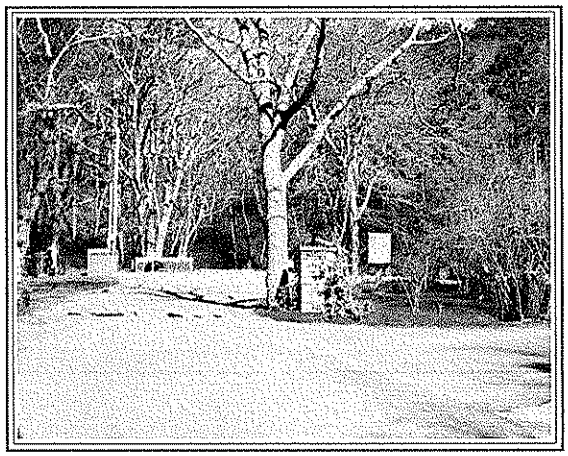
Laundry Closet

Opposite Side of Kitchen

Heating Unit



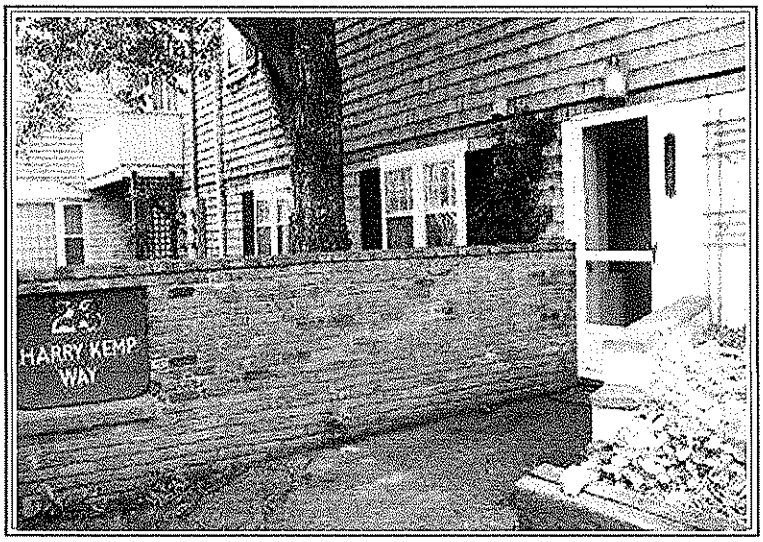
Complex



Street in Opposite Direction

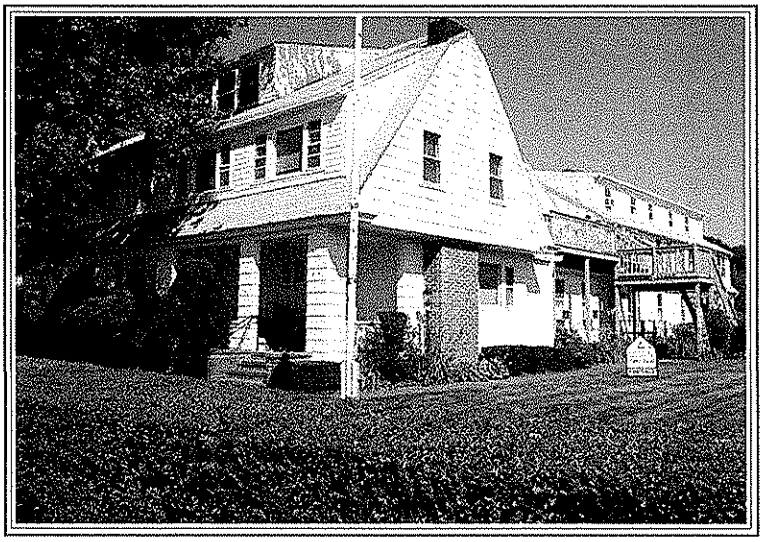
COMPARABLE PROPERTY PHOTO ADDENDUM

Borrower: Brenda LeBlanc	File No.: 1304922	
Property Address: 6 Sandy Hill Ln	Case No.: 141057323	
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		



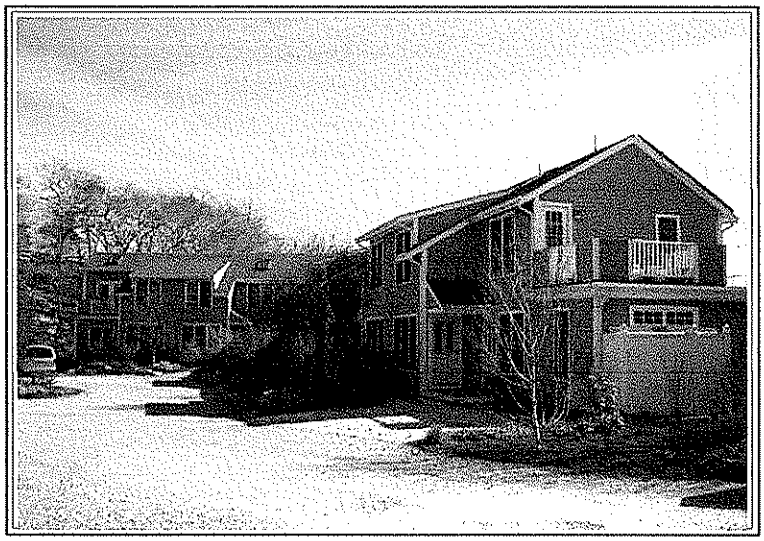
COMPARABLE SALE #1

23 Harry Kemp Way
C, Provincetown, MA 02657
Sale Date: s02/14;c02/14
Sale Price: $ 260,000



COMPARABLE SALE #2

616 Commercial St
9, Provincetown, MA 02657
Sale Date: s09/13;c09/13
Sale Price: $ 281,000

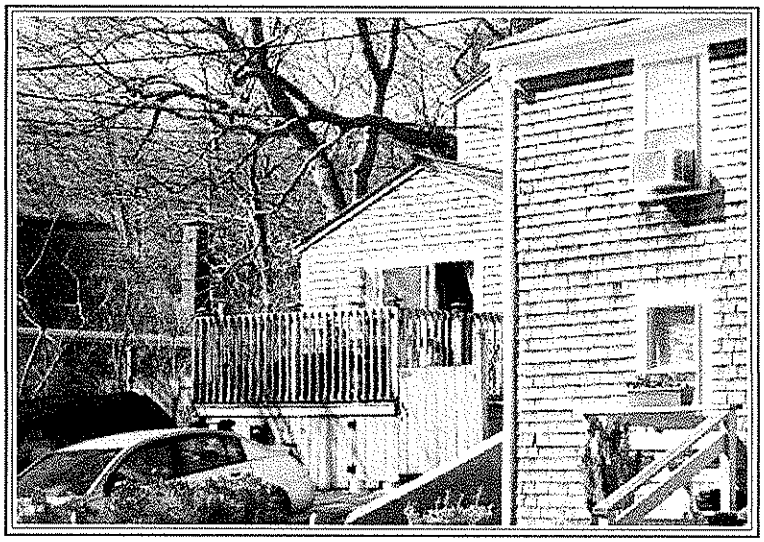


COMPARABLE SALE #3

6 Sandy Hill Ln
11, Provincetown, MA 02657
Sale Date: s10/10;Unk
Sale Price: $ 176,000

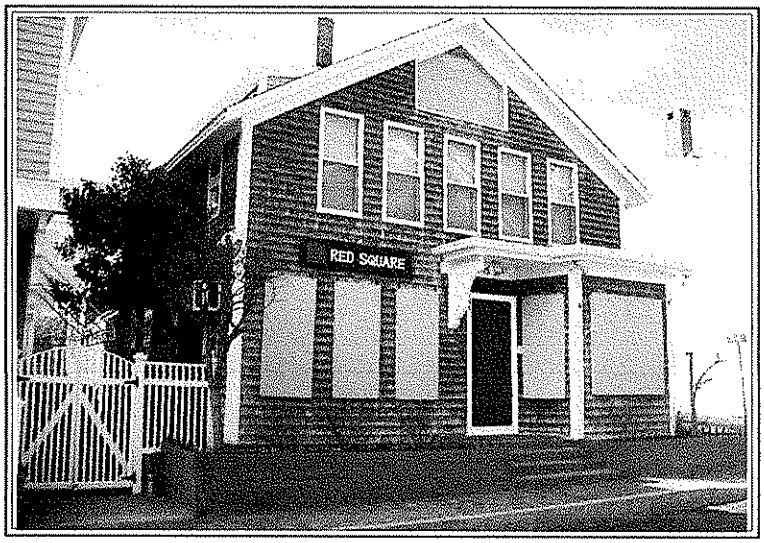
COMPARABLE PROPERTY PHOTO ADDENDUM

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		



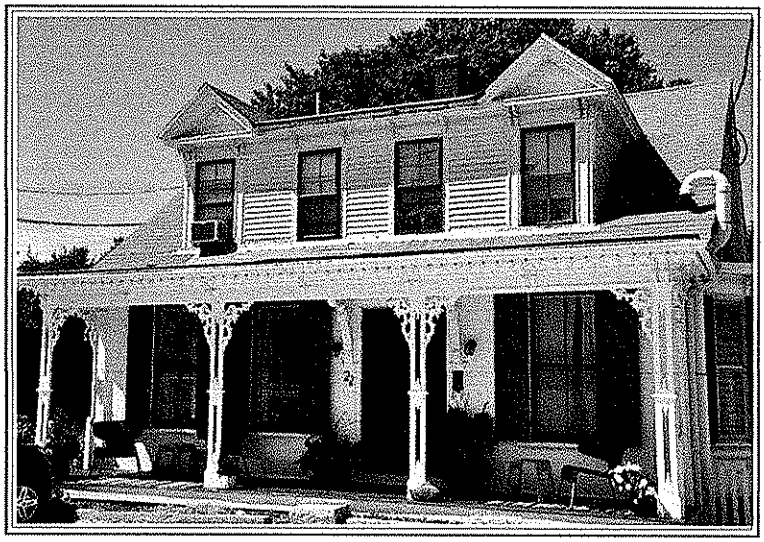
COMPARABLE SALE #4

24 Bangs St
1, Provincetown, MA 02657
Sale Date: s10/13;c09/13
Sale Price: $ 202,000



COMPARABLE SALE #5

146 Commercial St
3, Provincetown, MA 02657
Sale Date: Active
Sale Price: $ 325,000

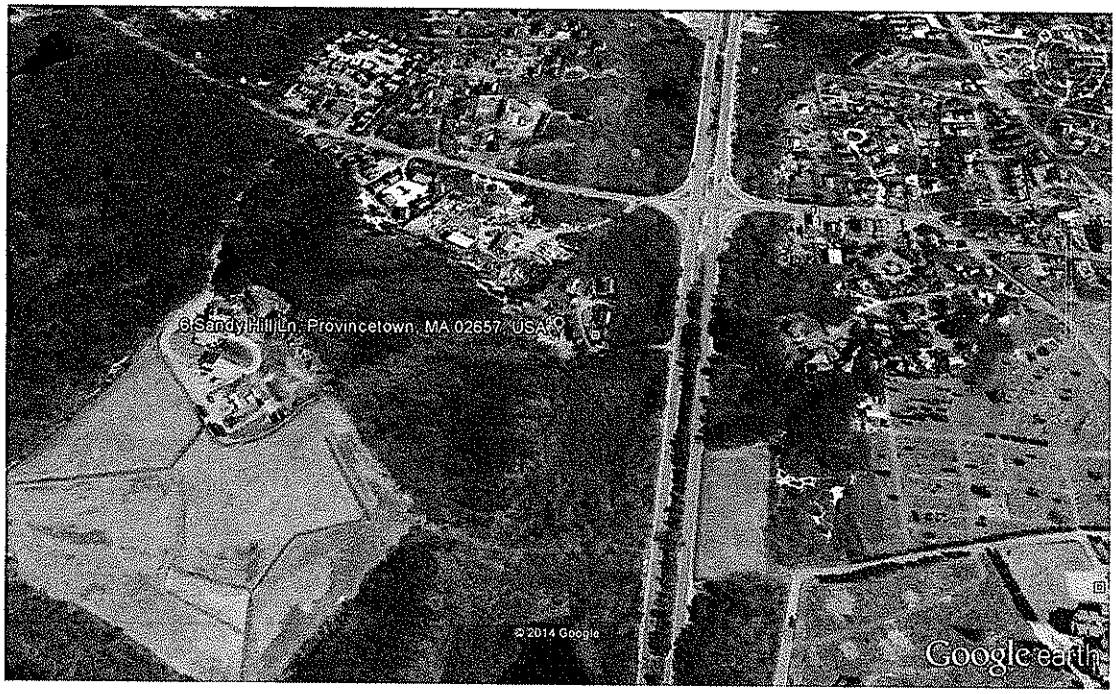


COMPARABLE SALE #6

22 Pearl St
4, Provincetown, MA 02657
Sale Date: Active
Sale Price: $ 239,000

AERIAL VIEW

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		



LICENSE

Borrower: Brenda LeBlanc		File No.: 1304922
Property Address: 6 Sandy Hill Ln		Case No.: 141057323
City: Provincetown	State: MA	Zip: 02657-1520
Lender: Guaranteed Rate, Inc.		

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF PROFESSIONAL LICENSURE
BOARD OF
REAL ESTATE APPRAISERS
ISSUES THE FOLLOWING LICENSE AS A
CERT RES. REAL ESTATE APPRAISER

PATRICK J ROY

P O BOX 793

MANOMET MA 02345-0793

LICENSE NUMBER	EXPIRATION DATE	SERIAL NUMBER
75486	08/17/15	93246

LICENSEE SIGNATURE

Grant Administrator

Memo

To: Board of Selectmen, Acting Town Manager David Gardner

From: Michelle Jarusiewicz, Community Housing Specialist/Grant Administrator

Date: June 4, 2014

Re: Close outs: FY 2012 MCDBG

CLOSE OUTS: I am requesting that the Board of Selectmen authorize the close-out of the FY 2012 Community Development Fund grant under the Massachusetts Community Development Block Grant (MCDBG) Program. The Town of Provincetown received a grant award of $800,000 for a North Union well field water transmission main and utilities work and a resident services program which are 100% complete.

Activities:	CDF Budget
NUF WATER TRANSMISSION MAIN & UTILITIES	$635,000
RESIDENT SERVICES PROGRAM	$99,374
GENERAL ADMINISTRATION:	$65,626
TOTAL	$800,000

NORTH UNION WELL FIELD WATER TRANSMISSION MAIN: As part of the Town's greater efforts to maintain and upgrade its water system, and further towards the development of the new well field, the project included the installation of the water transmission main and electrical service from North Union Field to the distribution system at Dew Line Road.

RESIDENT SERVICES: The proposed project included the provision of a variety of services for the tenants living in TCB, HA, CDP, and CHR Provincetown properties; that is, deed-restricted affordable year round rental properties. All residents of these properties qualify as low/moderate income [the primary threshold for this grant program]. This service included advocacy and referral assistance for alcohol and substance abuse, financial issues, budgeting, depression, domestic abuse, preservation of tenancy, medical, and other life issues along with health and wellness programs and the establishment of community gardens at each site. TCB contributed office space, furniture, maintenance, and other basics. Note that both TCB and CHR will be continuing to provide some resident services to their tenants. While not required, the State is encouraging these types of services to be provided in affordable developments to assist tenants maintain tenancy.

GENERAL ADMINISTRATION: General administration included funds for program administration, supplies, advertising, printing, and other administrative expenses.

Please let me know if you have any further questions.

ACTIVITY

Activity Code 6F
Activity Name Water

Description

NORTH UNION WELL FIELD:

The North Union well field [NUF] is on line and pumping water into the town's water distribution system. The wells were placed in service just before the Memorial Day weekend, May 24, 2013.
In the last quarter, the pumps were installed and the mechánical, electrical and control systems were tested.
MADEP visited the site and inspected the wells and control building before issuing their approval letter.

The NUF project is 100% complete and activated!

ACTIVITY

Activity Code 8B
Activity Name Program Costs

Description

QUARTER ENDING 12/31/13:
The Resident Services Program was a success in accomplishing all the goals set forth in the grant agreement which included: preservation of tenancy, maximization of available services, improved preventative healthcare, participation in the community, increased rate of employment and reduced stress related illness. Services that were provided to assist with accomplishing these goals include: advocacy, mediation, referrals, financial counseling, crisis intervention, job search assistance and the classes and workshops sponsored by the grant to help meet these objectives including: healthy cooking classes, budget writing classes, credit card debt recovery, yoga, meditation, tai chi, fitness and nutrition, childrens programs, etc...

The most successful program, once again was the Organic Gardening Program which involved over 80 residents at four sites constructing over 60 gardens. As a tie-in, classes were provided on how to build, maintain and winterize individual gardens as well as classes on canning garden produce and pickling.

The Resident Services Coordinator met with a total of 137 residents 297 times often going to the resident's home to meet with or assist them. The most successful supportive services offered included preventing three different families and one individual from being evicted and enrolling two senior residents in supportive home care programs so they could continue living in their homes despite their disabilities and illnesses.

While the CDBG funded program ended Dec. 31st and the Coordinator will no longer be funded through this grant, some programs and activities will continue including an after school homework lab with Cape Cod Community College students as tutors and additional community garden space adjacent to Province Landing negotiated with the owner [Cumberland Farms] for a three-year period.

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

1A

PUBLIC HEARING – TOWN-WIDE GOALS REVIEW PROCESS

Requested by: Board of Selectmen

Action Sought: Discussion

Proposed Motion(s)

Discussion Dependent

Additional Information

Board Action

Motion	*Second*	*In favor*	*Opposed*	*Disposition*

Board of Selectmen

Public Hearing

Annual Town-wide Policy Goals Process for FY 2015

The Provincetown Board of Selectmen will hold a Public Hearing on **Monday, June 9, 2014 at 6 p.m.** in the Judge Welsh Room, 260 Commercial Street, Provincetown, MA, to receive comments from the public on the upcoming Town-wide policy goals setting process for Fiscal Year 2015.

The public will be asked to weigh in regarding progress made on the FY2014 Goals as well as provide comment to the Board of Selectmen on what should be included in the Town's upcoming goals for the next fiscal.

Tom Donegan
Chairman, Board of Selectmen

Posted Town Hall, www.provincetown-ma.gov: May 13, 2014
Provincetown Banner: May 22, 2014 and May 29, 2014

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

1B

PUBLIC HEARING – CHANGES TO PARKING RATES

Requested by: Board of Selectmen

Action Sought: Approval

Proposed Motion(s)

Move that the Board of Selectmen vote to adopt the parking rate changes for the current season as proposed.

Additional Information

Board Action

Motion	*Second*	*In favor*	*Opposed*	*Disposition*

Board of Selectmen

Public Hearing

Changes to Parking Rate Structure

The Provincetown Board of Selectmen will hold a Public Hearing on **Monday, June 9, 2014 at 6 p.m.** in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA, to receive comments from the public on the following proposed changes to parking rates for the current season (effective date to be identified at the hearing):

Parking Pay Station Rate Proposal	The following proposal refers to all parking areas administered by an automated parking pay station. The current parking rate at the parking pay station is $1.50 per hour. Proposed increase of $.50 to $2.00 per hour.
MacMillan Pier Municipal Parking Lot Rate Proposal	MPL Parking lot rate is currently $3.00 per hour with a maximum rate of $30 within a 24 hour period. Proposed increase of $0.50 to $3.50 per hour with a maximum rate of $35 within a 24 hour period.
Grace Hall Parking Lot Rate Proposal	Grace Hall parking lot is currently $2.00 per hour with a maximum rate of $20 within a 24 hour period. Proposed increase by $0.25 to $2.25 per hour with a maximum rate of $25 within a 24 hour period.

