



# Meeting Agenda Revised

**The Provincetown Board of Selectmen will hold a public meeting on Monday, December 8, 2014 at 6:00 p.m. in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.**

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

- A. Auditorium Beer and Wine Request: Year Rounder's Festival on March 14, 2015*
- B. Parade Permit Application Submitted, on Behalf of the National MS Society-Greater New England Chapter, by Bill Sykes - 31st Annual Cape Cod Gateway MS Bike Ride Fundraiser*
- C. Parade Permit Application Submitted, on Behalf of the Family Equality Council, by Brent Wright, Director of Programs-Pride Parade*
- D. Treasurer's Transfer – John Anderson Francis Scholarship Fund for payment of scholarship(s), in the amount of \$10,500.00*
- E. Treasurer's Transfer – Captain Joseph F. Oliver Scholarship Fund for payment of scholarship(s), in the amount of \$5,000.00*
- F. Bond Anticipation Note #1104 – Dan Hoort – Approval Required*
- G. Executive Office of Public Safety – State 911 Department Training and EM/Regulatory Compliance Grant – Acting Chief of Police Jim Golden*

1. Public Hearings - Votes may be taken on the following items:
  - A. Public Hearing on the MCDBG Community Development Strategy, Acting ATM Michelle Jarusiewicz
  - B. Provincetown Affordable Housing Tax Exemption program amendment to increase the eligible rate from 60% AMI to 80% AMI.
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:
  - A. Joint meeting with the Open Space Committee: Discussion of future of Land Bank – Dan Hoort
5. Appointments - Votes may be taken on the following items:
  - A. Board of Selectmen End of Year Re-appointments
  - B. End of Year Re-appointments for Constables Rachel Peters and Barbara Prato
6. Requests - Votes may be taken on the following items:
  - A. Proclamation – Senior Citizen Day, Sunday, December 14, 2014

- B. Shellfish Constable Position Discussion
  - C. Police Report for the Month of November 2014 – Acting Police Chief Jim Golden
7. Town Manager / Assistant Town Manager - Votes may be taken on the following items:
    - A. Selectmen Calendar 2015
    - B. Town Manager follow-up
    - C. Other - Other matters that may legally come before the board not known at the time of posting - votes may be taken.
  8. Minutes – Approve minutes of previous meetings. Vote may be taken.
  9. Closing Statements/Administrative Updates - Closing comments from the Selectmen. Discussion dependent, motions may be made, votes may be taken



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

00

## 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:

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

- A. Auditorium Beer and Wine Request: Year Rounder's Festival on March 14, 2015
- B. Parade Permit Application Submitted, on Behalf of the National MS Society-Greater New England Chapter, by Bill Sykes - 31st Annual Cape Cod Gateway MS Bike Ride Fundraiser
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- D. Treasurer's Transfer – John Anderson Francis Scholarship Fund for payment of scholarship(s), in the amount of \$10,500.00
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- F. Bond Anticipation Note #1104 – Dan Hoort – Approval Required
- G. Executive Office of Public Safety – State 911 Department Training and EM/Regulatory Compliance Grant – Acting Chief of Police Jim Golden

### Board Action

| Motion | Second | Yea | Nay | Abstain | Disposition |
|--------|--------|-----|-----|---------|-------------|
|        |        |     |     |         |             |



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

00A

## Auditorium Beer and Wine Request Year Rounders Festival

Requested by: Aaron Hobart

Action Sought: Approval

### Proposed Motions

***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 Aaron Hobart, Year Rounders Festival, for the annual town festival to be held on Saturday, March 14, 2015, from (11:00 am to 12 midnight).***

### Additional Information

See attached application and related material. This is an annual event. There were no concerns or incidents at last year's event. Alcohol service will be managed by the event and they will obtain a Special One Day Liquor License from the Licensing Board.

### Board Action

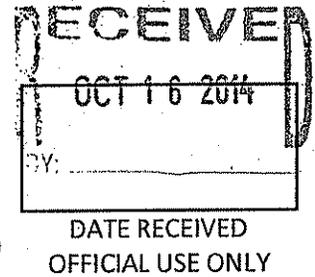
| <i>Motion</i> | <i>Second</i> | <i>In favor</i> | <i>Opposed</i> | <i>Disposition</i> |
|---------------|---------------|-----------------|----------------|--------------------|
|               |               |                 |                |                    |



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)



### 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: Year Rounders Festival  
Address: PO Box 333

Authorized Representative Name: Nicola Richter  
Mailing Address: PO Box 333  
Or Contact Email Address: yearroundersfestival@gmail.com

Telephone Days: (508) 241-3795 Mobile: ( ) same In Provincetown: ( ) same

Event Date(s): March 14, 2015 Event Time: March 14, 2015 11AM - 12AM (midnight)

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)

Set up March 13 12PM - 5PM March 14 9AM - 11AM Breakdown Monday March 16 9AM - 12P.