Tom Donegan
Chairman, Board of Selectmen

Posted Town Hall, www.provincetown-ma.gov: May 15, 2014 3:40 pm dj
Provincetown Banner: May 22 and May 29, 2014

PROVINCETOWN CHAMBER OF COMMERCE, INC.
307 Commercial Street ~ P. O. Box 1017
Provincetown MA 02657
Tel. 508.487.3424 ~ fax 508.487.8966
www.ptownchamber.com info@ptownchamber.com

May 30, 2014

Provincetown Board of Selectmen
Town Hall
Provincetown MA 02657

It has been brought to our attention that the Board of Selectmen will hold a public hearing on Monday, June 9, 2014 to receive comments from the public on increasing parking rates at parking stations, MacMillan Pier Municipal Parking Lot and Grace Hall Parking Lot.

As much as we understand that the Town of Provincetown has many financial obligations, the Provincetown Chamber of Commerce works to promote business for its hundreds of members who are taxpayers and derive their livelihood from tourism.

Several of our members have voiced their concerns that raising rates for parking at this time is a move in the wrong direction, especially in this economy. Provincetown is the only town on the Cape that has no free parking with other towns well aware of that using it as a selling point to keep visitors in their area.

Also, because of a lack of parking many guests already have to park their cars in municipal lots while staying here overnight which adds considerably to their expenses visiting Provincetown. At what point will visitors choose to go elsewhere because of additional parking costs?

Please consider what damage a little additional revenue could do to our main source of income which, as we all know, is derived from tourism.

Thank you for your consideration regarding this matter,

Provincetown Chamber of Commerce Board of Directors

Patrick Patrick, President

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

2A

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

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

3A

SELECTMENS STATEMENTS

Requested by: Secretary to BOS, Mary Timmons

Action Sought: Discussion

Proposed Motion(s)

Motions may be made and votes may be taken.

Raphael Richter

Erik Yingling

Cheryl Andrews

Bobby Anthony

Tom Donegan

Additional Information

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

4A

Joint Meeting with Cemetery Commission

Need for New DPW Facility

Requested by: Cemetery Commission

Action Sought: Discussion

Proposed Motion(s)

Discussion Dependent

Votes May be Taken

Additional Information

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Board Action

Motion	*Second*	*In favor*	*Opposed*	*Disposition*

Space shortage plagues cemetery

By Erik Borg
BANNER CORRESPONDENT

PROVINCETOWN — Attempts to beautify the town's cremation lot have been curbed by a space crunch on cemetery grounds.

The area, known as Alden C, is home to 104 parcels specifically designated for cremation memorials that abut a maintenance shed operated by the town's building and grounds department.

Earlier this month, the cemetery commission sought to clear the area of unsightly storage spilling over from the shed, but was curtailed when it became clear the department and its clutter had nowhere else to go.

"We're just extremely restricted in space, so there isn't that much we can do about it right now," said DPW Director Richard Waldo.

Despite the structure's shortcomings, including no working bathroom, it has morphed over the years into the department's makeshift headquarters, Waldo said. Today, the roughly 1,000-square-foot structure is used to house the building and grounds offices and store its machinery, maintenance equipment, mulch and other landscaping material.

As the role of the B&G section of the DPW department has expanded, storage has spilled over to the outside, where clusters of recycling and trash bins are kept in clear view of the cremation lot and a large sand pile is stored on the other side of the shed.

The surrounding area also serves as a makeshift parking lot for the department's 12 year-round staffers, Waldo said. In the summer months, that number balloons to roughly 20 staffers, creating an unsightly parking situation.

"It looks like a large funeral is happening there every day," said Town Clerk Doug Johnstone, who is the town's burial agent and liaison to the cemetery commission. "It's just not a good situation or use of the cemetery."

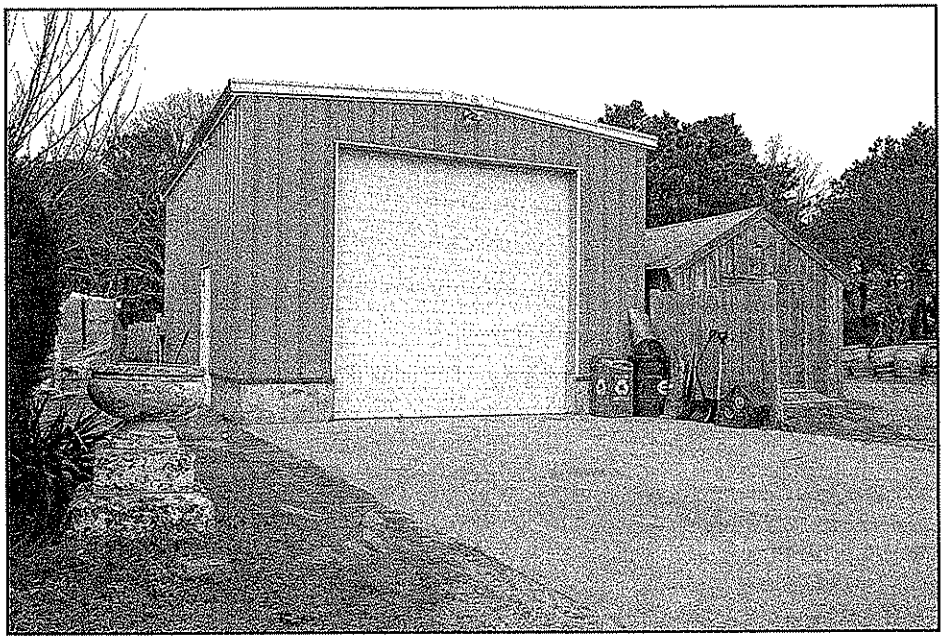


PHOTO VINCENT GUADAZNO

The DPW's buildings and grounds shed is taking up more room than the cemetery commission would like.

Johnstone said he fears B&G will continue to expand into the abutting lot even as it becomes an increasingly visited corner of the cemetery due to the growing choice of cremation over traditional full-body burial.

"That area of the cemetery is expanding quickly," he said. "Ten to 15 years ago there weren't any graves even in sight."

For now, both the DPW and cemetery commission appear to agree that a change is in order, but are stuck with little recourse.

The cemetery commission sought to install a natural barrier between the shed and the cremation lot this spring, but was forced to abandon the plans because it would have required B&G to give up needed parking space, Johnstone said.

The project, which consisted of five planted trees and some split-rail fencing, would have cost less than $3,000, Johnstone said.

According to Waldo, the situation highlights the forgotten plight of the DPW after losing out on a proposed $14 million joint headquarters with the police department two years ago.

Under that plan, public works would have been able to consolidate its three disparate department locations into

and DPW

one headquarters at the existing DPW highway garage at 24 Race Point Road.

But voters stripped the DPW from the proposal in a cost-cutting move at the 2012 Town Meeting, and the project was killed outright the following year.

"When that police station ceased to be an issue, everyone seemed to just forget about the DPW," Johnstone said.

Facing a lack of public interest, former DPW director David Guertin attempted to improve the situation internally.

In September, he obtained approval from the selectmen to fund a preliminary design sketch for a smaller undertaking that would still enable the DPW to consolidate its three offices into one site at the highway garage facility.

That proposal is still being tweaked but is expected to carry a more modest price tag of $3.5 million or less, Waldo said.

"Right now we're kind of in the shadow of the police station, but hopefully we will eventually be able to bring it forward again to get support for the project," he said.

CemeteryLots

Size

- 5x10
- 10x10
- 10x20

Lot Counts

5x10 = 401 (190 new section)

10x10 = 50

10x20 = 7

"B" Section ?

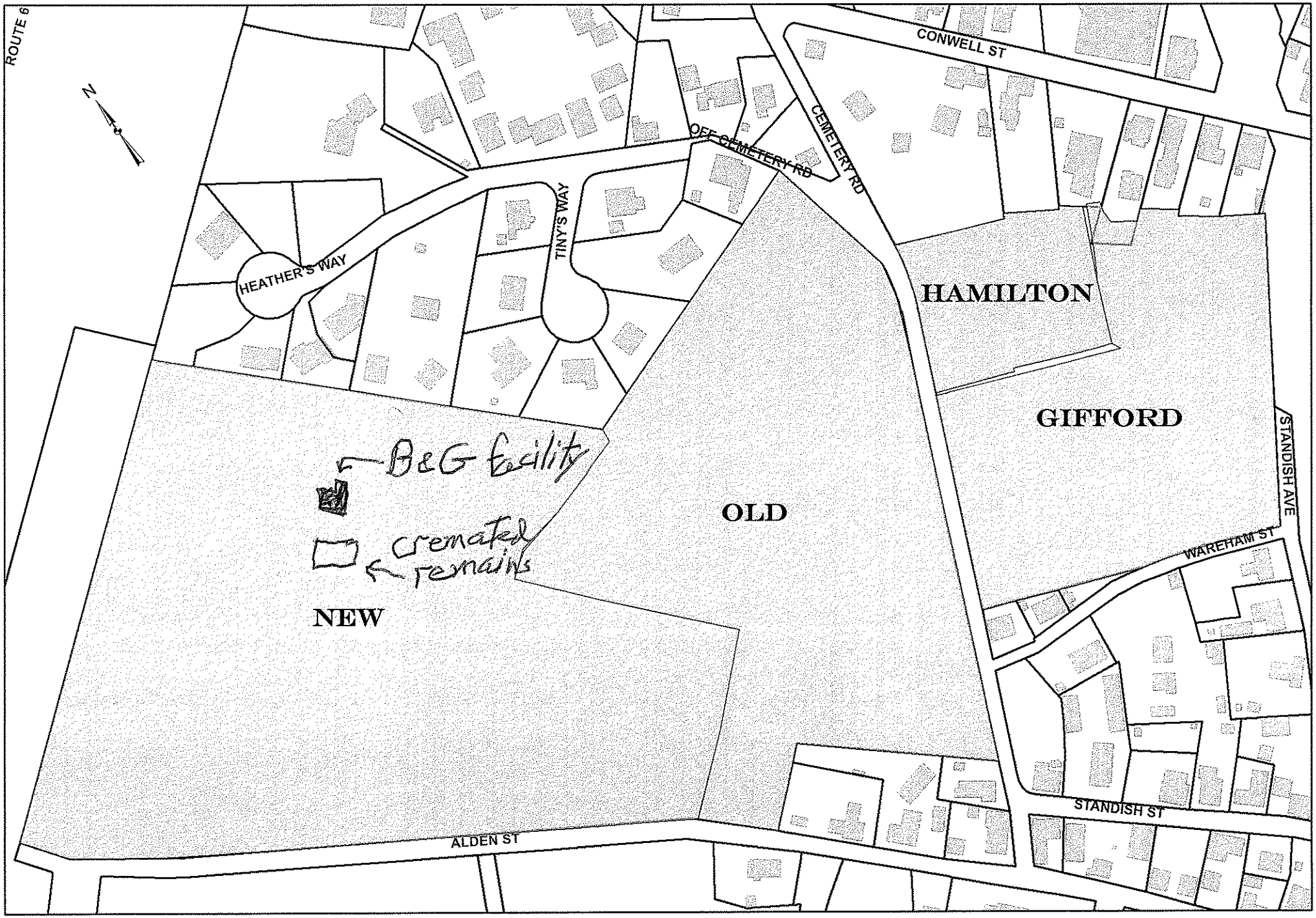
"Alden Cemetery" ?
or B Section extension ?

0 20 40 80 Feet

Created by MIS Department

these differ in scale among sections

Plan of Provincetown Showing Major Sections of Town Cemetery



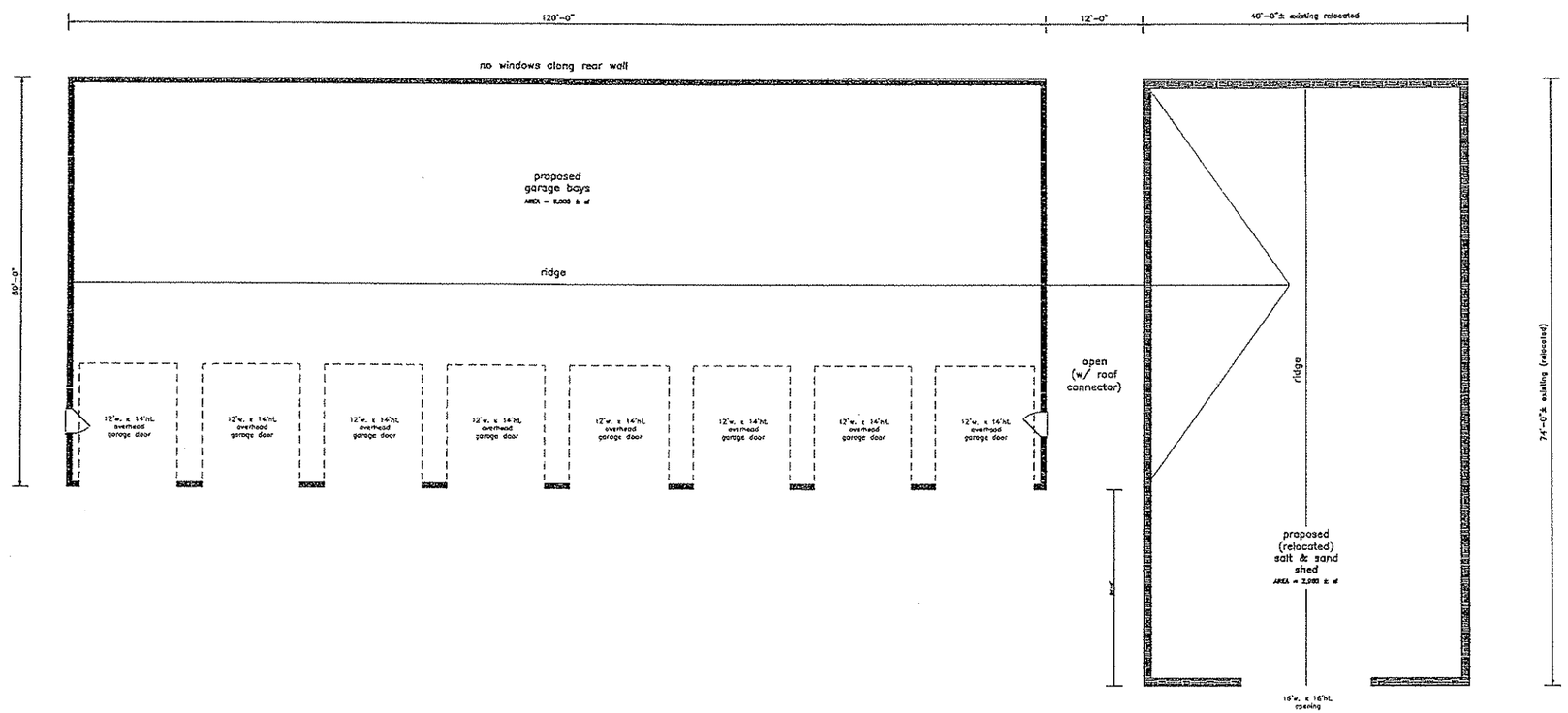
1 inch = 150 feet

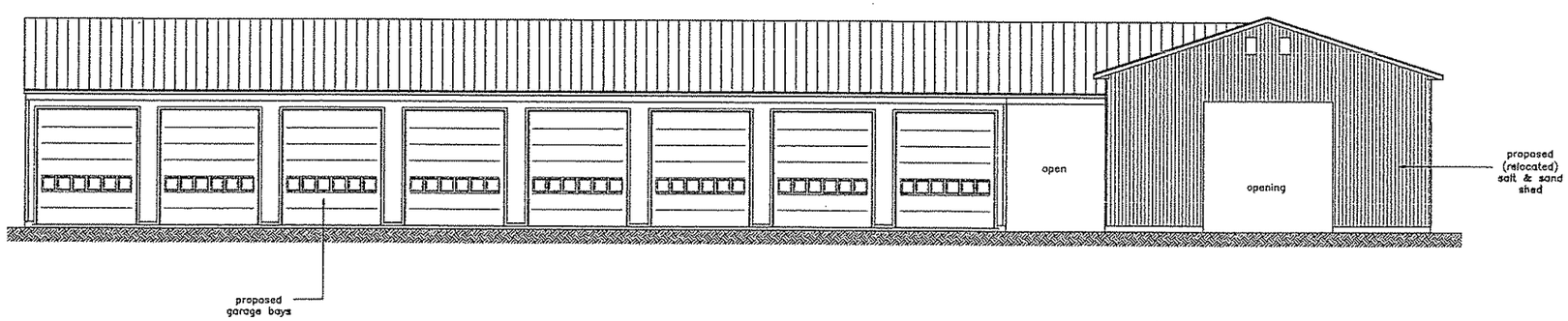
Provincetown DPW - GIS Services
July 7, 2010

first floor

(1/8" = 1')

TOTAL AREA = 8,960 ± sf





front elevation

(1/8" = 1')

PRELIMINARY

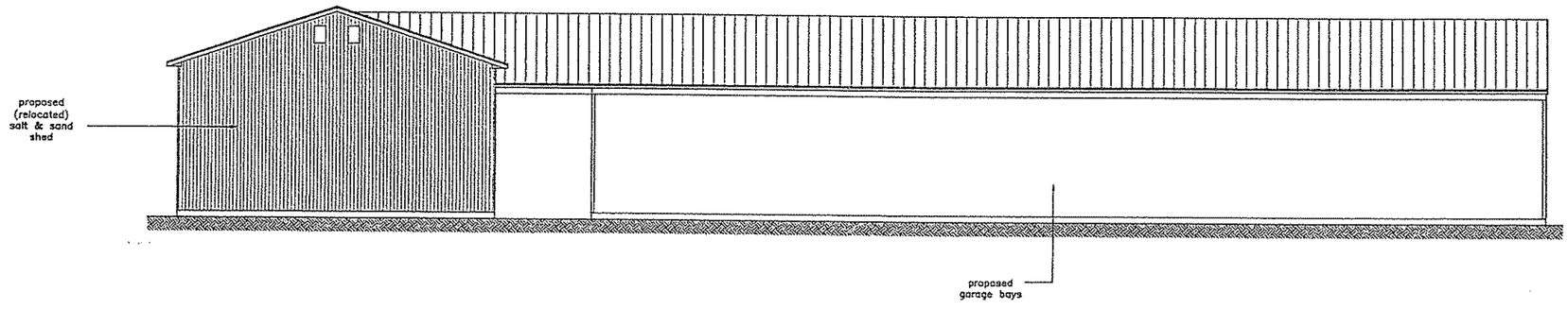
PROPOSED VEHICLE & EQUIPMENT STORAGE

PROVINCETOWN DEPARTMENT OF PUBLIC WORKS FACILITY

24 RACE ROAD PROVINCETOWN

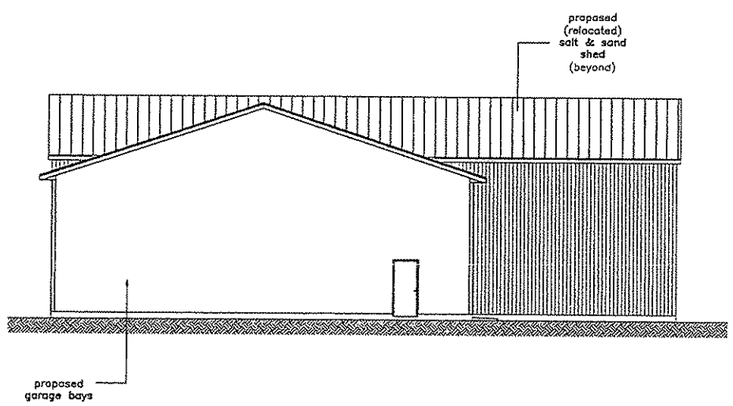
PROPOSED FLOOR PLAN –FRONT ELEVATION

ARC Designs , LLC
ALAN R. CABRAL
508.255.2589



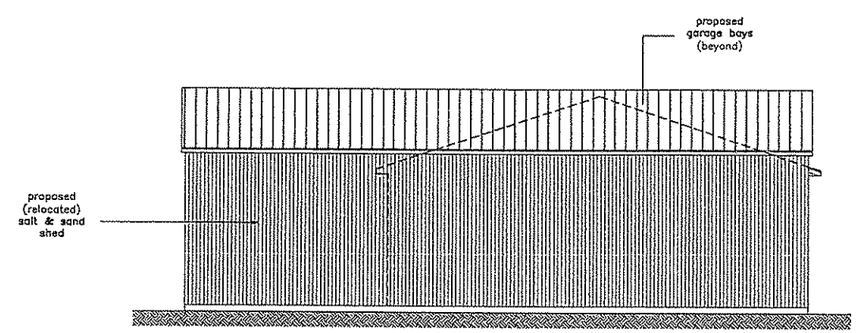
rear elevation

(1/8" = 1')



left side elevation

(1/8" = 1')



right side elevation

(1/8" = 1')

PRELIMINARY

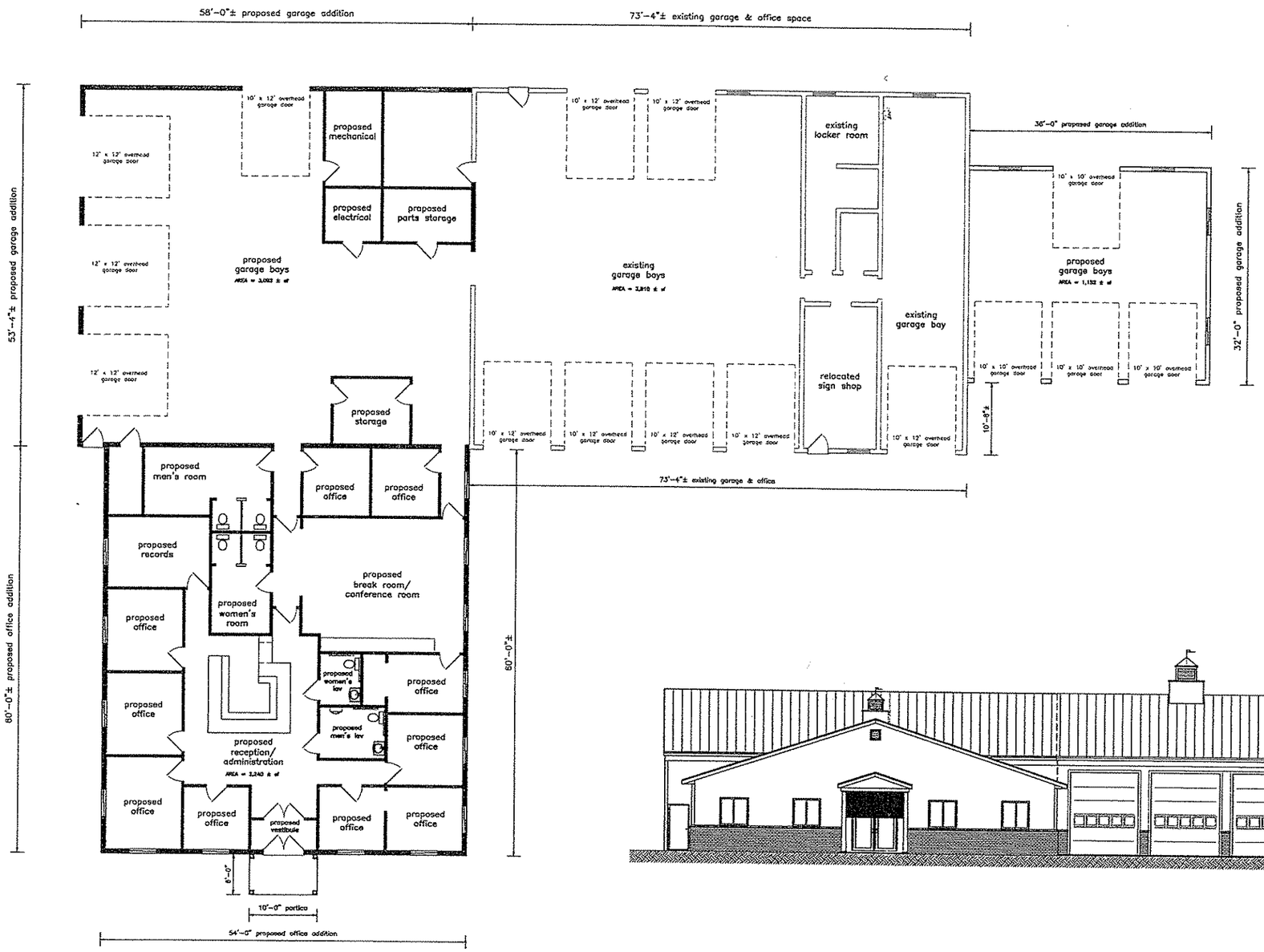
PROPOSED VEHICLE & EQUIPMENT STORAGE

PROVINCETOWN DEPARTMENT OF PUBLIC WORKS FACILITY

24 RACE ROAD PROVINCETOWN

REAR, RIGHT & LEFT SIDE ELEVATIONS

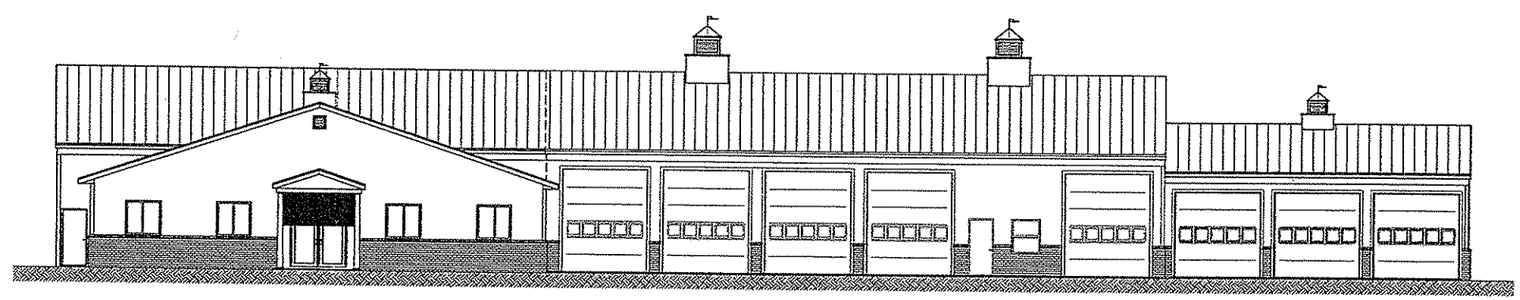
ARC Designs , LLC
ALAN R. CABRAL
508.255.2589



first floor

(1/8" = 1')

TOTAL AREA = 11,395 ± sf



front elevation

(1/8" = 1')

PRELIMINARY

PROPOSED FACILITY ADDITION

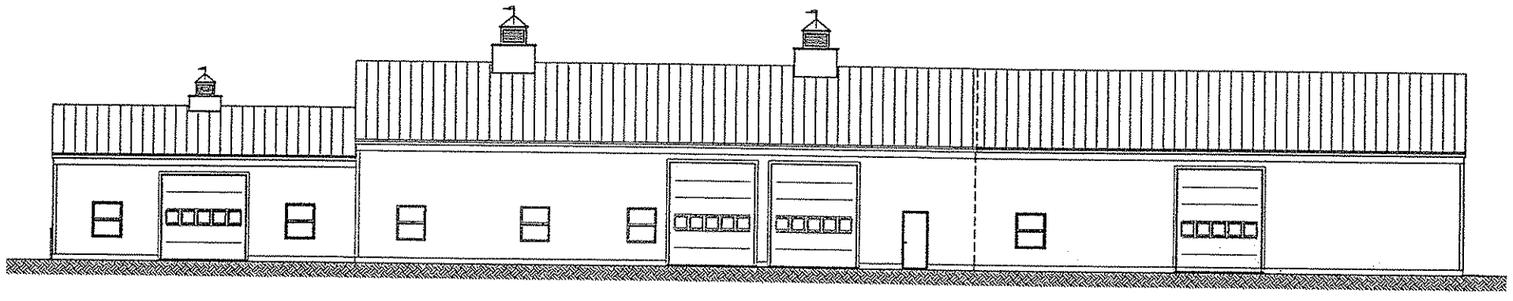
PROVINCETOWN DEPARTMENT OF PUBLIC WORKS FACILITY

24 RACE ROAD PROVINCETOWN

PROPOSED FLOOR PLAN –FRONT ELEVATION

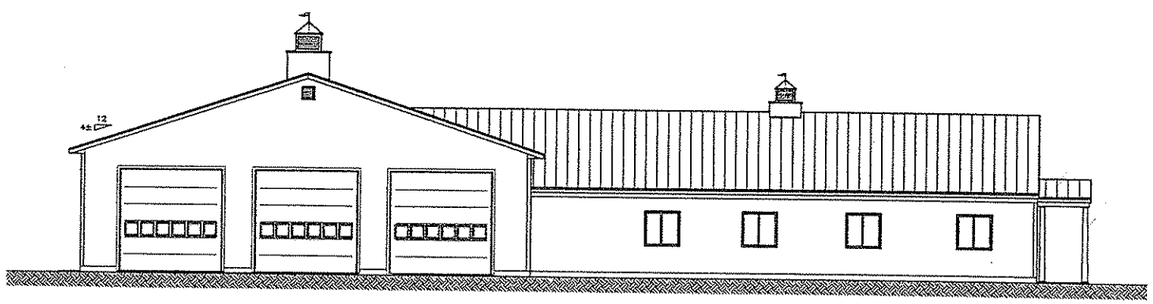
AUGUST , 2013

ARC Designs , LLC
ALAN R. CABRAL
508.255.2589



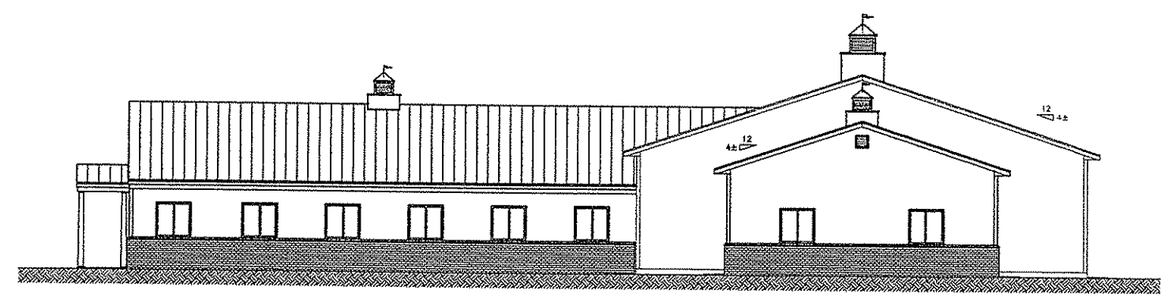
rear elevation

(1/8" = 1')



left side elevation

(1/8" = 1')



right side elevation

(1/8" = 1')

PRELIMINARY

PROPOSED FACILITY ADDITION

PROVINCETOWN DEPARTMENT OF PUBLIC WORKS FACILITY

24 RACE ROAD PROVINCETOWN

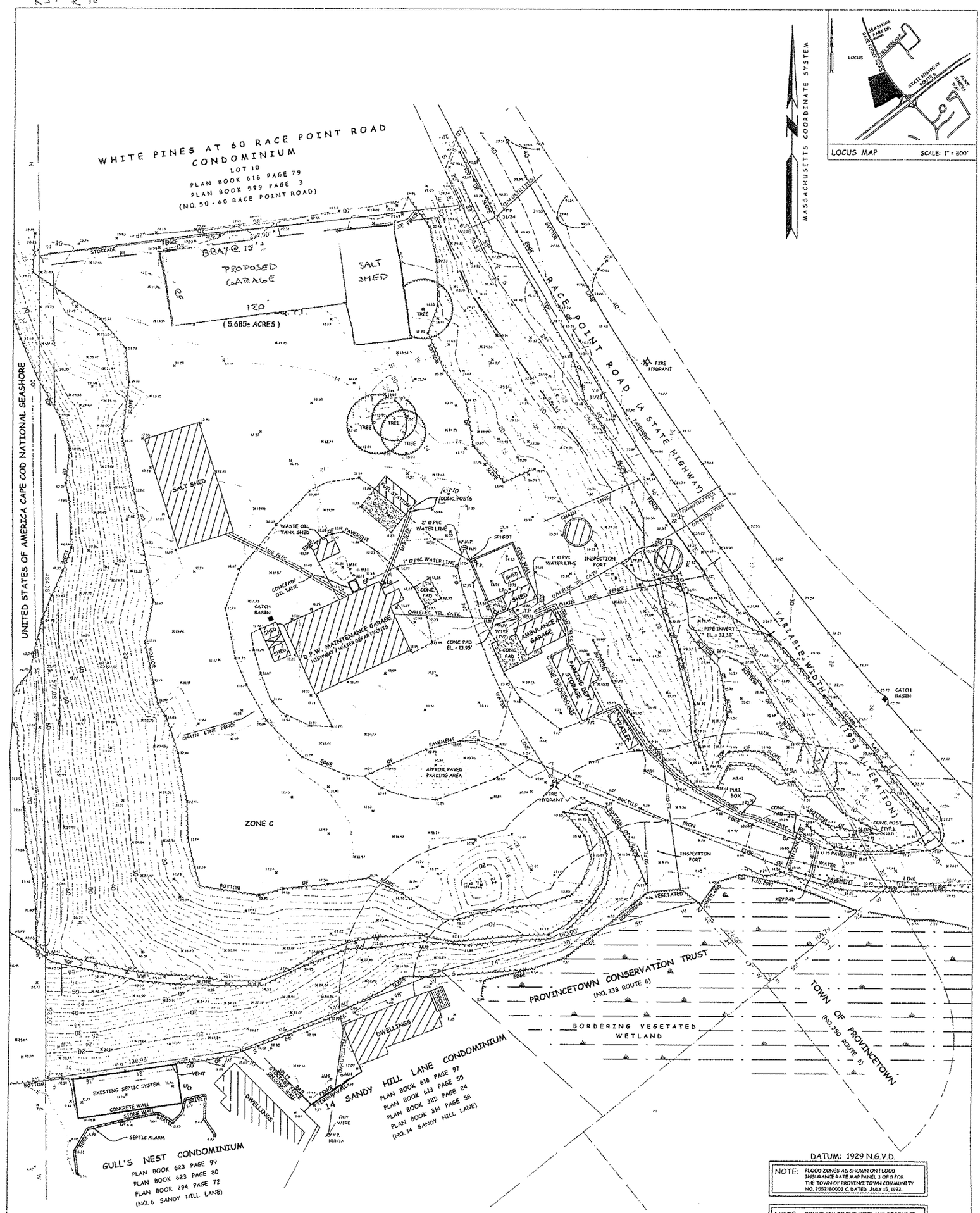
REAR, RIGHT & LEFT SIDE ELEVATIONS

AUGUST , 2013

2 OF 2

ARC Designs , LLC
ALAN R. CABRAL
508.255.2589

F 20*
S 6
R3: R 10*



DATUM: 1929 N.G.V.D.

NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 3 OF 5 FOR THE TOWN OF PROVINCETOWN COMMUNITY NO. 250280003 C, DATED JULY 15, 1992.

NOTE: BOUNDARY OF THE WETLAND RESOURCE AREAS WERE DETERMINED IN THE FIELD WITH THE ASSISTANCE OF PAUL J. SHEA, P.W.S., INDEPENDENT ENVIRONMENTAL CONSULTANTS, INC. ON JANUARY 30, 2012.

REFERENCE: PLAN BOOK 24 PAGE 17
DEED BOOK 1441 PAGE 146
DEED BOOK 553 PAGE 181

SCALE OF FEET
0 15 30 60

LEGEND:

- MH = MANHOLE
- (101) = EXISTING CONTOUR
- x 10.79 = EXISTING SPOT ELEVATION (M.S.L.)
- T.P. = UTILITY POLE
- O/H = OVERHEAD
- U/G = UNDERGROUND
- = CATCH BASIN
- W = WATER SHUTOFF
- W.M.P. = WATER METER PIT
- = HYDRANT
- —W— = WATER SERVICE LINE
- LP = LIQUID PROPANE TANK
- F.P. = FLAG POLE

PLAN OF LAND
IN
PROVINCETOWN
AS SURVEYED FOR
TOWN OF PROVINCETOWN

SCALE: 1 IN. = 30 FT. FEBRUARY, 2012

WILLIAM N. ROGERS
PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.
508.487.1565 / 508.487.5809 FAX

P-12-1959

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

5A

BOARD OF SELECTMEN APPOINTMENTS

Requested by: Mary Timmons, Secretary BOS

Action Sought: **Approval**

Proposed Motion(s)

None

Additional Information

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

6A

MONTHLY POLICE REPORT
May, 2014

Requested by: Acting Police Chief James Golden

Action Sought: Discussion

Proposed Motion(s)

Discussion Dependent

Additional Information

See attached Police Report Mayl, 2014

Board Action

Motion	*Second*	*In favor*	*Opposed*	*Disposition*

Town of Provincetown

Police Department

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

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 Police Chief James Golden

Subject: Police Operational Report

Date: June 03, 2014 (May 2014)

Activity Synopsis

Police activity (daily call volume, arrest and dispatch logs) are maintained and published weekly and archived on our website.

The following outlines recent police activity in brief:

During the period of Thursday, May 1st through Saturday, May 31, 2014, the officers of the Provincetown Police Department responded to 1,954 total calls for service.

Police responded to 8 domestic violence calls, 13 disturbances reported to police, 61 general complaints, 75 citizen assists, 5 reports of threats, 10 reports of harassment, 2 breaking and entering complaints, 1 report of motor vehicle vandalism, 4 reports of vandalism, 4 reports of property damage and 1 larceny. There were 2 landlord-tenant disputes investigated.

There were 92 medical emergencies recorded this month. There were 3 dog bites reported (including one of our seasonal police officers) with the requisite quarantine notification made by animal control.

Police officers also responded to 39 alarm calls and 2 reported fire alarms and discovered 3 open doors during routine building checks. Police conducted 17 bar checks and 76 park, walk and talks. Officers were called on by Truro PD mutual aid on 4 occasions, called 3 times to assist law enforcement rangers from the National Park and assisted the court probation department and Immigration Customs Enforcement agents on 1 occasion each.

140 motorists were pulled over and 8 citations were issued (5.71%). There were 2 arrests this month as a result of motor vehicle stops. There were 31 miscellaneous motor vehicle-related calls for the month. Police assisted with 8 disabled vehicles and 5 vehicles reported damaged while parked. (6)

Lost and found items reported to police included personal items found such as keys, wallets, phones, bags, IDs and ATM and credit cards.

There were more than 77 animal-related calls including 15 calls related to loose or missing dogs, 1 call for a domestic cat, there were 3 calls about coyotes, 5 calls about dogs left unattended in vehicles, 1 dog struck and killed by a motor vehicle, 1 call about opossums, 12 calls about (squirrels and raccoons), 11 calls about foxes, 4 calls about baby birds or their nests this month. There was 1 call about a large turtle crossing the road, 2 calls about a deceased dolphin washed up on the beach as well as 1 dead seal washed up on the beach. An injured duck, a cormorant and an owl were all secured and transported by us or one of our volunteer partners to WildCare. The animal control officer also maintained contact with our partner agencies for animal welfare and coordinated food donations from our on-going pet food pantry.