Description of Proposed Event: (attach additional information if necessary)  
an annual event starting with arts + public works displays, an auction (s. bent) food buffet (free) and wine/beer service at night with local music

Anticipated Attendance: 500 Number of Staff Members: 10-20 Number of Private Security:

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

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

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

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

### CERTIFICATE OF INSURANCE MUST ACCOMPANY THIS APPLICATION

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

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

[Signature] October 15, 2014  
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 \_\_\_\_\_ = \$ no fee

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]  
Signature of Town Manager or Designee

12/8/14  
Date



# Licensing Board for the Town of Provincetown

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

## APPLICATION FOR SPECIAL ONE-DAY ALCOHOLIC BEVERAGE LICENSE

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

Date: October 16, 2014

Type of Host:  Individual  Non-Profit Corp.  For-Profit Corp.

Name of Host: Year Rounders Festival

Address of Host: PO Box 1033

Contact Information: Phone: 508-241-3795 Email: yearroundersfestival@gmail.com

Effective Date(s) of License: March 14, 2015

Authorized Hours of Sale: 6 hours

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

Description of Licensed Premises: Town Hall

|  |   |  |  |
|--|---|--|--|
| License for Sale of:                             |   | Alcohol will be (check one):             |  |
| All Alcoholic Beverages <input type="checkbox"/> | Wines & Malt Beverages Only <input checked="" type="checkbox"/> | Sold <input checked="" type="checkbox"/> |  |
| Wines Only <input type="checkbox"/>              | Malt Beverages Only <input type="checkbox"/>                    | Given Away <input type="checkbox"/>      |  |

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

Signature of Authorized Representative: [Signature]