There were 14 arrests:

- **Friday, May 02nd at 1:41 p.m., Gerald Particelli, 56, of Provincetown, MA, was arrested and charged with Trespassing.**

- **Saturday, May 3rd at 9:40 p.m., Saba Barghout, 46, of Provincetown, MA, was arrested and charged with Assault and Battery (Domestic Violence) and Assault & Battery with a dangerous weapon (wooden stool).**

- **Saturday, May 3rd at 11:12 p.m., Christopher Mindes, 45, of Bedford, NH, was arrested for Operating a motor vehicle under the influence of alcohol, operating a motor vehicle negligently to endanger and speeding.**

- **Saturday, May 10th at 10:27 p.m., Richard Bredon, 56, of Provincetown, MA, was arrested for disorderly conduct and resisting arrest.**

- **Sunday, May 11th at 2:05 1.m., Franklin Carpenter, 41, of Truro, MA, was arrested and charged with breaking and entering in the nighttime with intent to commit a felony and malicious destruction of property valued under $250.**

- **Wednesday, May 14th at 2:28 a.m., Scott Hathaway, 40, of Provincetown, MA, was arrested on a straight warrant issued by the Mass Trial Court**

- **Sunday, May 18th at 1:40 p.m., Christopher Wilcox, 39, of Provincetown, MA, was arrested on a default warrant issued by the Mass Trial Court.**

- **Monday, May 19th at 10:32 a.m., Christopher Wilcox, 39, of Provincetown, MA, was arrested on a warrant of apprehension issued by the Mass Trial Court**

- Sunday, May 25th at 1:40 a.m., Samantha Rush, 28, of Burlington, MA, was arrested for Operating a motor vehicle under the influence of alcohol, operating a motor vehicle negligently to endanger and a light violation.

- Sunday, May 25th at 3:27 a.m., Sara Paulo, 33, of Fall River, MA, was arrested and charged with Assault and Battery (Domestic Violence).

- Monday, May 26th at 10:19 p.m., Walter Richter, 62, of Provincetown, MA, was arrested and charged with disturbing the peace, disorderly conduct, resisting arrest, civil rights violation (speech) and threatening to commit a crime to/wit murder.

- Tuesday, May 27th at 7:50 p.m., Chengsum Daley, 30, of North Truro, MA, was arrested and charged with Assault and Battery (Domestic Violence) and Assault & Battery with a dangerous weapon (knife) and armed assault with intent to murder.

- Wednesday, May 28th at 12:45 a.m., Brian Lamarco, 32, of Truro, MA, was arrested and charged with two counts malicious destruction of property valued over $250.

- Wednesday, May 28th at 1:47 a.m., Melissa Costa, 1, of Provincetown, MA, was arrested and charged with Assault and Battery (Domestic Violence).

14 people were also detained for being incapacitated from alcohol.

6 Males
8 Females

There were 16 motor vehicle accidents:

- Friday, May 9th at 10:04 a.m. on Cemetery Road and Alden Street (Delivery Truck struck fence while turning).

- Friday, May 9th at 8:53 p.m. minor motor vehicle accident on Bradford Street behind town hall.

- Saturday, May 10th at 4:16 p.m. minor motor vehicle accident at MPL out-booth.

- Sunday, May 11th at 10:20 p.m. minor motor vehicle accident on Commercial Street.

- Monday, May 12th at 4:18 p.m. minor motor vehicle accident on Bradford Street (Vehicle backed into another vehicle stopped in traffic).

- Friday, May 16th at 1:37 p.m. minor motor vehicle accident on Commercial Street.

- Saturday, May 17th at 5:00 p.m. minor motor vehicle accident on Commercial Street.

- **Monday, May 19th at 11:07 a.m. minor motor vehicle accident on West Vine Street.**
- **Monday, May 19th at 4:20 p.m. minor motor vehicle accident on Smalls Court.**
- **Wednesday, May 21st at 2:21 p.m. major motor vehicle accident on Bradford Street Extension. (Truck versus guardrail).**
- **Thursday May 22nd at 10:29 a.m. minor motor vehicle accident on Commercial Street.**
- **Friday, May 23rd at 12:35 p.m. minor motor vehicle accident on Commercial Street.**
- **Sunday, May 25th at 16:36 p.m. minor motor vehicle accident on Commercial Street. (vehicle verses parked car).**
- **Monday, May 26th at 11:59 a.m. minor motor vehicle accident on Commercial Street. (vehicle verses fence).**
- **Wednesday, May 28th at 11:23 a.m. minor motor vehicle accident on Center Street. (vehicle backed into another vehicle stopped in traffic).**

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

6B

PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES (PARC) GRANT APPLICATION FY 2015

Hall Property Potential Acquisition

Requested by: Town Manager David Gardner

Action Sought: Approval

Proposed Motion(s)

1) MOVE that the Board of Selectmen vote to authorize the Town Manager, Open Space Committee and the Conservation Commission and/or Recreation Commission to prepare and submit applications to the Commonwealth of Massachusetts' Division of Conservation Services reimbursement programs, including the Parkland Acquisitions and Renovations for Communities (PARC) Grant Program , for the FY15 grant round, for the acquisition of the parcel of land located at 387-395 Commercial Street, Provincetown, Massachusetts, containing 13,127 square feet of beachfront property, more or less;

2) And further, to authorize the Town Manager to sign any contracts and provide any legal assurances and understandings to the Commonwealth regarding said applications and awards, that her signature shall bind the Town regarding the intent of said documents, and to serve as the Project Manager and primary local contact, or assign another local contact for matters relating to communications with the Division of Conservation Services regarding this application, on behalf of the Town of Provincetown.

Additional Information

See attached related information Grant application and property descriptions. This request is to apply for the state funding of $500,000 prior to the June 18th deadline. This project will still be subject to negotiation by the Board of Selectmen, including a Purchase and Sale Agreement and ultimately appropriate at town meeting. This project is being recommended by the Conservation Commission, the Open Space Commission and the Recreation Commission.

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Parkland Acquisitions and Renovations for Communities (PARC) Grant Program
Application Form FY 2015

Please do not reformat this form – use the fillable pdf form
Please print double-sided
Please fasten application package with a binder clip, no three-ring or plastic binders!

1. **Municipality:** Town of Provincetown
   Population (2010 U.S. Census): 2,642

2. **Project Name:** Hall Beach Property at Commercial Street

   Type of Project:

   ☑ Acquisition – acreage 13,127 s.f. ☐ New development ☐ Renovation of existing park

   Project address: 387-395 Commercial Street, Provincetown MA

   Project acreage: 13,127 s.f. = 0.3acre

3. **Contact Person:** Brian Carlson

   Agency: Natural Resources Dept./Conservation Agent/Health Agent

   Address: 260 Commercial Street
   Provincetown MA

   Zip 02657

   Telephone (508) 487-7000 Fax (508) 487-0032

   Email: bcarlson@provincetown-ma.gov

   Please note: the contact person is the official representative for this project as authorized under item #16(b) of this application, usually not the chief municipal officer.

4. **Briefly describe the project on <u>TWO</u> attached pages.** Use the PARC Rating System as an outline for the description, as well as the items bulleted below, to ensure the maximum score possible for your project.

   a.) Acquisition Projects:
   - site location – in an Environmental Justice neighborhood and/or site's distance to the nearest park
   - rare species (include letter from NHESP) (to determine if NHESP must approve site plans)
   - historic or archaeological resource (include letter from MHC) (to determine if MHC must approve site plans)

   b.) Development or Renovation Projects:
   - describe facilities being developed
   - describe community needs, including park equity/need in this neighborhood
   - new acres dedicated as parkland
   - brownfield projects must submit 21E evaluation and, at the minimum the Executive Summary of a Phase II Comprehensive Site Assessment under state cleanup regulations (Massachusetts Contingency Plan), or a Response Action Outcome statement for each Response Tracking Number – communities must begin cleanup at site prior to grant award so that project can be completed within contract period

   c.) All Projects:
   - non-vehicular accessibility of the site (bike paths, public transit, etc. – show on map)
   - water-based recreation (include linear footage of bordering water resource)
   - fiscal or for maintenance cooperation with any other governmental agency (state, federal, county), private nonprofit, local business, etc.
   - location in an Environmental Justice neighborhood or area of the community that lacks park resources (show on map)
   - consistency with any nearby State Priority Development or Preservation Areas as shown on the South Coast Rail Corridor Plan, Merrimack Valley Land Use Priority Plan, or the 495/MetroWest Development Plan or any others that are completed
   - description of enhanced public outreach in Environmental Justice neighborhood
   - environmental education/interpretive services planned for site
   - vegetation plan for site – number of trees that will be planted at the park
   - regional or statewide facility (communities applying in these categories should submit a Usage Report)

- accessible via public transportation (within a 1/2-mile walk)
- parking for 100 (or more) vehicles

5. **Proposed Funding:**
The PARC program is a ***reimbursement*** program. Grant recipients are reimbursed after invoices have been paid. **The total project cost must be raised or appropriated by the municipality shortly after project approval if it has not already been appropriated.** Costs incurred prior to grant approval and contract execution are ineligible, **including design costs**. Force account labor, volunteer hours, and donations are also ineligible. Refer to PARC regulations (Section 5.07) for eligible cost details. Sample budget can be found in Attachment E.

Total Eligible Project Cost: $ 2,000,000.00

PARC Request: $ 500,000.00*
(52-70% of total project cost based on Equalized Valuation Per Capita, can be found on DCS web page, maximum of $400,000)

Municipal Share: $ 1,500,000.00
(Community Development Block Grant via federal or local government sources, Community Preservation Act, etc., please specify in narrative)

Other: $ n/a
(i.e. private donation to community, fund raising, etc. Note that any donations for the project must be put into a municipal account earmarked for the project as EEA can only reimburse on a canceled municipal check.)

(PARC Request + Municipal Share + Other = Total Eligible Project Cost)

Attach a one page description of the proposed project budget including (:
- The source of all local funding including donations and Community Preservation Act (CPA) funds.
- Description of the details of any donation, if applicable (be sure these funds are gifted to the community and earmarked for the project).
- Description of any other sources of funding including federal, state, municipal, or nonprofit organizations. List these partners and describe their contribution. Not all sources of state and federal funds are compatible with every DCS grant program.
- Budget should be broken into two distinct fiscal years for renovation and development projects – FY 15 costs associated with design, FY 16 costs associated with construction. Please note that PARC grants cannot reimburse municipalities for design costs only.

6. **Project Type:** Please indicate type of project, refer to the program's regulations for definitions (Sec 5:03) and to the list of required attachments found at the end of this application form to substantiate any "yes" answers. Indicate here whether:

☐ Your municipality is an urban population center (city of any size or town with 35,000 or more residents)

☐ Your project qualifies as a regional or statewide project (town with 35,000 or less residents whose proposed project has public transportation access and/or over 100 car parking) (submit a Usage Report)

☐ Your project qualifies as a "small town" project (town with 35,000 or less residents) – please note that these applications will be competing amongst themselves in a separate pool for $250,000

☑ Your municipality is on Cape Cod or the Islands (eligible for $400,000 grant award maximum)

7. **Green Communities**
Has your community been designated a Green Community by the Executive Office of Energy and Environmental Affairs?
☑ Yes ☐ No
For more information on the Green Communities program, visit http://www.mass.gov/eea/energy-utilities-clean-tech/green-communities/.

8. **Community Preservation Act**
Has your community passed the Community Preservation Act?

☑ Yes ☐ No

If "yes", please note that successful grant applicants that have purchased real property interests for open space or recreational purposes using money from the Community Preservation Fund must have all conservation restrictions required by Section 12 of Chapter 44B approved by the Secretary of Energy and Environmental Affairs and recorded prior to receipt of final project reimbursement from the Executive Office of Energy and Environmental Affairs (for file records only).

9. Describe **outstanding leases, restrictions or other rights or interests** held by others in the project site and enclosed copy of the same (for file records only).

10. Is the property **permanently dedicated for park, playground, or recreation purposes** (MGL Chapter 45, Section 3 or 14)? If not, please submit draft dedication language for DCS review as all PARC projects must be dedicated for park, playground, or recreation purposes.

☑ Yes ☐ No

11. Are **fees currently charged or proposed** for this facility? If yes, please attach a copy of the fee system. Charging fees is allowed subject to DCS approval. If applicant is awarded a grant, the site cannot be restricted to municipal residents only. If fees are charged based on residency, fees for nonresidents are subject to Section 5.08(3) of the PARC regulations (for file records only).

☐ Yes (copy attached) ☑ No

12. **Municipal Open Space and Recreation Plan**
Describe how your project meets the recommendations in your current Open Space and Recreation Plan. To receive points in this category, you must cite specific goals, objectives, and/or actions from the Action Plan and the associated page number references. If we already have a copy of your plan, there is no need to submit another copy.

	Goal, objective, or action plan item from current OSRP	**Page #**
1	The intense density has led to wastewater problems, stormwater management concerns, traffic nightmares in the summer, and lack of urban parks, particularly town beaches, landings and playgrounds.	10
2	In 2002, Provincetown Harbor Beach was selected by the U.S. Environmental Protection Agency as one of three Flagship beaches for the Commonwealth of Massachusetts that serve as models for beach managers in water quality monitorin	46
3	Provide recreational opportunities and increase public access of town-owned land (e.g., increase public awareness and protection of traditional and historic walkways and beach access points).	80
4	Use Land Bank or CPA funding to purchase land, which ensures long-term harbor access or protects harbor views. (Per the 2004 Survey, 74.5 % of respondents agreed,	113
5	Increase harbor access way protection...	111
6	Supplement conservation lands by adding more harbor, pond, and estuarine beaches.	112

13. **Statewide Comprehensive Outdoor Recreation Plan**
Describe how your project advances the Goals and Objectives (Chapter 5) in the Statewide Comprehensive Outdoor Recreation Plan. It can be found online at http://www.mass.gov/eea/docs/eea/dcs/fy13-gr/draft-scorp-2012.pdf.

Residents were asked to name new or improved outdoor recreation facilities they would like to see developed at the state or local level. At the state level, adult residents most frequently mentioned beaches and hiking trails. (p. 35)
2. Increase the availability of water-based recreation (p. 22)
Examples include, but are not limited to: Increasing access to the water by acquiring more waterfront property and developing put-ins for canoes, kayaks, and other boats; waterfront areas (rivers, ponds, lakes, and ocean) that are safe for recreational swimming and fishing.

14. Check the following if applicable to project (for file records only):

☐ Yes ☑ No Prime agricultural lands (see Ex. Order #193)
☐ Yes ☑ No Cultural, historic, archeological site: Contact MA Historical Commission (617) 727-8470
☐ Yes ☑ No Endangered species habitat: Contact MA Natural Heritage Program (508) 389-6300
☐ Yes ☑ No Environmental intrusion, i.e. overhead power lines (must be buried), safety hazards
☐ Yes ☑ No Brownfield – 21E evaluation
☐ Yes ☑ No Located in the State Priority Preservation Area as shown on the South Coast Rail Corridor Plan, Merrimack Valley Land Use Priority Plan, or the 495/MetroWest Development Compact Plan or any other plan that is released
☑ Yes ☐ No Environmental Justice community/neighborhood (see EJ data viewer at http://maps.massgis.state.ma.us/map_ol/ej.php)

Acquisition projects only
☐ Yes ☑ No Acquisition involving relocation of residents, tenants, or businesses

Do you have a Purchase and Sales Agreement or Agreed Price?	☐ Yes ☑ No
If yes, amount:	$_____
Is Clear Title available?	☑ Yes ☐ No
If no, is an eminent domain taking anticipated?	☐ Yes ☐ No
If yes, proposed pro tanto award amount:	$_____

Note that if clear title is not available, the community may decide to acquire the property by a friendly taking (eminent domain) process to clear the title. It is best to know if there is a potential title problem as soon as possible since this can complicate the acquisition process.

Appraisal Report #1
Valuation: $_____
Appraiser: Linda Coneen, CC&I Appraisal Group
Valuation Date: June , 2014

Review Appraisal Report #2 – if land valued at over $750,000
Valuation: $_____
Appraiser: Michael Sutton, Appraisal Services of CC&I
Valuation Date: June , 2014

15. Check if the following permits are required (for file records only):

☐ Yes ☑ No U.S. Army Corps of Engineers (404 or Rivers and Waterways)
☐ Yes ☑ No MA DEP Division of Wetlands & Waterways (617) 292-5518
☐ Yes ☑ No U.S. Coast Guard
☐ Yes ☑ No U.S. Dept. of Agriculture (Zoos)
☐ Yes ☑ No C. 131 s. 40 Wetlands (municipal conservation commission)
☐ Yes ☑ No MEPA Review (301 CMR 11.00: MEPA Regulations) (617) 626-1020

IMPORTANT NOTICE

If any of the above permits are required, the permit or application for the permit must be submitted. Should the project be selected for funding, the permit will be required as part of the final application.

16. Attach certification of:

a. The **Chief Executive Officer's legal authorization to execute contracts**. This is a resolution, motion, or similar action that has been duly adopted or passed as an official act of the community's governing body that authorizes the filing of the applications, including all understandings and assurances contained therein by the signatory, usually a page from the town/city charter will satisfy this requirement (this is not a DCS form to be completed); and

b. Authorization from chief municipal officer identifying individual named on the first page of this application who acts as official of municipality in connection with the application and who will provide such additional information as may be required (See Urban Self-Help Regulations 5.04:(6)).

June , 2014

Date

Signature of Chief Municipal Officer

David Gardner, Acting Town Manager

Name and Title (Typed)

indefinite

Duration of Term

Mailing Address: 260 Commercial Street, Provincetown MA 02657

Telephone: (508-487-7002

Attachment

Current Conditions & Use Map

HALL BEACH Land Acquisition Proposal

Provincetown MA

FY015 State PARC grant application

SOURCE: http://maps.massgis.state.ma.us/

Attachment

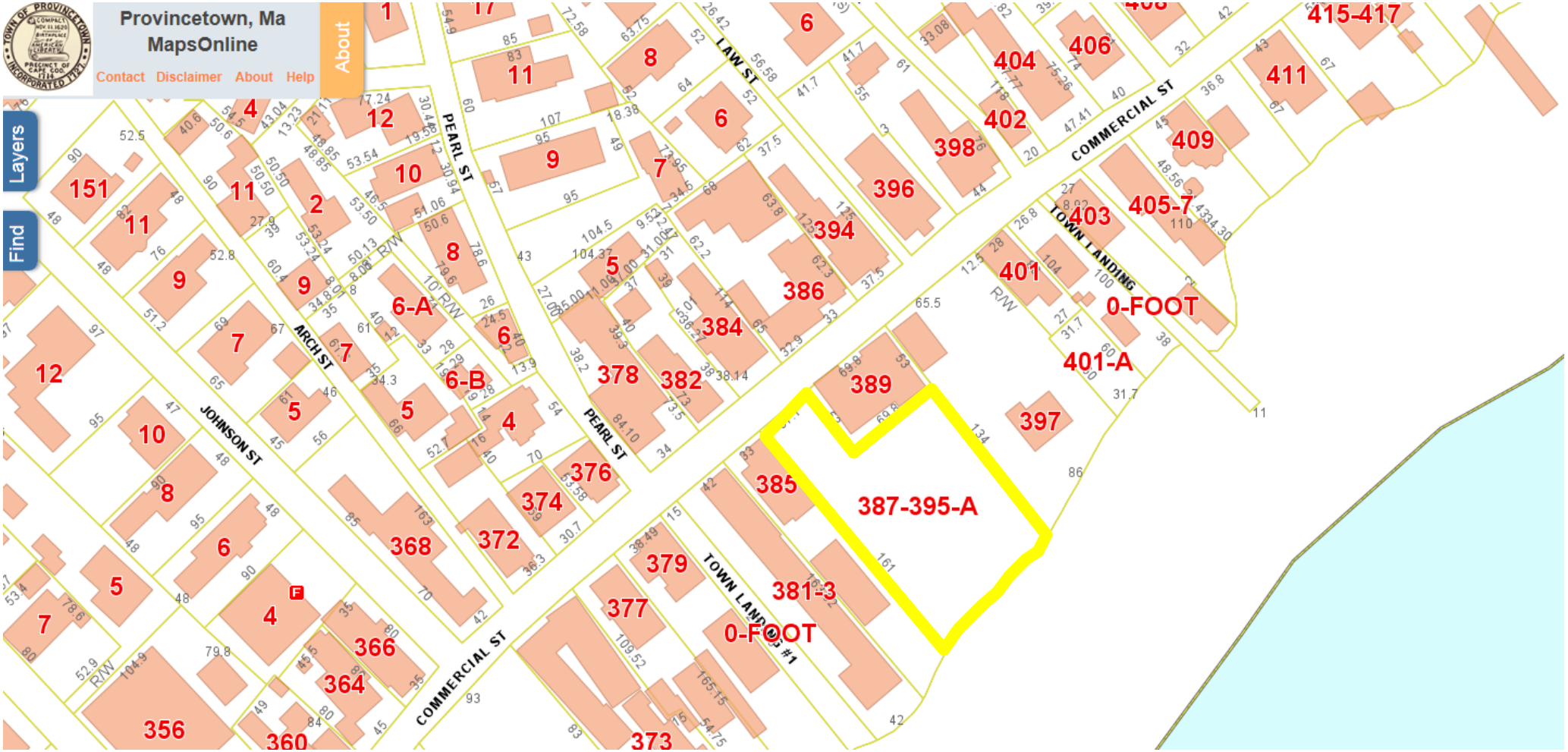
Aerial Photo Map

HALL BEACH Land Acquisition Proposal

Provincetown MA

FY015 State PARC grant application

SOURCE: http://maps.massgis.state.ma.us/


Provincetown, Ma
MapsOnline
Contact Disclaimer About Help
About
Layers
Find
PEARL ST
LAW ST
COMMERCIAL ST
TOWN LANDING
ARCH ST
JOHNSON ST
TOWN LANDING #1
387-395-A
0-FOOT
401-A
415-417
405-7
6-A
6-B

Property of Elena Hall

Commercial Street

0.3 acre (13,000 sq. ft.)

Asking $2,000,000

May 2014

Board of Selectmen
Town Hall, 260 Commercial Street
Provincetown, Massachusetts 02657
Telephone (508) 487-7003
Facsimile (508) 487-9560

Acting under a motion made and duly seconded at a public meeting held on this date, the Board of Selectmen, as the executive officers of the Town of Provincetown, VOTED unanimously to authorize the Acting Town Manager, Open Space Committee and the Recreation Commission to prepare and submit applications to the Commonwealth of Massachusetts' Division of Conservation Services reimbursement programs, including the PARC reimbursement grant program, for the FY15 grant round towards the acquisition of the 13,127 square feet (0.3 acre) parcel at 387-395 Commercial Street known as the Hall Beach parcel.

And further, the Selectmen certified by said vote that the Acting Town Manager is authorized to sign any contracts and provide any legal assurances and understandings to the Commonwealth regarding said applications and awards, and to serve as the Project Manager and primary local contact on matters relating to communications with the Division of Conservation Services regarding these applications, on behalf of the Town of Provincetown, and that his signature shall bind the Town regarding the intent of said documents.

_____
Chairman
Board of Selectmen
Town of Provincetown

DATE: _____June 2014

Provincetown Board of Selectmen

JUNE 9, 2014

6C

Bond Anticipation Note #1104

Requested by: Connie Boulos, Treasurer 05/29/14 Action Sought: **Approval**

Proposed Motion(s)

MOVE that the Board of Selectmen vote to issue Bond Anticipation Note #1104 in the amount of $4,250,000 dated June 20, 2014 at .45% ($9,536.30) interest payable at maturity to Cape Cod Five Cents Savings Bank due December 19, 2014.
BOND ANTICIPATION NOTE ~ BAN #1104

Renewal:
From the April 2, 2012 Special Town Meeting:
Article #5 -Wastewater Optimization **$ 1,901,000.00**

New Issue:
From the April 2, 2012 Special Town Meeting:
Article #5 -Wastewater Optimization **$ 2,349,000.00**

TOTAL BAN #1104 $ 4,250,000.00

Additional Information

Renewal of #1101; New issue for #1104 for Wastewater Optimization

Interest Rate =$4,250,000.00 x 182 = $9,536.30

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

No. 1104 $ 4,250,000.00

The Commonwealth of Massachusetts
Town of Provincetown
This Note is exempt from Taxation in Massachusetts

Date of Issue June 20, 2014

For Value Received, the inhabitants of the Town of Provincetown

by their Treasurer, hereto duly authorized by vote of said Town passed on April 2, 2012 Special Town Meeting

or by Massachusetts General Laws Chapter 44 **, Section** 7 & 8 **, or both,**

promise to pay to Cape Cod Five Cents Savings Bank **or order**

at Cape Cod Five Cents Savings Bank

the sum of Four Million Two Hundred Fifty Thousand and 00/100 **Dollars**

on 12/19/2014 **, with interest at an annual rate of** .45 **% payable** maturity **.**

Countersigned and Approved

Majority of the Board of Selectmen

Signed Corinne Bradley
Treasurer
Town of Provincetown

Town Seal
To be affixed here

I certify that this note was countersigned and approved by the Selectmen in my presence.

Town Clerk **Date**

The Commonwealth of Massachusetts
Department of Revenue, Boston

I hereby certify that this note appears to have been duly issued in accordance with the provisions of Chapter 44 of the Massachusetts General Laws and that there is on file in this office, where they may be inspected, certifications by the Town Clerk of a true copy of the Town Treasurer's record of this issue of this note and, where applicable, of a true copy of the vote of the duly warned town meeting authorizing the loan, together with certifications that the signatures appearing upon said note are those of the duly qualified Treasurer and the majority of the Board of Selectmen.

Director of Accounts **Date**

THE COMMONWEALTH OF MASSACHUSETTS
CERTIFICATE OF TOWN CLERK

Note Number(s): **1104**

Town Treasurer's Record

Town of Provincetown

1. Date of Town Meeting Authorizing Loan:
   04/02/2012 STM

2. Purpose of Loan: Municipal Purpose Loans

3. Total Amount of Loan Authorized: $ 4,500,000.00

4. Amount of Previous New Issues of this Loan: $ 0.00

5. PayDown: $ 0.00

6. Amount of this Issue: $ 4,250,000.00

7. Balance of this Loan Unissued: $ 250,000.00

Note: Amount Authorized minus Previous New Issues minus This Issue (New Money) equals Unissued Balance.

8. Issue Date: June 20, 2014 Date Due: December 19, 2014

9. Payable to: Cape Cod Five Cents Savings Bank

10. Payable at: Cape Cod Five Cents Savings Bank

11. Rate of Interest 0.45% Payable At Maturity

12. Signed by Cristine Baulos, Town Treasurer

TO THE DIRECTOR OF ACCOUNTS: THIS CONSTITUTES OUR AUTHORIZATION TO DELIVER THE NOTE(S), WHEN CERTIFIED, TO THE PURCHASER(S) SPECIFICED ON LINE 9 ABOVE.

COUNTERSIGNED AND APPROVED BY:

_____ _____ Selectmen and a majority thereof

_____ _____

_____

In the presence of: _____, Town Clerk (complete right side)

Municipal Purpose Loan								
Town of Provincetown ~ BAN #1102 ~ Dated April 1, 2014 to June 20, 2014								
This attachment must be included with all Municipal Purpose Loans issued through the State House Note Program.								
(A municipal purpose loan is one, which combines two or more authorizations for different purposes in one loan.)								
Date	Article	Purpose	Amount Authorized	Previous New Issues	Paydown	This Issue New	This Issue Renewal	Unissued Balance
04/02/12	STM 5	Wastewater Optimization	4,500,000.00			2,349,000.00	1,901,000.00	250,000.00
Totals			4,500,000.00	0.00	0.00	4,250,000.00		250,000.00
Carry these figures over to the Clerk/Secretary's Certificate			Total of this column must equal line 3	Total of this column must equal line 4	Total of this column must equal line 5	Total of these columns must equal line 6		Total of this column must equal line 7
							Ban #1102	$4,223,833.00
							Ban #1104	$4,250,000.00
Note: Amount Authorized minus Previous New Issues minus This Issue New will equal Unissued Balance.								$8,473,833.00
\\TOWNHALL\DMF Team\0-Treasurer\0 DEBT SERVICE\1 14 DEBT SERVICE\FY14 BANS\BAN 1104\[MPL BAN #1104 (DOR).xls]MPL BAN #1102								

The Commonwealth of Massachusetts
Certificate of Town Clerk

Only one Certificate is needed to cover all notes issued on the same date for the same purpose. The Town Clerk will furnish below an exact copy of the vote authorizing the loan, as appearing in the Clerk's records, showing how the vote was passed including a copy of the article in the warrant upon which the vote was based. The completed certificate is to be signed by the Clerk and given to the Treasurer, who must transmit the same, with the note or notes, to the Director of Accounts, Department of Revenue, Boston. General Laws Chapter 44, Sections 23-27.

Copy of Vote Authorizing Loan

(Attach a certified copy of the vote and warrant article for each authorization included in this borrowing.)

Seal

I CERTIFY that this is a true copy of the Town Treasurer's Record of the issue of notes and a true copy of the vote passed at a meeting of the voters of the Town of _____, duly warned as required by law, which authorized borrowing as stated, as appears on the records of the town; that said vote is in full force and effect and has not been repealed or modified in any way by subsequent vote of the town. I FURTHER CERTIFY that the person whose signature appears on the note as treasurer of the Town of _____ was the duly authorized treasurer on the date when said signature was made; and that the persons whose signatures appear upon the note as those of a majority of the selectmen were duly qualified selectmen on the date when such signatures were made. I ALSO CERTIFY that the copy of the warrant article is a true copy of the same; that it was duly served and certified by the constable as required by the General Laws and by-laws or vote of the town or both.

Date _____ _____, Town Clerk

(Revised: December 2003)

PROVINCETOWN, MASSACHUSETTS
MATERIAL EVENTS DISCLOSURE

In connection with the issuance by the Town of Provincetown, Massachusetts (the "Issuer") of its $4,250,000 Bond Anticipation Note dated June 20, 2014, due December 19, 2014, (the "Notes") and with reference to the continuing disclosure requirements of Rule 15c2-12 under the Securities and Exchange Act of 1934, as amended effective July 1, 2009 (the "Rule"), the Issuer hereby covenants that it will comply with the undertakings herein for the benefit of the registered owners of the Note, subject to the conditions and limitations specified herein.

1. As provided in paragraph (b)(5)(i)(C) of the Rule, the Issuer hereby undertakes to provide in a timely manner to the Municipal Securities Rulemaking Board ("MSRB" or "Board") instead of to multiple Nationally Recognized Municipal Securities Information Repositories ("NRMSIRs") and the State Information Depository ("SID"), and to provide such information in an electronic format and accompanied by identifying information as prescribed by the MSRB, pursuant to the Rule, notice of the occurrence of any of the following events with respect to the Note, if material:

a. Principal and interest payment delinquencies;
b. Non-payment related defaults;
c. Unscheduled draws on debt service reserves reflecting financial difficulties (it is noted that there are no debt service reserves established with respect to the Note);
d. Unscheduled draws on the Letter of Credit provided for the Note reflecting financial difficulties;
e. Substitution of Letter of Credit provider, or their failure to perform;
f. Adverse tax opinions or events affecting the tax-exempt status of the Note;
g. Modifications to the rights of registered owners of the Note;
h. Note calls (it is noted that the Notes are not callable prior to their maturity;
i. Defeasances;
j. Release, substitution, or sale of property securing the repayment of the Note (it is noted that the Note is a general obligation of the Issuer and is not secured by property); or
k. Changes to the ratings of the Note by any nationally recognized credit agency which has rated the Note at the request of the Issuer and of which the Issuer has received notice.

2. The intent of the Issuer's undertaking hereunder is to comply with paragraph (b)(5)(i)(C) of the Rule. Accordingly, the Issuer reserves the right to modify its undertaking in paragraph 1 hereof so long as any such modification is made in a manner consistent with the Rule. Furthermore, to the extent that the Rule no longer requires the issuers of municipal securities to provide all or any portion of the information the Issuer has agreed to provide, the obligation of the Issuer to provide such information hereunder also shall cease immediately.

3. The purpose of the Issuer's undertaking is to conform to the requirements of the Rule and not to create new contractual or other rights for any registered owner or beneficial owner of the Note, any municipal securities broker or dealer, any potential purchaser of the Note, the Securities and Exchange Commission or any other person. The sole remedy in the event of any actual or alleged failure by the Issuer to comply with any provision herein shall be an action for the specific performance of the Issuer's obligations hereunder and not for money damages in any amount. Any failure by the Issuer to comply with any provision of this undertaking shall not constitute an event of default with respect to the Note.

TOWN OF PROVINCETOWN,
MASSACHUSETTS

By: _____
Treasurer

_____

_____

_____

_____

_____
The Board of Selectmen

CC5 GOVERNMENT BANKING

CERTIFICATE AND DESIGNATION
(Qualified Tax-Exempt Obligation)

We, the undersigned Treasurer and at least a majority of the members of the Board of Selectmen of the Town of Provincetown (the "Issuer"), hereby certify that we are the officers of the Issuer charged by law with the responsibility for issuing the following obligations of the Issuer (the "Obligations"):

AMOUNT:	$4,250,000
TITLE OF LOAN:	Wastewater - BAN
DATED:	June 20, 2014
PAYABLE:	December 19, 2014

We hereby certify that the Issuer does not reasonably anticipate issuing tax-exempt bond, notes or other obligations during the calendar year beginning January 1, 2014, and ending December 31, 2014, which, in the aggregate, will exceed $10,000,000 (including all such obligations issued to date, the obligations and all such obligations expected to be issued during the balance of the current calendar year) and we hereby designate, on behalf of the Issuer, the obligations as a "Qualified Tax-Exempt Obligation" for the purpose of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as inserted by Section 902 of the Tax Reform Act of 1986.

_____

_____

_____

_____

_____

The Board of Selectmen

_____, 2014

Antone Bados

Treasurer

Form **8038-G**
(Rev. September 2011)
Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Governmental Obligations

▶ Under Internal Revenue Code section 149(e)
▶ See separate instructions.
Caution: *If the issue price is under $100,000, use Form 8038-GC.*

OMB No. 1545-0720

Part I **Reporting Authority** — If **Amended Return**, check here ▶ ☐

1 Issuer's name Town of Provincetown, Massachusetts	2 Issuer's employer identification number (EIN) 04-6001274
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)	3b Telephone number of other person shown on 3a
4 Number and street (or P.O. box if mail is not delivered to street address) — Room/suite 260 Commercial Street	5 Report number *(For IRS Use Only)* 3
6 City, town, or post office, state, and ZIP code Provincetown, MA 02657	7 Date of issue 6/20/2014
8 Name of issue Wastewater Optimization - Bond Anticipation Note	9 CUSIP number n/a
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions) Ms. Constance Boulos, Treasurer	10b Telephone number of officer or other employee shown on 10a 1-508-487-7000 X 521

Part II **Type of Issue (enter the issue price).** See the instructions and attach schedule.

11	Education	11	
12	Health and hospital	12	
13	Transportation	13	
14	Public safety	14	
15	Environment (including sewage bonds)	15	$4,250,000
16	Housing	16	
17	Utilities	17	
18	Other. Describe ▶	18	
19	If obligations are TANs or RANs, check only box 19a ▶ ☐ If obligations are BANs, check only box 19b ▶ ☑		
20	If obligations are in the form of a lease or installment sale, check box ▶ ☐		

Part III **Description of Obligations.** Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	12/19/2014	$ $4,250,000	$ $4,250,000	0.498 years	0.45 %

Part IV **Uses of Proceeds of Bond Issue (including underwriters' discount)**

22	Proceeds used for accrued interest			22	0
23	Issue price of entire issue (enter amount from line 21, column (b))			23	$4,250,000
24	Proceeds used for bond issuance costs (including underwriters' discount)	24	0		
25	Proceeds used for credit enhancement	25	0		
26	Proceeds allocated to reasonably required reserve or replacement fund	26	0		
27	Proceeds used to currently refund prior issues	27	$1,901,000		
28	Proceeds used to advance refund prior issues	28	0		
29	Total (add lines 24 through 28)			29	$1,901,000
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)			30	$2,349,000

Part V **Description of Refunded Bonds.** Complete this part only for refunding bonds.

31	Enter the remaining weighted average maturity of the bonds to be currently refunded ▶	years
32	Enter the remaining weighted average maturity of the bonds to be advance refunded ▶	years
33	Enter the last date on which the refunded bonds will be called (MM/DD/YYYY) ▶	6/20/2014
34	Enter the date(s) the refunded bonds were issued ▶ (MM/DD/YYYY)	6/26/13, 4/1/14

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 63773S Form **8038-G** (Rev. 9-2011)

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) (see instructions)	36a	
b	Enter the final maturity date of the GIC ▶		
c	Enter the name of the GIC provider ▶		
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37	

38a If this issue is a loan made from the proceeds of another tax-exempt issue, check box ▶ ☐ and enter the following information:

b Enter the date of the master pool obligation ▶

c Enter the EIN of the issuer of the master pool obligation ▶

d Enter the name of the issuer of the master pool obligation ▶

39 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box ▶ ☑

40 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box ▶ ☐

41a If the issuer has identified a hedge, check here ▶ ☐ and enter the following information:

b Name of hedge provider ▶

c Type of hedge ▶

d Term of hedge ▶

42 If the issuer has superintegrated the hedge, check box ▶ ☐

43 If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box ▶ ☐

44 If the issuer has established written procedures to monitor the requirements of section 148, check box ▶ ☐

45a If some portion of the proceeds was used to reimburse expenditures, check here ▶ ☐ and enter the amount of reimbursement ▶

b Enter the date the official intent was adopted ▶

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

▶ Signature of issuer's authorized representative — Date

▶ Constance Boulos, Treasurer — Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN

Firm's name ▶ — Firm's EIN ▶

Firm's address ▶ — Phone no.

Provincetown Board of Selectmen

JUNE 9, 2014

6D

General Obligation Bond

Requested by: Connie Boulos, Treasurer 06/02/2014 Action Sought: **Approval**

Proposed Motion(s)

MOVE that the Board of Selectmen vote to issue the General Obligation Bond in the amount of $5,718,910 dated June 15, 2014.

From the April 5, 2010 Special Town Meeting:			
Article #5	-N. Union Field Land Acquisition	**$ 340,000.00**	
From the April 4, 2011 Annual Town Meeting:			
Article #5-5	-Trash Remover Trailer/Truck	**$ 159,687.00**	
From the April 4, 2011 Annual Town Meeting:			
Article #17	-Water Main Replacement	**$ 72,000.00**	
From the April 4, 2011 Special Town Meeting:			
Article #6	-WWEF Optimization/Expansion	**$ 999,456.00**	
From the April 4, 2011 Special Town Meeting:			
Article #8	-Library Renovations	**$ 44,000.00**	
From the October 24, 2011 Special Town Meeting:			
Article #1	-Wastewater Optimization	**$ 864,000.00**	
From the April 2, 2012 Annual Town Meeting:			
Article #5-6	-Stormwater Management Project	**$ 89,647.00**	
From the April 2, 2012 Annual Town Meeting:			
Article #5-9	-Re-Paving Commercial Street	**$ 800,000.00**	
From the April 2, 2012 Special Town Meeting:			
Article #8	-PHS Pointing/Sealing Walls	**$ 395,000.00**	
From the April 1, 2013 Annual Town Meeting:			
Article #11-9	-Commercial St Maintenance #2	**$ 910,460.00**	
From the April 1, 2013 Special Town Meeting:			
Article #10	-Replacement of Water Main	**$ 850,000.00**	
From the April 1, 2013 Special Town Meeting:			
Article #11	-MacMillan Pier Floating Docks	**$ 34,660.00**	
From the April 1, 2013 Special Town Meeting:			
Article #13	-Pick Up Truck for Water Dept	**$ 25,000.00**	
From the April 1, 2013 Special Town Meeting:			
Article #12	-Water Meters	**$ 70,000.00**	
From the April 1, 2013 Special Town Meeting:			
Article #14	-Excavator of Water Dept	**$ 50,000.00**	
From the April 1, 2013 Special Town Meeting:			
Article #15	-Water Meter Pits	**$ 15,000.00**	
TOTAL G.O. BOND			**$ 5,718,910.00**

Additional Information

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

7A

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

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen
AGENDA ACTION REQUEST
June 9, 2014

7B

OTHER

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

Proposed Motion(s)

Discussion dependent.

Votes may be taken.

Additional Information

Board Action

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

Provincetown Board of Selectmen

AGENDA ACTION REQUEST

June 9, 2014

8

MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Requested by: BOS Secretary, Mary Timmons

Action Sought: Approval

Proposed Motion(s)

Move that the Board of Selectmen approve the minutes of:

May 12, 2014 (Regular Meeting – 5 pm) [ ] as printed [ ] with changes so noted

May 12, 2014 (Regular Meeting -- 6 pm) [ ] as printed [ ] with changes so noted

May 22, 2014 (Joint meeting w/Planning Board) [ ] as printed [ ] with changes so noted

May 27, 2014 (Regular Meeting) [ ] as printed [ ] with changes so noted

May 27, 2014 (Executive Session OPEN) [ ] as printed [ ] with changes so noted

Additional Information

See Attached Minutes

Motion	*Second*	*Yea*	*Nay*	*Abstain*	*Disposition*

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY, May 12, 2014 5 PM
TOWN HALL – JUDGE WELSH ROOM

Tom Donegan convened the meeting at 5:00 PM, noting the following:
Board of Selectmen attending: Tom Donegan, Erik Yingling, Cheryl Andrews, Robert Anthony, and Raphael Richter

Other attendees: Acting Town Manager David Gardner,

Recorder: Leif Hamnquist

Tom Donegan chairs the meeting.

1. **Election of Officers**

Selectman Yingling nominated Tom Donegan as chairmen of the Board of Selectmen. Raphael Richter seconded the motion and Cheryl Andrews discussed the reason why she was abstaining. She believes that she would bring a better outlook to the chair position because of her past experience on the Board. Robert Anthony and Raphael Richter stated they look forward to having Selectmen Donegan lead strongly into the future.

Tom Donegan nominated Erik Yingling as vice chairman of the Board of Selectmen and Robert Anthony seconded the motion. The Board voted unanimously.

MOVE that the Board of Selectmen vote to elect Selectman Tom Donegan as Chairman of the Board of Selectmen for a term of one (1) year commencing immediately.
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 4 Nay 0 Abstain 1 (CA)

MOVE that the Board of Selectmen vote to elect Selectman Erik Yingling as Vice-Chairman for the Board of Selectmen for a term of one (1) year commencing immediately.
Motion by: Tom Donegan Seconded By: Robert Anthony Yea 5 Nay 0

2. **Presentation by the Massachusetts Office of Public Collaboration**

Mr. Steve Turcotte and Mr. Don Greenstein appeared before the Board for the presentation. Mr. Turcotte explained the process of bringing in an interim police chief and the overall work climate of the Provincetown Police Department. He explained that the members of Police Department were happy with their jobs and the general work environment. Employees value the community, their work, and the departments in which they work. Some policies and practices still existed within the department that were not satisfactory to members of the police force but were not being practiced. With that said the department needs to continue its efforts to update its training scheduling and the need for a new police facility was emphasized. Communications within the department are woefully

outdated and require updating. A development of communication with the community as a whole needs to made, workplace policies need to be enforced, and transparency needs to take place. Recommendations include: improving communications, renovate and relocate the police station, develop a community engagement plan; and provide training and professional development for employees and management.

Tom Donegan recognized the union and staff representatives that were present in the room and how hopefully would be utilized later in the discussion. Selectman Donegan opened the discussion for comments.

Selectmen Anthony recognized the lack of proper communication between sergeants and patrolmen within the police department. This was worrisome to him as he thought it reflected a lack of trust. He suggested that since officers need to get out of their cars to interact with the community, that the department should have public forums. In this way citizens may air their grievances. He also emphasized the need for proper training and that there is a lack of communication.

Selectmen Yingling recognized that the Selectmen do have a large role in citizen/police relations and that the status quo needs to be avoided. He has noticed more talking with community, this goes a long way. He also stated the distrust previously shown from the citizens towards the police has improved. We have gone through a tumultuous time, now we need to retrain people to realize things are better. We need to move forward

Selectmen Richter asked about the summer officers' new training protocols. Mr. Turcotte stated that the acting chief would be the best person to explain. Selectmen Richter argued that its integral for the new officers to be well versed in the citizens' concerns about the mistrust of the police department. He asserted that a new direction of policy for the police department is key for leadership and implementing new policies. He further spoke about the need for subordinates to feel free to express any concerns they may have. The presenters explained that that idea was very welcomed and encouraged. When the report first came out in January, lower ranking officers felt their concerns were unheard. Selectman Richter will follow up with Acting Chief Golden regarding his opinion as to whether things have improved within the department.

Selectmen Andrews explained that problems with the police department was one reason she decided to run again. She believes a report does not solve the problems. She stepped away from the report and asserted the need for genuine leadership. Referring to the report Selectmen Andrews emphasized the need to not call the police department a 'Police Force'. She also stated the department needs new uniforms, which would be a visible change. Selectmen Donegan and Yingling believed this was a good idea. She questioned whether the Board needs to vote on the report because of some legal aspects of the report that could hold the Town liable. She speculated that a good process for change would be the citizens' ability to sit down with police staff.

Mr. Greenstein addressed the questions about the unsafe nature of the police station. The report reflects what was reported to them by members of the police department. He apologized for the terminology of 'police force' and how it is an unfavorable term in the eyes

of the citizens. He does understand how the term police force could bring negative connotations.

Selectmen Donegan was struck by the fact that the report used best management practices that will best bring the police department within a more favorable view to the community at large. He shared his experience as to how the police department/community integration has changed dramatically. He sees a lot of positive change. Mr. Turcotte stated all of the officers they met with are eager to reconnect with the community and build a strong relationship. Selectman Anthony reiterated the need for transparency. This is how you gain credibility in a community.

Acting Chief James Golden entered the room to answer questions regarding the report. Selectman Donegan reviewed what was said and asked if Acting Chief Golden had anything to add. Mr. Golden explained his dual role within the department. He stated when he took the job he had no guidance from the Board or the Community. While he does not necessarily require guidance from the community, he does need it from the Board. When he took over he wanted the community to know how great the police officers are and the officers are doing the right thing, at the right time, for the right reason. He responded that the implementation of the policies within the report were hard to get instituted because of a lack of guidance from the Board.

Selectmen Andrews was unclear about how to proceed with questioning police department staff because she was only ready to hear a presentation. She stated at some point there needs to be a meeting with the Acting Chief and his top staff to review the report. She needs to know what reasonable requests are for an Acting Chief. Acting Chief Golden then suggested the Board might want to appoint a selectman as a liaison to the police department. He again asserted the need for guidance from the Board.

Selectmen Yingling agreed that the previous Board was not good at communicating and that needs to change. He agrees that a liaison should have already been designated and that community communications is very crucial. He also spoke about a possible open forum with the police department and the community.

Selectman Anthony stated the need for an agenda item where the Board could speak to Acting Chief Golden and his top staff to provide some guidance. The meeting of May 27, 2014 was suggested. If this is not good, it will be June. Discussion about how the liaison works ensured. Selectmen Anthony said he should not be the liaison and Selectmen Andrews stated that the Board should put off that discussion to another meeting and the Board agreed.

3. <u>MOPC Contract Amendment #2</u>

Mr. Turcotte spoke about the Civic Engagement Advisory Committee. This committee was to be comprised of full and part-time homeowners and report to the Town. He stated he has only 12 self-nominated individuals for this committee. However, they did not feel those who self-nominated were representative of the Town. Their hope is there can be an advisory group by May 27, 2014. He also asked about funding for two grants for

training for this group. MOPC is willing to offer matching $1,500 and asks the Town to come up with $1,500. Acting Town Manager David Gardner stated this could be funded through the Town Manager's budget. Selectman Yingling asked for clarification regarding the twelve applicants for the Civic Engagement Advisory Committee. He believes we are losing momentum on this.

Move that the Board of Selectmen approve contract amendment with the Mass. Office of Public Collaboration in the amount of $1,500 to facilitate a half day orientation and workshop for the new members of the Civic Engagement Advisory Committee.
Motion by: Erik Yingling Seconded By: Robert Anthony Yea 4 Nay 1 (CA)

Selectmen Andrews stated that the Town needs to cut down the number of committees. The Town is stretched thin with volunteers. She believes the Board of Selectmen should be the new CEC as it should be part of their job. Selectman Richter likes the idea of supporting the ongoing effort, and agreed with Selectman Andrews that the Board of Selectmen should be the CEC. He will vote for this but wants to make sure it is doing something positive. Selectmen Yingling expressed the need for the CEC and how it would lead to a new citizen's enforcement committee. Selectmen Donegan told of his experience on a similar committee and agreed that the Board of Selectmen was CEC because they are made of a diverse group of non-governmental employees.

Motion to adjourn by 6:10 pm. ***Motion by: Tom Donegan Yea 5 Nay 0***

Minutes Transcribed by Mary Timmons 5/19/2014

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY, May 12, 2014 6:18 PM
TOWN HALL – JUDGE WELSH ROOM

Chairman Donegan convened the meeting at 6:18 PM, noting the following:
Board of Selectmen attending: Tom Donegan, Erik Yingling, Robert Anthony, Cheryl Andrews and Raphael Richter.

Other attendees: Acting Town Manager David Gardner

Recorder: Leif D. Hamnquist

Tom Donegan chairs the meeting.

1A. PUBLIC HEARINGS – None

2A. PUBLIC STATEMENTS

Barbara Rushmore stated it was a pleasure to see the new Board. She then presented an article regarding Rules of Behavior from Peale. She also wanted to insist that since the Town of Provincetown has banned pesticides that we should get the Town of Truro to end their use of pesticides.

Mary-Jo Avellar spoke of her experience and the need for the Board to quickly act on hiring a new police chief. She spoke briefly about the Citizen's Police Academy and stated she sees positive changes within the police department and their interactions with the community. She then argued that sidewalks past Point St should not be widened to save parking spots. She concluded with congratulations to newly elected selectmen.

Ann Marie Piccerelli spoke to the Board about an issue she presented at the last traffic hearing. There seems to be some issue about the placement of the line at 14 Nelson Avenue. She has been in contact with Acting Town Manager David Gardner and DPW Director Rich Waldo regarding this so this issue will be corrected. She asked the Board for their help with the matter.

Fire Chief Michael Trovato was notified in January there would be a new business on Shank Painter Road which has now opened. He explained the new owner put in planters for trees, taken away the curb cut. He is concerned because now there is no shoulder which could cause issues. He expressed concerns that the curb cuts would not be adequate to support deliveries and fire trucks which poses a public safety hazard. He says the trees they are being made to plant will grow into the wires.

David Sanford is the new owner of a Pet Resort at 79 Shank Painter Road. He contended that the work being imposed on him by the Town would eliminate parking spots at his property. He agrees with Chief Trovato this creates a public safety hazard.

Elizabeth Athineos explained her new business at 63 Shankpainter, a bike shop, is being

impeded by the work the town has forced her to do. She explained that the new planters do not allow large trucks to make deliveries to the property and that deliveries will have to be left in the street. She has been in contact with Deputy DPW Director Eric Larson from the DPW and Town Planner Gloria McPherson about how to proceed with Planning Board decisions. She is being given mixed messages first being told to stop the work, then that she couldn't get a permanent permit unless she finished the work.

Adam Erinburgh expressed his concerns about the planned planter beds that are being proposed along Shankpainter Road. Who will maintain them the Town or property owners.

3A. SELECTMENS STATEMENTS

Cheryl Andrews is excited to be back on the Board. Her top priority is revisiting the decision about selling the Community Center. She plans to take community housing as a high priority while recognizing that finding a new Town Manager is job one. She stated that in 5 days we will have the 10 year anniversary of the decision which gave the right to same sex marriage. She recounted some of the history and congratulated all those celebrating this week. She requested the following items for future agendas: Shank Painter Road; see an updated schedule from Mark Morris; reviewing the Rental Certificate Program; discussing the possibility of not having a fall town meeting, and adoption of the rules of procedure

Robert Anthony would like to thank everyone for coming out to the polls to vote. He stated his goal towards greater transparency to lessen the need to go to town council. He also agreed that the work on Shank Painter Road needs and agenda item. The new Board has the right minds to move Provincetown forward and that it is important to put the past behind. He is please and honored to be on the Board.

Raphael Richter thanked everyone who supported him last year and got him elected this year. He would like to keep the dialogue moving towards a greater cohesion within the Town. He stated that he graduated from Provincetown High School and loves his home town but recognizes the crossroads that Provincetown is at right now. He expressed the need for year around housing to create a better Provincetown. He touched on how future planning and financing should include a 10 year outlook. He joined his fellow Board members regarding the need to address the Shank Painter Road issues.

Erik Yingling congratulated the new Board members and expressed how Selectmen Anthony should consider being the police department liaison. He joked that Raphael is now the youngest member by far. He addressed concerns about the water issues and would like to talk to Truro about water management.

Tom Donegan began with a story about the election night and went home feeling extremely optimistic about the new Boards diverse experience. He looks forward to working more collaboratively with the community. It is the needs of the Town that are most important. He addressed the Shank Painter Road issues and the need to work it out for the best outcome for the Town. He explained that an investigation is under way for illegal murals at the Provincetown Library. He stated the need for better housing and listed three sites where rentals could become available. He proposed a joint meeting with the Housing

Council and hopes to agree upon a site to get more housing. He stated that OML training is on Wednesday, May 14, 2014 and encouraged people to attend. He concluded that a more collaborative process is what he would like to see within the board and he looks forward to working with the other member

4A. JOINT MEETINGS – None

5A. BOARD OF SELECTMEN APPOINTMENTS

Jeffrey Haley appeared before the Board and explained his experience. Selectmen Andrews stated that because this specific appointment was not listed on the agenda, she will abstain. Chairmen Donegan expressed concerns of people serving on the ZBA that have real estate ties. Selectmen Richter agreed with Selectmen Andrews but could still proceed.

Move that the Board of Selectmen vote to appoint Jeffrey A. Haley as a regular member of the Zoning Board of Appeals with a term to expire on December 31, 2015.
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 4 Nay 0 Abstain 1 (Cheryl Andrews)

6A. COASTAL COMMUNITY RESILIENCE GRANT PROGRAM

Brian Carlson appeared before the Board presenting the scope of the Coastal Community Resilience Grant from the State of Massachusetts and explained the scope of the grant. Selectmen Richter asked Mr. Carlson to explain the financial side of the grant and the Board discussed how the money was being allocated. Mr. Carlson stated the Town would be responsible for a 25% match which could be in-kind. After in-kind the Town would be responsible for about $9,000.

Selectmen Andrews was concerned about the present staffing levels for the Town and how many man-hours this would take. Mr. Carlson couldn't give an actual man-hour amount. She also explained how she will not be voting yes on the agenda item. Staffing is her main concern and their being over-worked. Selectman Anthony said we do need a beach management plan and he is in favor.

Move that the Board of Selectmen vote to approve the Coastal Community Resilience Grant from the State of Massachusetts office of Coastal Zone Management in the amount of $100,000.
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 4 Nay 1 (Cheryl Andrews)

6B. MUNICIPAL ENERGY MANAGER – GREEN COMMUNITIES PROGRAM GRANT

Mr. Carlson explained the need for the Town to have an energy manager to help the town save money and reduce energy costs. Selectmen Yingling expressed concerns about adding a new full time Town employee. Acting Town Manager David Gardner explained this is a non-union position and doesn't need to be a permanent. This would also help bolster the environmental department to address the needs of the Town. Mr. Carlson said it

would help alleviate some of the burden on staff. Annual savings estimates would be between $53,000 to about $93,000 annually based on the work. Selectmen Yingling asked if the town could actually post a position that may be a temporary two year position. Mr. Gardner said this is not uncommon to post a position in this manner.

Selectmen Richter reiterated the concern of taking on a new full time staff member being added to payroll. He wants to know the level of experience this person would have to have and the salary. He is in support of one year but having this as a full staff position concerns him. He is uncomfortable voting for a two year period. Selectmen Anthony would like to see the position filled for two years, only, then reassess.

Chairmen Donegan asserted the danger of living downwind of a nuclear power facility and that the town needs to address energy issues that could potentially restrict the need for such facilities. Until we become more green we will still have the Pilgrim Nuclear Power Plant. Mr. Carlson said the first year is covered in full, and the Town would have to qualify for the second year.

Move that the Board of Selectmen approve and accept the grant award in the amount of $50,000 for year one and $35,000 for year two from the State of Massachusetts Department of Energy Resources Green Communities Division to fund the first and second year of a Municipal Energy Manager position.
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 4 Nay 1 (Cheryl Andrews)

6C. MONTHLY POLICE REPORT

Acting Police Chief Golden outlined the events that took place in April, 2014. Mr. Golden provided some history about police principles, stating those same principles are still in use. The summer officer training began this week and the officers will be out and about learning the lay of the land. He informed the Board that due to the popularity of the RAGNAR event the department was flat out.

Selectmen Andrews questioned the Acting Chief as to how long the monthly police report has been presented to the Board. The Acting Chief stated this was his twelfth time providing a report to the Board. Selectmen Andrews stated she enjoys the report but is concerned about the Acting Chief's time. Acting Chief Golden stated it is valuable to continue to have these monthly meetings.

Selectman Donegan believes the opportunity to talk to the Acting Chief is invaluable. He has heard nothing but good things about the police department's staff. Selectmen Richter reiterated Chairmen Donegan's sentiments and believes that Acting Chief Golden is the main reason behind the shift in policy within Provincetown Police Department. Selectmen Anthony encouraged the Chief to keep the reports coming and enjoys the transparency and dialogue it offers.

6D. SURPLUS EQUIPMENT

Chief Golden explained that he was able to find good trade in value for a 2009 Crown Victoria and just needs the board to approve the trade in.

MOVE that the Board of Selectmen vote to declare as surplus pursuant to Provincetown General By-Laws Chapter 6-4-6, and to authorize the Acting Chief of Police to dispose of the vehicle by trade-in, a 2009 Ford Crown Victoria former police cruiser VIN # 2FAHP71V89X104466
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 5 Nay 0

6E. PARADE PERMIT REQUEST – Harbor to the Bay Aids Ride

MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by James Morgrage, 209 Columbus Ave, Boston, MA on behalf of the Harbor To the Bay Aids Ride to be held on Saturday, September 20, 2014, starting at 1:00 P.M. to 6:30 P.M.
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 5 Nay 0

6F. PARADE PERMIT REQUEST – Yankee Lambda Car Club

MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by Michael Skiles, Jr., 30 Bellevue Avenue, Winthrop, MA on behalf of the Yankee Lambda Car Club to be held on Saturday, September 6, 2014, starting at 2:00 P.M. to 3:15 P.M.
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 5 Nay 0

6G. AUDITORIUM BEER AND WINE REQUEST – Portuguese Festival

MOVE that the Board of Selectmen vote, pursuant to the Regulations for Public Use of Town Hall, to authorize the consumption or sale of beer, wine or champagne service in the Town Hall Auditorium as requested by Don Murphy, for the Provincetown Portuguese Festival to be held on Saturday, June 28, 2014 (12:00 pm to midnight).
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 5 Nay 0

6H. AUDITORIUM BEER AND WINE REQUEST – PBG Carnival Concert

MOVE that the Board of Selectmen vote, pursuant to the Regulations for Public Use of Town Hall, to authorize the consumption or sale of beer, wine or champagne service in the Town Hall Auditorium as requested by Erin Atwood, on behalf of Provincetown Business Guild, for the Carnival Concert event to be held on Wednesday, August 20, 2014 (8:00 pm to 10:00 pm).
Motion by: Raphael Richter Seconded By: Erik Yingling Yea 5 Nay 0

6I. BOARD OF SELECTMEN CALENDAR

Chairman Donegan proposed that meetings be held on Monday morning. Discussion about when meeting materials are available for pickup and when agendas are posted were discussed. Selectmen Yingling asked if the Board members would be available to attend Rex Peterson's memorial and whether flowers were sent to the family.

7A. FY2015 TOWN-WIDE GOAL SETTING PROCESS

Selectmen Andrews expressed concern that the public finds it awkward that since something is not on an agenda that means they cannot express their thoughts. She believes the Board should have a process or an extra couple meetings to get citizens more involved in goal setting process.

Selectmen Yingling liked the idea of being able to get feedback on the Boards goals from the Town, staff and the public at large. Chairmen Donegan suggested that on the June 9th meeting to reopen the public statement portion of the meeting for that agenda item. David Gardner gave options as to how the Board should post and arrange their meeting to allow people to give their opinions about the goals of the selectmen.

Move that the Board of Selectmen vote to adopt the timetable for FY 2015 Annual Town-wide Goal Setting Process as follow:

May 12 – adopt schedule, review prior year goals
May 27 – Selectmen provide comments on goals to Town Manager
June 9 – Goal setting exercise on the draft goals/Special Public Comments to take citizen input on setting our Annual Goals.
June 23 – Final Draft approved for publication
July 28 – Public hearing on the FY2015 Town-Wide Goals

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Motion by: Erik Yingling Seconded By: Raphael Richter Yea 5 Nay 0

7B. TOWN MANAGER FOLLOWUP

The Board discussed the way road lines were drawn on Nelson Avenue regarding complaints about not being able to access mailboxes. Selectmen Andrews stated that the problem could be rectified with staff direction and doesn't need a new hearing if it is still within the intent of the traffic hearing.

David Gardner told the Board they lost their Cape Water Collaborative representative with Austin Knight not being on the Board. David Gardner suggested that Chairman Donegan could easily take Mr. Knights spot. The Board discussed various intergovernmental organizations in which they could partake and may need to have a representative to attend. Selectmen Andrews conveyed her experience on the Cape Water Collaborative and would not like to see the Town pay a staff member to attend these meetings. Selectman Donegan would like to see representatives from the Planning Board to go to the Cape Cod Commission and representatives from the Water and Sewer Board to go to the Cape Water Commission

7C. <u>OTHER</u> -- None

8A. <u>MINUTES OF THE BOARD OF SELECTMEN'S MEETINGS</u>

Move that the Board of Selectmen vote to approve the minutes of:
April 28, 2014(Regular Meeting).
April 28, 2014(Special Meeting).
April 28, 2014(Executive Session OPEN).
<u>Motion by</u>: Erik Yingling <u>Seconded By</u>: Tom Donegan Yea 2 Nay 0 Abstain 3

9A. <u>CLOSING STATEMENTS</u> -- None

10. <u>Executive Session</u>

Move that the Board of Selectmen vote enter into executive session under MGL c30A Sec. 21 (1) Cause 1,
<u>Motion by</u>: Tom Donegan <u>Seconded By</u>: Erik Yingling

Selectmen Andrews brought up the issue that the Board may be entering into executive session under the wrong clause within Mass General Law. The Board discussed whether the legality of entering into executive session is warranted. David Gardener told the Board that Town Counsel attested that clause was the wrong clause unless there was another complaint about the individual to be discussed in executive session. Motion withdrawn

Move that the Board of Selectmen vote pursuant to MGL c30A Sec. 2 (a) Cause 3 to go into executive session to discuss strategy with respect to pending litigation regarding the Marcum Investigation. The chair declares an open meeting may have a detrimental effect on the litigating position of the Board of Selectmen and not to reconvene in open session.

<u>Motion by</u>: Erik Yingling <u>Seconded by</u>: Cheryl Andrews
(Roll Call Vote)
Tom Donegan: yes
Erik Yingling: yes
Bobby Anthony: yes
Cheryl Andrews: yes
Raphael Richter: yes Yea 5 Nay 0 Motion passes

Tom Donegan and Raphael Richter declared that they will recuse themselves from the executive session discussion and left the meeting.

The board convened into executive session at 9:00 PM.

<u>Minutes transcribed by</u>: Mary Timmons May 21, 2014

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
SPECIAL MEETING MINUTES- JOINT WITH PLANNING BOARD
MONDAY, May 22, 2014 6:30 PM
TOWN HALL – JUDGE WELSH ROOM

Tom Donegan convened the meeting at 6:30 PM, noting the following:
Board of Selectmen attending: Tom Donegan, Erik Yingling, Cheryl Andrews, Robert Anthony, and Raphael Richter

Other attendees: Acting Town Manager David Gardner, Town Planner Gloria McPherson, Town Counsel Liana Quirk.

Planning Board: Brandon Quesnell, Marianne Clements, Dorothy Palanza, John Golden, Mark Weinress, and Grace Ryder-O'Malley.

Planning Board was called to order by Chairman Mark Weinress

Recorder: Mary Timmons

Chairman Donegan asked Selectman Richter to chair the meeting due to his relationship with Mark Weinress and Vice Chairman's Yingling's relationship with the Town Planner.
Selectman Richter stated that the Board of Selectmen has a hard stop at 8:15 due to another commitment.

1. **Joint Presentation with the Planning Board**

A. Presentation by Glenn Cannon Cape Cod Commission regarding the Shank Painter road Plan adopted by the Board of Selectmen in 2011

Selectman Richter opened the meeting by stating that the Board of Selectmen has a hard stop at 8:15 due to another commitment. Mr. Donegan stepped down as Chair due to his relationship with Mark Weinress. Selectman Yingling stepped down as Vice-Chair due to his relationship with the Town Planner. Raphael Richter was appointed to chair the meeting.

Glenn Cannon introduced himself and presented information regarding Shank Painter Road. The project was initiated in 2009 with a safety study. He spoke of Route 6 and the Pilgrim Dog Park with concerns about the road's high volume of traffic, curb cuts, pedestrians, and bicyclists. The Cape Cod Commission analysis of the crashes on Shank Painter Road showed a volume to capacity on the road of .61 equating to a grade of B. The Commission believes individual meetings with owners of businesses along Shank Painter Road would be beneficial. They tried to accommodate all uses along the right of way but there were limitations. Short term suggested improvements were to add fog lines with 11 foot lanes, repaint crosswalks, and change the intersection of Shank Painter Road and Bradford Street to an all way stop. In 2011 the Board of Selectmen adopted this plan. Selectman Andrews asked for definitive clarification that this plan was adopted.

She says former selectmen have said otherwise.

B. Presentation by the Town Planner and Planning Board regarding recent required improvements within the Shank Painter Road Right-of-Way and a broader vision for the future of Shank Painter Road

Town Planner Gloria McPherson presented information about Shank Painter Road and the site plan review. She explained that the site plan review pertains to things that are internal to the site such as parking signage and how the site relates to the street and community in general. Site plan reviews are to assist the Town in arriving at the best possible design for the specific location and the community.

Ms. McPherson covered several of the Zoning Bylaws beginning with Section 4053 regarding commercial design standards. This by-law addresses appearance, architectural design, erosion control and infrastructure. She wanted everyone to know what the law stated. This is an agreement that businesses are required to put in a 10 foot buffer strip to separate parking and other uses. On some sites this will work well, however, at 63 Shank Painter it may not be feasible due to the inability to maintain parking so it was waived. She showed some examples of businesses that met the letter of the law. Stop and Shop was a good example.

She also reviewed and summarized Bylaw Section 2474 pertaining to Egresses. This states it is best to have one access one curb cut per lot and configure parking so cars can turn around on site due to safety considerations. She then showed some good examples of good curb cuts. Ms. McPherson also covered some unsafe issues on Shank Painter. She spoke about emergency vehicles and their ability to get by, spaces to pull over, and bike lanes. She talked about the Board of Selectmen annual town wide policy goals for FY2014 regarding Shank Painter Road.

Bylaw 4600 as then summarized which covers the planting of shade trees and what types of trees were required to be planted by businesses. She then showed street trees at 90 Shank Painter which meet the requirements of the by-laws. She said street trees tend to slow cars and it is safer for pedestrians. She touched on the issue with power lines stating there are trees that can be planted that will not affect the power lines.

The Board of Selectmen then asked the Planning Board for comments. Mark Weinress stated in dealing with Shank Painter Road we have to adhere to the zoning laws. Not all applicants were held to the letter of the law based on individual circumstances. We try to balance zoning laws with community. Dorothy Palanza stated we have seen increased bike usage and that will grow because there are people engaged in ecotourism so it is it is important we address this issue.

Selectman Andrews said she has been on a regulatory board stating we are here because some property owners complained. The way it has worked is by making sure we have a dialogue, see what we agree on, and work as a team. She does not want to

interfere; her concern is work that goes on in the right of way and talking to property owners about curb cuts. The issues do not have to be site specific. She has read different decisions and has talked to other planners to understand the process. There is a role to be played by the Board of Selectmen and is not sure how that portion of the process went askew. It needs to be cleaned up. She believes we need more discussion. She told of her UPS person who said it was difficult to make deliveries; this is not just property owners. She has some motions for discussion.

Selectman Donegan stated that from the east side of Shank Painter to the wetlands to the storage facility there are no curb cuts. Anyone can park on public right of way. Gloria McPherson stated that area is all curb cut. Selectman Donegan asked for clarification that anyone can park on the wetlands to Macs restaurant with no ticket. After clarification Mr. Donegan stated we have a free-for-all due to this curb cut.

Selectman Anthony asked about the process and communication in regard to existing zoning by-laws. Do retailers understand the liabilities and expenditures. Is this discussed when they apply. Gloria McPherson explained they do go over the by-law requirements. She did state it is the retailers responsibility to be familiar with the by-laws and to work with the Planning Board on their site plan.

Selectman Richter asked for comments from Town Counsel.

Liana Quirk of Kopelman Paige stated we have new by-laws and a concept plan for Shank Painter Road. As the Planning Board goes forward improvements are required. If there are improvements within right of way, this requires the permission of the Town. There needs to be a coordination of interests, you have water lines, sewer lines, power lines, membranes a need for a full understanding and respect for the street. When private entity comes there needs to be a licensing agreement to be sure there is good communication with people. This is who does what and who pays for what. Zoning and licensing are important but separate.

Selectman Yingling asked Town Counsel to clarify what happens when an applicant goes through process. What if the Board says we say we don't want trees where the Planning Board says they want them what is the process. Ms. Quirk stated, if approved the site plan brought before Board of Selectmen who can deny the license. If, however, the applicant went through the entire process and a license is granted they may go forward asking for a modification.

The meeting was then opened to Public Statements

C. Public Statements

Clarence Walker. Was not clear regarding the Town's land. What is the law in regard to the planning authority compelling a company to develop a public section and maintain it. He asked if Town Counsel could explain. Selectman Richter asked him to limit this to comments, only, and not address Town Counsel. Mr. Walker asked again how a private entity can be made to maintain public land. Town Counsel

replied stating the Planning Board approved the site plan showing improvements. If the applicant was displeased and did not wish to do this, there could be an appeal. The applicants did not appeal. Mr. Walker stated he was not pleased with the answer from Town Counsel. Mr. Walker then read from a town report the gist of his argument. He stated when the Town Planner was coming on board he was told we were getting someone that would work from the top down. He would like to see the town planner's plan.

John Sinaiko. Stated he is a resident and business owner and uses Shank Painter critically. He has been here 40 years with the final development area being Shank Painter Road. If businesses want to do anything they have to go before site review. Shank Painter is an industrial area. When you look at Stop and Shop and other businesses, they were built with the concept of a 10 foot buffer and planned appropriately. You have to take into account businesses and what they offer to the public and the balance has to be made for this process. Think about the process think about the business owner.

David Sanford. No one has mentioned the 53 foot trucks that deliver every day. He expects 2-3 deliveries a week. He is all about making the road nicer. This is an economic development area, if businesses are to move in you are asking them to come in and saying this is what we need. We have to work together to bring businesses to this area. If he knew what he was getting involved in he may not have bought. This is an economic development area and we must keep that in mind.

Lou Cassinelli. Is a resident living on Shank Painter Road and President of the Shank Painter sales condo. He has 17 units. He is concerned about parking if this is an issue 25% of the value of the condos will be decreased. We have a serious water problem when it rains. We have one cottage sump pump which runs 24/7 when it rains. Will parking be inhibited and are we going to try to dry up the road. Widening of the road and putting a bike path may be a problem.

Mike Trovato. Says the shoulder provides people to get out onto Shank Painter without backing out. We have had continuous curb cuts, we need parking. We need deliveries. There are not enough parking spaces and now we are putting planters which will take away more parking. He has spoken to UPS drivers everyone is concerned. People were told they had to put the planters in. This is a public safety nightmare. He said people were not notified about the meeting tonight. He thinks this needs to be looked as there is a hardship on the businesses. None of the neighbors were consulted.

Elizabeth Athineos. Owns the bike shack at 63 Shank Painter Road. Stated she worked with the Building Inspector, the property was looked and she worked with Town Hall on a site plan. Now she has spent over $14,000 to comply with the upgrades requested by the Town. She also has $250,000 in liability insurance. She was not comfortable with putting in the bed but she did it. When she began digging the second bed she was asked to stop. She only wants to run her business.

Cheri Smith. She has had her property a while. She stated Elizabeth has huge trucks that need to drop off deliveries. She said if you close of her (Sherry's) exit the trucks will be in the middle of the road.

Derik Burgess. Stated he was never informed about this meeting and is upset about communications within the Town.

D. Selectmen Statements

Cheryl Andrews: Asked that a motion be put in place so everyone understands policy. She thinks we are agreeing that we are going forward with an understanding. The motion reads:

Move that it is the policy of the Board of Selectmen that any improvements on Town property or on a public way must be approved by a vote of the Board of Selectmen at a public hearing before work is to commence
Motion by: Cheryl Andrews Seconded By: Robert Anthony Yea 4 Nay 1(EY)

Discussion:

Selectman Donegan stated he believed this was the law. Selectman Andrews answered that she knew it was the law but looks at this as a learning experience. She wants everyone to know this is what we are agreeing to.

Selectman Yingling asked the intention of the motion. Selectman Andrews answered we easily get confused about what we agree on. This is why its good to make a motion, vote on it and put it in the minutes. If we all agree then we stated publically that we are all publically agreed.

Selectman Andrews then addressed Town Counsel. There was proposed language sent to the Board for future use. She was a little confused about language about revoking a license with thirty days' notice. She wondered if there was anything the Board of Selectmen is required to do. Town Counsel said not at this point. Selectman Andrews then addressed the staff and Acting Town Manager. There is an understanding we are heading into summer and we need to respect people's schedules. Let's help folks get through the summer. We should try to revisit issues in the fall unless there is a safety issue.

Selectman Yingling: He hears what everyone is saying but wants people to think about the larger picture. Without the Planning Board there is no order. We need to protect the public interest. Look beyond the bottom line and ask why the layers of government are in place.

Robert Anthony: We should encourage more business. There should be no misunderstanding between licensing and applicants. We need to be customer friendly. People need to know exactly what is expected. He agrees with Cheryl Andrew's motion stating it is important to be transparent.

Tom Donegan. Thanked everyone who came. We hear what you are saying, we have to sort everything out. It is time for Provincetown to figure out how business has parking access, how everyone's needs are met. We need to focus on understanding priorities. Let the season happen and then reassess.

Raphael Richter: Let business have the best summer. We need to support them. We have heavier traffic on the road. The Board needs to take a detailed look at where we are. We can make the street safer by getting at least one side impoved. We need to look at things on a case-by-case situation.

Motion to adjourn at 8:20 pm. ***Motion by: Raphael Richter Seconded By: Robert Anthony Yea 5 Nay 0***

Minutes Transcribed by Mary Timmons 05/27/2014

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY, May 27, 2014 6:18 PM
TOWN HALL – JUDGE WELSH ROOM

Chairman Donegan convened the meeting at 6:18 PM, noting the following:
Board of Selectmen attending: Tom Donegan, Erik Yingling, Robert Anthony, Cheryl Andrews and Raphael Richter.

Other attendees: Acting Town Manager David Gardner

Recorder: Mary Timmons

Tom Donegan chairs the meeting.

MOVE that the Board of Selectmen vote to approve items listed on the consent agenda as submitted minus item four "Request to apply for a design and resiliency team grant".
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 5 Nay 0

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)

1A. PUBLIC HEARINGS – NSTAR Pole Installation

Selectman Yingling began by reading the public hearing notice. Jessica Elder and Karen Corriveau both from NSTAR provided information as to why the pole was being installed. Selectman Yingling asked if we could use another pole but according to NSTAR there are four other houses going in that require the service. Selectman Yingling spoke about electric wires hanging down and Ms. Corriveau asked for locations of the wires so she could investigate. Selectman Anthony asked if there would be a transformer on the pole and NSTAR stated there would not be.

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.
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 5 Nay 0

2A. PUBLIC STATEMENTS -- None

3A. SELECTMENS STATEMENTS

Robert Anthony – None

Raphael Richter – Commended the DPW and Public Safety for their good job this 2014 Memorial Day weekend. It is an effort to clean up after partying the night before but they managed to keep the streets clean and safe. He also commended the harbor master who greeted the cruise ship with friendly faces. He stated this is a good example of economic development and seems like a great thing to encourage. He also acknowledged the efforts of the Recycling Committee. There were great signs and pictures on the recycling bins.

Erik Yingling -- The season has begun this was a great success with a good crowd. He believed things were calm and went well. He also extended his condolences to Cherie Mittenthal whose partner, Carla Anderson, died recently. The Board agreed a letter of condolence should be sent to Cherie Mittenthal.

MOVE that the Board of Selectmen vote to send their condolences to Cherie Mittenthal regarding the death of her partner, Carla Anderson, through written correspondence.
Motion by: Erik Yingling Seconded By: Robert Anthony Yea 5 Nay 0

Cheryl Andrews -- It is a pleasure to be here and see everyone. It is a pleasure to serve with this Board, we will butt heads periodically because we are all strong-willed, and opinionated people, but she has a great sense of this group. She believes we are transparent and hard working. She is excited to be here, she knows the public has a need to know; things are different and we have a lot of things to do. We are all feeling Carla Anderson's loss. Having cruise ships in the harbor can be difficult for people, but we want feedback, what was your experience like. As long as the feedback is successful Selectman Andrews will continue to support this. She was down the West End and thought about the telephone/utility poles. Maybe if we decide to bury wires we could pick one or two spots where the price would be worth it. One spot might be Shank Painter Road, another MPL in the center of Town**.**

Tom Donegan -- There is a joint meeting with Pier Corp on June 23, 2014. All reports seem positive regarding the cruise ship. The Disability Commission recently had activities at the Fire House on May 17, 2014 to make people aware of the obstacles of handicapped people. Selectman Donegan had the task of going to Town Hall to use the restroom. It was challenging and he went off the sidewalk due

to the tilt. It gave him awareness and he stated we still have work to do. The school superintendent has invited us for a tour of the school June 10, 2014 at 10 am. Selectman Donegan has asked the Board to get back to him with availability as soon as possible. Discussion then ensured regarding different committees and Board of Selectman liaisons. Selectman Yingling asked to be liaison to Pier Corp. Selectman Anthony asked to be on the School Building committee. Selectman Donegan stated it is close to employee review time which is done on a public forum. He stated the Board of Selectmen Secretary can be reviewed by the Board of Selectmen or the Town Manager. Selectmen Donegan suggested this year the review be done by the Acting Town Manager, and next year by the Board of Selectmen. The Board will also send out information regarding the review of the Acting Town Manager. Selectman Donegan also stated we need to be mindful of road quality. The Bradford Street extension is supposed to be fixed up shortly, possibly next week (the week of June 2, 2014). Commercial Street from Howland to Johnson has a lot of potholes that are difficult to see.

4A. <u>JOINT MEETINGS</u> – CAPE COD NATIONAL SEASHORE PARK

Mary-Jo Avellar, Kathy Tevya, and George Price provided an update regarding the seashore. Ms. Avellar stated repairs have been made to the north parking lot of Herring Cove. Mr. Price stated much damage was done in January. There has been money appropriated for repairs but no approval to begin work until a later date. Ms. Avellar spoke about several drops which is inhibiting access to the beach and is not sure what was going to be done to provide safe beach access. Mr. Price stated that many people have spent time working on an alternative for a long term fix. The parking lot is not a sustainable facility and an alternative was endorsed by the last Board of Selectmen but at a five million dollar price tab. He is concerned about continuing to fix the same problems with taxpayer dollars. Mr. Price spoke about the Herring Cove Bath House and the parking lot and that they should be models for sustainable fixes. These should have about a 50 year life span but this depends on erosion. He stated if erosion got carried away the bath house could be dismantled and relocated. That is what a 50 year life span means.

Selectman Yingling asked about the time frame regarding the new north parking lot. Mr. Price thought about four to five years. Selectman Andrews asked if there was a bill in front of Congress that the Board of Selectmen should endorse. According to Ms. Avellar, there is not a particular bill. However, a letter to congress could be written at any time. Anything that can move the process to get any funding is worthwhile. Ms. Tevya stated Far Land's is providing food at Herring Cove Beach and is in year two of a three year contract. She said they worked with limited facilities the first year but things are improving and they now have extended hours. There is also an operating plan Wednesday evenings for a music venue.

Mr. Price then provided some other updates. He stated the next construction will be in the fall and they will be resurfacing the road that goes from the bathhouse to the visitor's center. Additionally, they have replaced the underground fuel service tanks at the north maintenance facility with above ground tanks. The National Park Service is celebrating

its centennial and there will be face lifts on amphitheaters. This year internal work with exhibits and carpets was completed.

Selectman Andrews informed the Board of Selectmen about an email she received from a constituent regarding sand in the bike section of the road. She asked when sweeping will happen and can it be done before Memorial Day, 2015. Mr. Price said a major part of the sand was removed by front end loaders. There is a crew working on removing the rest of the sand, and now there is just a fraction of the sand there. He says they do this throughout the season between the beach and where the road hits Bradford.

Selectman Donegan asked about a bike path connecting Conwell to the Town that was discussed two years ago. Mr. Price stated it was a collaborative project which is still being worked on. Acting Town Manager David Gardner informed Selectman Donegan that the project is behind schedule and Mr. Price said he would check on the status. Mr. Price stated the connection between bike trails and Provincetown are priority. Selectman Donegan then talked about 2020 which is approaching and an historic event. This seems like a great opportunity for the National Park Service to leverage this event. Mr. Price believes this a great idea and they would like to participate in a town wide initiative. The Board of Selectmen will get in touch with Mr. Price in a few weeks to follow up.

Selectman Donegan also wanted to know about solar and wind which fits with Provincetown values. Mr. Price informed him they had some wind pieces but due to compliance and other issues they had to put this on hold. Solar panels are on the bath house and they are looking at other places to place them.

Selectman Yingling asked about the long term vision for old air force base. Mr. Price said the plan is to turn the base into a large campus for science. They do have about 1.4 million coming in for demolition of the old buildings on this base. Once they receive this they can move forward. The Board of Selectmen will meet with Mr. Price again in six months (November 10, 2014) for an update.

4B. JOINT MEETINGS – LIBRARY BOARD OF TRUSTEES

The Library Board of Trustees was called to order by Chairman Lyn Kratz: Donna Vaillancourt, Mark Westman, James Johnson, and Lyn Kratz.

Item 1. Joint Appointment to fill a vacancy.

Selectman Yingling asked Mr. Desroches about other boards he had served on. Mr. Desroches spoke about his time with the Historical Commission. After discussion both the Library Board of Trustees and the Board of Selectmen voted to instate Mr. Desroches as a member of the Library Board of Trustees.

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.
Motion by: Erik Yingling Seconded By: Cheryl Andrews Yea 5 Nay 0

Library Board of Trustees Roll Call Vote

Lyn Kratz yes
Donna Vaillancourt yes
Mark Westman yes
James Johnson yes

Lyn Kratz then spoke about the small building in the back of the library. It was initially intended to be a shed, and in the 1970's it was proposed to be a restaurant. It is now condemned. A mold test was conducted last week. There is a large amount of visible mold growth and it was suggested that the building should stay vacant. The Library Board is requesting the building be closed to the general public. There is an ongoing discussion between Library Board and the Friends of the Library regarding where to hold the book sale. Ms. Kratz says the black mold is frightening and would be a huge issue and anything in that building should not be allowed inside the library. For the value of the books, it doesn't seem worth it. Mold remediation may solve the problem; however, there is no guarantee. If the building is taken down we would still have legal right to build something in its place. The Board of Selectmen stated the Acting Town Manager should work with Board of Library Trustees to solve this issue.

4C. JOINT MEETINGS – COMMUNITY HOUSING COUNCIL

Chairman Ann Maguire called her board into session. Present: Susan Cook, Brenda Haywood, and Ann Maguire. Michelle Jarusiewicz, Housing Specialist also attended. An update was provided to the Board of Selectmen. Selectman Donegan began by stating the housing summit provided a lot of momentum. He asked for the Housing Council's ideas so a plan could be put in place.

Ann Maguire said she has met with several entities to solicit information. She stated the little fix program is working but it's difficult to get it out there. Regarding the local voucher program, they need to firm up what workshops and how they can solicit people from the program. She said the reason the Council wanted to meet is to let the Selectmen know that they are interested in the Community Center, the VFW or the old police station in terms of housing for Provincetown. They would be interested in pursuing housing at the Community Center and what that entails.

Selectman Anthony asked where we are now with the Community Center. Acting Town Manager Gardner responded that at this time the Community Center RFP process had come to its life span. We can submit another RFP or reconsider options for the property.

Selectman Richter liked what the Housing Council had to say. When looking at all three sites, it is good to hear from fellow selectmen. He doesn't want to do something to hasty with that site. He would like to hear ideas from the Library Board and would like to see this as a bigger idea into the Town having housing for their residents. Ms. Maguire stated the Council is not necessarily focused on affordable housing only that there could be housing. They are waiting to hear about a grant regarding a possible project for elderly housing. The Board stated they would like to partner with the Housing Council to make housing happen.

Selectman Yingling asked whether the goal is for more low income funding and less state funding. What type of housing do we want this to be. Ann Maguire said that is why she was looking at all three parcels so there would be many possibilities. She talked about partnering and there are a lot of questions that need to be addressed. She stated the Housing Council would like to know that they and the Board of Selectmen are on the same page.

Selectman Donegan suggested a working group perhaps with Ms. Jarusiewicz working with Acting Town Manager David Gardner.

Selectman Andrews says there are many things we are agreeing on and if we all walk out of here agreeing. It sends a message to the Town. In this time in this Town's life we can't limit ourselves. We have let tax credits and funding opportunities mold our decisions and we need to move beyond that. We have many resources. Selectman Andrews stated she had a motion when the Board of Selectmen are ready

Selectman Donegan stated the Cape Light Compact participated in a program and have offered to reach out to the Board of Selectmen to talk about what they have done. We need to address issues in a proactive way so we can get something done. We also have to get the Finance Committee involved. We have to get this sold through town meeting and the appropriations. Selectman Richter said we should have an event that kicks things off with the idea of housing. A big event would drive this forward.

After discussion Selectman Andrews put forth the following motion

Move that the Board of selectmen set a policy goal of the Board of selectmen to 1) stop the towns efforts to sell the property at 46 Bradford Street, 2) to create a staff led team to analyze this property's use as housing and 3) for the Board of Selectmen and the Community Housing Council to meet with that team within 6 weeks.

There was discussion among the Board regarding this motion after which it was revised to read as follows:

Move that the Board of selectmen set a policy goal of the Board of selectmen to 1) stop the towns efforts to sell the property at 46 Bradford Street, 2) to create a staff led team to analyze this property's use as housing as well as the property at 3 and 3R Jerome Smith and 3) for the Board of Selectmen and the Community Housing Council to meet with that team within 6 weeks.
Motion by: Cheryl Andrews Seconded By: Erik Yingling Yea 5 Nay 0

5A. BOARD OF SELECTMEN APPOINTMENTS – SEE VACANCIES

Select Donegan spoke about the vacancies in an attempt to make the Board aware of the various Committees requiring members.

6A1. VSB – FY2014 CO-OP MARKETING GRANTS CHAMBER, PBG (ATM-13)

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.
Motion by: Cheryl Andrews Seconded By: Erik Yingling Yea 5 Nay 0

6A2. VSB – FY2014 CO-OP MARKETING GRANTS CHAMBER, PBG (ATM-13)

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 except for Grant 10 FAWC Radio Ads, Grant 17 Great Schooner Regatta, Grant 25 Peregrine Theater Ensemble, and Grant 38 WOMR Benefit Film Series:
Motion by: Tom Donegan Seconded By: Erik Yingling Yea 5 Nay 0

Rudd Chair of the Visitor

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			

Mick Rudd Chair of the Visitor Services Bureau and Anthony Fuccillo, Director of Tourism spoke with the Board about the grants and the events they funded. There are nine new events this year. Selectman Andrews asked if the Board of Selectmen could have a list of new grants and year to year what is increasing. She also asked for only the background material on new grants. Selectman Yingling wanted to know how the VSB decides who gets the money, which ones are worthwhile. Mr. Rudd stated that events that are recurring have hard data on them so they can be assessed critically. Mr. Fuccillo stated the VSB looks at what will bring visitors into Provincetown. Selectman Yingling asked them to think about more funding for community events.

Selectman Donegan asked how they approach events occurring in the fall. Mick Rudd stated we don't have control over the calendar. Try to remember that all we do is marketing. Mr. Fuccillo said this year we are going to cut into our own marketing to see if people will be interested in events. He spoke about PAAM, it is their 100th year anniversary. Selectman Donegan would like us to think about these grants as seed money for future growth. Selectman Richter says this is a great incubator for future endeavors. He was surprised though that some well-established events are being funded. He asked that we put support towards things that could become large events.

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 except for Grant 10 FAWC Radio Ads, Grant 17 Great Schooner Regatta, Grant 25 Peregrine Theater Ensemble, and Grant 38 WOMR Benefit Film Series:
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 5 Nay 0

The Selectmen then voted on the four grants left out of the above motion

MOVE that the Board of Selectmen vote to approve funding, from the Tourism Fund, for FY 2015 FAWC Radio Ads Grant as recommended by the Visitor Services Board.
Motion by: Erik Yingling Seconded By: Cheryl Andrews Yea 4 Nay 0 Abstain 1 (Tom Donegan)

MOVE that the Board of Selectmen vote to approve funding, from the Tourism Fund, for FY 2015 Great Schooner Regatta Grant as recommended by the Visitor Services Board.
Motion by: Erik Yingling Seconded By: Raphael Richter Yea 4 Nay 0 Abstain 1 (Cheryl Andrews)

MOVE that the Board of Selectmen vote to approve funding, from the Tourism Fund, for FY 2015 Peregrine Theater Ensemble Grant as recommended by the Visitor Services Board.
Motion by: Erik Yingling Seconded By: Cheryl Andrews Yea 4 Nay 0 Abstain 1 (Raphael Richter)

MOVE that the Board of Selectmen vote to approve funding, from the Tourism Fund, for FY 2015 WOMR Benefit Film Series Grant as recommended by the Visitor Services Board.
Motion by: Cheryl Andrews Seconded By: Raphael Richter Yea 4 Nay 0 Abstain 1 (Erik Yingling)

6B. VSB FY2015 CONTRACT RENEWAL WITH PR FIRM

Selectman Yingling asked if this were the same budget as last year. Mick Rudd replied yes *and that the VSB* markets to bring people to town. He stated that he is not clear what the $40,000 is going toward. Mr. Rudd stated it is to write ads, copy for other ads, and research. We have asked Marmillion to put something together for 2020. Mr. Rudd stated the VSB are amateurs and Marmillion gives them new ideas and perspectives. Selectman Yingling stated he would like to see this be put out to bid. Mr. Rudd said they did put out an RFP and about five firms responded. The contract is annual but we do not put this out to bid each year. Acting Town Manager David Gardner explained how Marmillion was hired because VSB's last firm was going stale.

Selectman Richter asked about the analytics to justify Marmillin's existence. Google provides the service for free. He asked if we shouldn't be looking at a 3 year contract. Mr. Rudd stated it protects the Town if we go with one year in case it doesn't work out. Mr. Fuccillo stated he will report back with analytics.

Selectman Donegan stated he would like a meeting as to what needs to happen to make 2020 happen.

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.
Motion by: Cheryl Andrews Seconded By: Raphael Richter Yea 4 Nay 1 (Erik Yingling)

6C. VSB FY2015 CONTRACT RENEWALS WITH GRAPHIC ARTIST

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.
***Motion by*: Cheryl Andrews *Seconded By*: Erik Yingling Yea 5 Nay 0**

6D. OPEB TRUST AGREEMENT APPOINTMENT TO TRUSTEES

Tom Donegan explained about OPEB which was started by the Selectmen. Selectman Yingling asked about the commitment and Dan Hoort explained it is a very small commitment and is an independent board, not a Town Board.

Move that the Board of Selectmen appoint Selectman Erik Yingling as a Trustee of the OPEB Trust Fund for a term of one year.
***Motion by*: Raphael Richter *Seconded By*: Robert Anthony Yea 5 Nay 0**

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.
***Motion by*: Raphael Richter *Seconded By*: Erik Yingling Yea 5 Nay 0**

7A. FY2015 TOWN-WIDE POLICY GOALS

Selectman Donegan suggested we turn the goals into a separate document. This will take a bit more time, but it is worth taking the time to read the individual submissions. Acting Town Manager David Gardner stated that we should probably ask for public input at the June 9, 2014 meeting. A public draft should be approved at the June 23, 2014 meeting. Selectman Donegan stated he would like to hear the Finance Committee's input on levy limits. Selectman Andrews wants to know about raising the levy limit but it will be for future discussion. Mr. Gardner asked the Board to keep in mind a numbering system for the goals. He also suggested goals should be submitted after June 9, 2014 but before June 23, 2014

Move that the Board of Selectmen address 7D "Other before 7B, "Board of Selectmen's Rules of Procedure".
***Motion by*: Cheryl Andrews *Seconded By*: Erik Yingling Yea 5 Nay 0**

7D. OTHER – 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

Town Planner, Gloria McPherson provided a general overview of the grant. AIA has been involved with design assistance and team program grants for several decades. This year a new grant for resiliency and sustainable has become available. This grant does not require matching funds. This is a good opportunity for us to bring in some outside experts who are used to working with communities on design and sustainability issues. She talked about linking housing to this grant.

Selectman Andrews stated the reason she took this item off the consent agenda is because this is a new grant. She voiced concern for all staff, are we taking staff away from things they need to be doing. She also asked about the timeline, will the three days

be now or in the fall. Ms. McPherson stated this would take place between September and November. This has to be completed in this calendar year so there is a tight turn around. There needs to be a balance for the best three day period. There was a question as to where there will be an interaction with Cape Cod Commission. Ms. McPherson does not envision any interaction, stating this is just for Provincetown.

Move that the Board of Selectmen vote to authorize the submission of a grant application to AIA for resiliency and sustainability.
Motion by: Tom Donegan Seconded By: Erik Yingling Yea 5 Nay 0

7B. RULES OF PROCEDURE

Acting Town Manager spoke about rules of procedure as an operating guideline. The Selectmen can submit comments in writing. The rules were amended in 2013 prior and there were no major tweaks. Input needs to be received by June 12, 2014 we can place this on the June 23, 2014 Board of Selectmen's meeting

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.
Motion by: Cheryl Andrews Seconded By: Erik Yingling Yea 5 Nay 0

7C. TOWN MANAGER FOLLOWUP

We now have formation of the Civic Engagement Committee. There were seventeen applications and nine were appointed to the Committee.

Jennifer Cabral
Tom Coen
Jerry DeCristofaro
John Golden
Elizabeth Timm Harford
Greg Hennick
Julie Knapp
Rick Murray
John Yingling

Selectman Yingling asked for an update from DPW Director Richard Waldo regarding paving on the west end of Provincetown near the Coast Guard station. He was concerned about the quality of the job and that it looked like there would be potholes within a year. Acting Town Manager David Gardner will follow-up with Mr. Waldo and report back to the Board of Selectmen.

8A. MINUTES OF THE BOARD OF SELECTMEN'S MEETINGS -- None

9A. CLOSING STATEMENTS

Robert Anthony – we have made a lot of progress tonight in terms of the Board of Selectmen identifying a goal and working with others in the community.

Raphael Richter: had planned to mention 2020, we will have an agenda item regarding this. He spoke of the town meetings is not inclined to have two meetings. He spoke about the amounts of town meetings we have had over the years. Selectman Yingling stated there is always a reason we need a special town meeting. Tom Donegan stated the capital plan would be done in the fall and expressed his concern about the attendance on the third night of town meeting. Selectman Richter would like to continue to discuss this at a future date.

Erik Yingling – none

Cheryl Andrews – would love not to have a fall town meeting. There is a lot to putting a town meeting together. It is a large, amazing production. Thank you for a great meeting.

Tom Donegan. He believes there was a proposal to change the Town Charter to have cap ex in the fall and budgeting in the spring. That was a lot of work for the finance committee in the winter. He wanted to congratulate everyone involved with the running of the Memorial Day weekend.

MEETING ADJOURNED AT 10:00 PM AND WAS UNANIMOUS NO MOTION WAS TAKEN
(Roll Call Vote)
Tom Donegan: yes
Erik Yingling: yes
Bobby Anthony: yes
Cheryl Andrews: yes
Raphael Richter: yes **Yea 5 Nay 0**

Minutes transcribed by: Mary Timmons

TOWN OF PROVINCETOWN – BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, May 27, 2014 5:00 PM
EXECUTIVE SESSION (OPEN)
TOWN HALL – JUDGE WELSH ROOM

Chairman Tom Donegan called the meeting to order at 5:00 PM noting the following Board of Selectmen members: Tom Donegan, Erik Yingling, Cheryl Andrews, Robert Anthony, and Raphael Richter

Other Attendees: Acting Town Manager, David Gardner

Recorder: Mary Timmons

The Board then voted as follows

MOTION: MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A Section 21 (1) Clause 1, 2, 3, and 6 for the purpose of:

1. Clause 1, 2, 3 and 6 - Town Counsel John Giorgio - Updated and general review of the status of pending litigation matters; (Votes may be taken)

LITIGATION UPDATE
16 Harry Kemp Way Condominium Trust
Anderson v. Provincetown Board of Appeals, et al.
Brahm, et al. v. Provincetown Historic District Commission
Commonwealth of Massachusetts Office of the Attorney General v. Town of Provincetown
Jaran v. Town of Provincetown
Mayo v. Provincetown Zoning Board of Appeals
O'Connor v. Provincetown Zoning Board of Appeals
Provincetown Board of Trade Land Court Registration
Schreyer v. Provincetown Historic District Commission and Howard Burchman
Schreyer v. Provincetown Historic District Commission
Schreyer v. Provincetown Zoning Board of Appeals
Town of Provincetown – Perry Overtime Grievance
Amato v. Barone & Steele
Palacino v. Town of Provincetown, et al.
Poulin v. Provincetown Police Department

Recently Closed Matters
158 Bradford, LLC v. Provincetown Zoning Board of Appeals
Cape Cod Health Insurance Cases
Russo v. Historic District Commission of the Town of Provincetown
Town of Provincetown – Flores Termination
Town of Provincetown – Silva Termination

2. Clause 3 –Discuss strategy with respect to threatened litigation (complaint by Thomas Tannariello). The Chair has determined that an open meeting may have a detrimental effect on the litigation position of the Town.

3. Clause 1, 2, 3 4, 6, and 8 – To consider the approval and release of Executive Session Minutes. (Votes may be taken)

<u>Motion by</u>: Erik Yingling Seconded by: Raphael Richter
(Roll Call Vote)
Tom Donegan: yes
Erik Yinglng: yes
Raphael Richter: yes
Robert Anthony: yes
Chery Andrews: yes **Yea 5 Nay 0 Motion passes**

The Board moved to the Town Manager Conference Room.

<u>Minutes transcribed by</u>: Mary Timmons 06/04/2014