For official use only

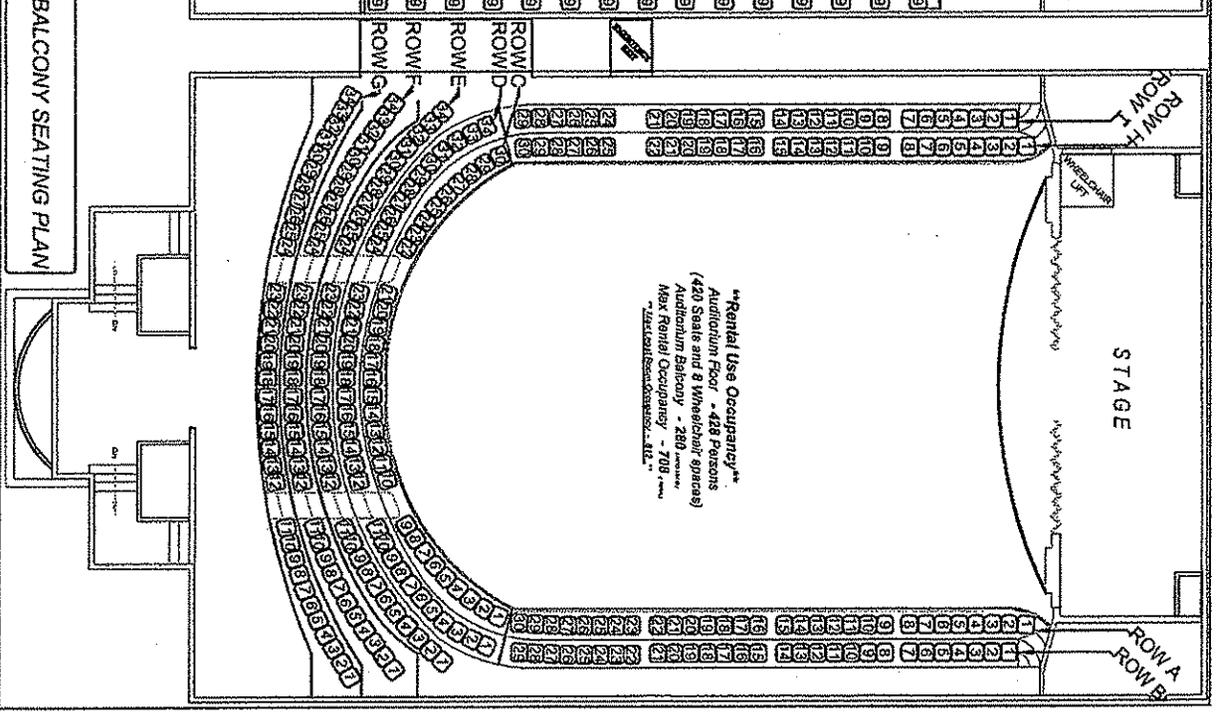
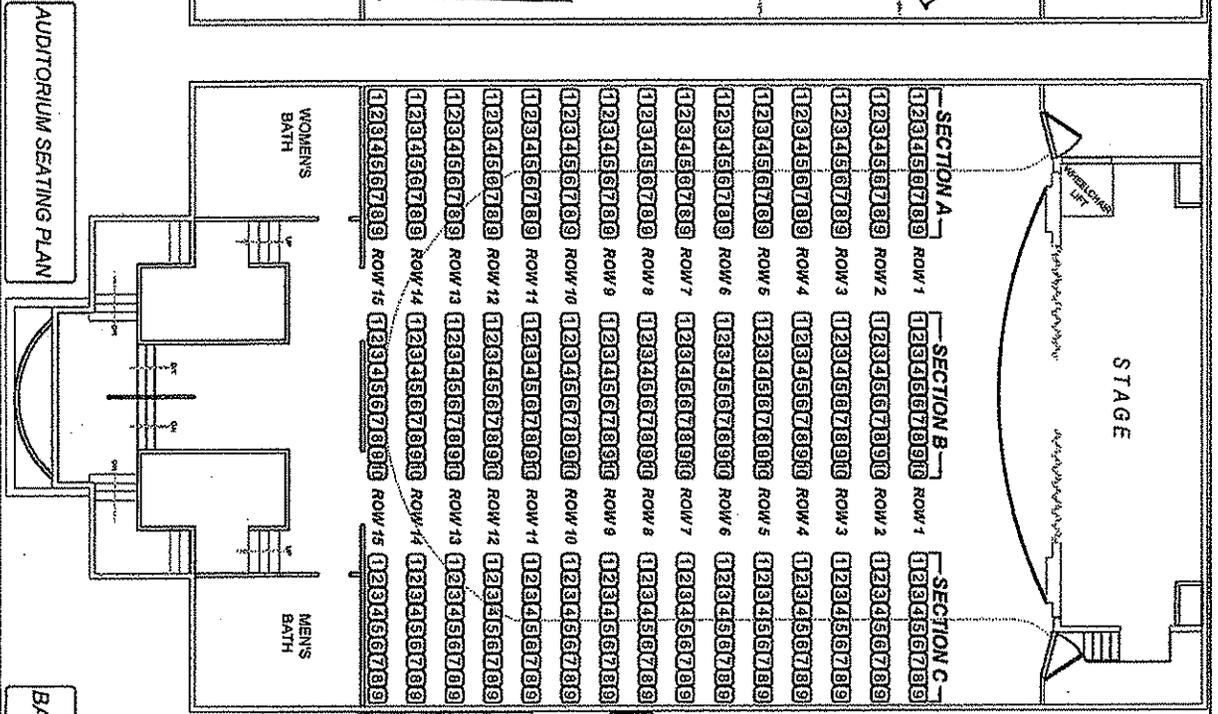
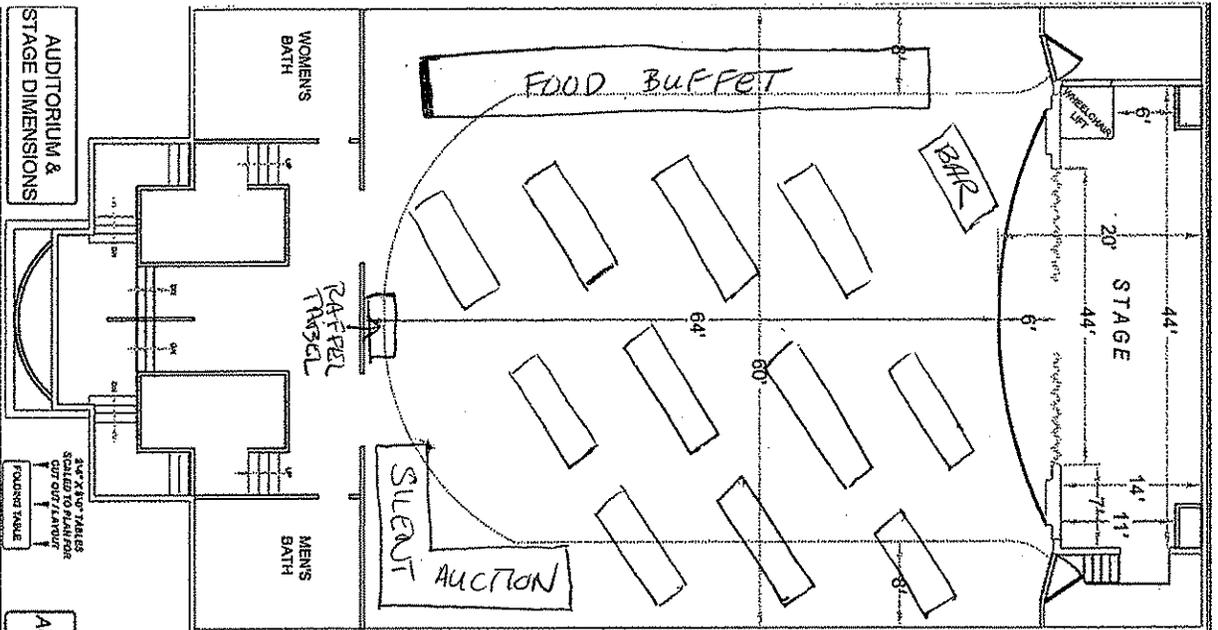
Restrictions attached to the license by the local authority:

THE LOCAL LICENSING AUTHORITIES

[Signature]

[Signature]  
Michelle L. Foley

Date approved: 11/12/14





Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**

Monday, December 08, 2014

00B

# PARADE PERMIT REQUEST

## 31<sup>st</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser

Requested by: Bill Sykes

Action Sought: Approval

### Proposed Motion(s)

*MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by Bill Sykes on behalf of the National Multiple Sclerosis Society, Central New England Chapter, to hold Annual Cape Cod Getaway MS Bike Ride to be held on Sunday, June 28<sup>th</sup> from 8:30 AM to 4:00 PM.*

### Additional Information

See attached application and memo. Route: Enter Provincetown on US Route 6 from Truro Town Line; left turn onto Shank Painter Road, immediate left onto Jerome Smith Road, turn right on Winslow Street, ending at Motta Field Recreation area.

### Board Action #1

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

**Town of Provincetown**

*James F. Golden*  
Chief of Police, Acting  
[jgolden@provincetown-ma.gov](mailto:jgolden@provincetown-ma.gov)  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)



**Police Department**

26 Shankpainter Road  
Provincetown, MA 02657  
Phone: (508) 487-1212  
Fax: (508) 487-4488

To: Provincetown Board of Selectmen

From: Acting Chief of Police James F. Golden 

Subject: Staff Report 31<sup>st</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser

Date: November 13, 2014

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Please know that I have reviewed the parade application for the annual National MS Society Ride Fundraiser on Sunday June 28, 2015. They estimate about 2100 cyclists not including vendors, well-wishers, support vehicles or event staff to support the National Multiple Sclerosis Society.

The event is scheduled from 8:00am to 4:00pm and will navigate a route ending at Motta Field on Winslow Street. The current route follows the direction of traffic as illustrated below.

- Enter Provincetown on US Route # 6 East from Truro Town Line
- Left Turn onto Shankpainter Road
- Immediate Left turn onto Jerome Smith Road
- Follow Jerome Smith Road to Winslow Street
- Turn right on Winslow Street
- Follow Winslow Street ending at Motta Field Recreation Area

They will need to be escorted for this route and will hire special duty detail Police Officers in sufficient numbers to staff the event.

Labor estimate for five (5) police officers from approximately 9:00am to 3:00pm would cost them approximately \$1760.

Could you please remind them to contact Lisa Cook at the Police Department about 2-3 weeks before the event to make arrangements for the officers?

Please let me know what questions you may have.

# Town of Provincetown Parade Permit Application

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

Applicant's Name: NATIONAL MS SOCIETY - GREATER NEW ENGLAND CHAPTER  
Address: 13 RIVER ST Phone: 508 746 3207  
City/Town: PLYMOUTH State: MA Zip Code: 02360  
Email: BILL@PROMOTERLINE.COM

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: BILL SYKES  
Address: 13 RIVER ST, PLYMOUTH, MA 02360  
Phone: 508 746 3207  
Email: BILL@PROMOTERLINE.COM

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: FINISH ROUTE FOR MSCAPE COD GETAWAY  
Date of Parade: 6/28/2015 Rain Date (if any): \_\_\_\_\_  
Schedule: Start Time: 8:30 AM Finish Time: 4:00 PM  
Number of Marchers: N/A Number of Vehicles: N/A  
(Please indicate actual or estimated.)

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

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

Signature of Applicant: [Signature]

Date: 11/6/14

Application received by: [Signature]

Date: 11/10/14

(Secretary to Board of Selectmen)

**CONDITIONS and REQUIREMENTS**

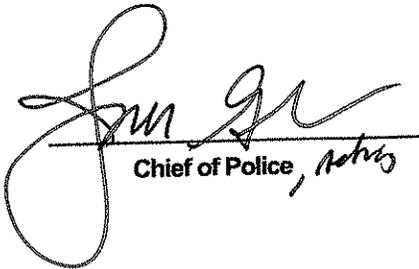
It is the obligation of applicants, organization(s) and responsible individuals to assure that their parade(s) is (are) orderly. Unless specifically authorized, there will be no parades held during the hours of darkness and no stopping of the parade to advertise or perform.

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

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

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

**APPROVALS**

  
\_\_\_\_\_  
Chief of Police, *Noted*

Date 11-13-2014

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

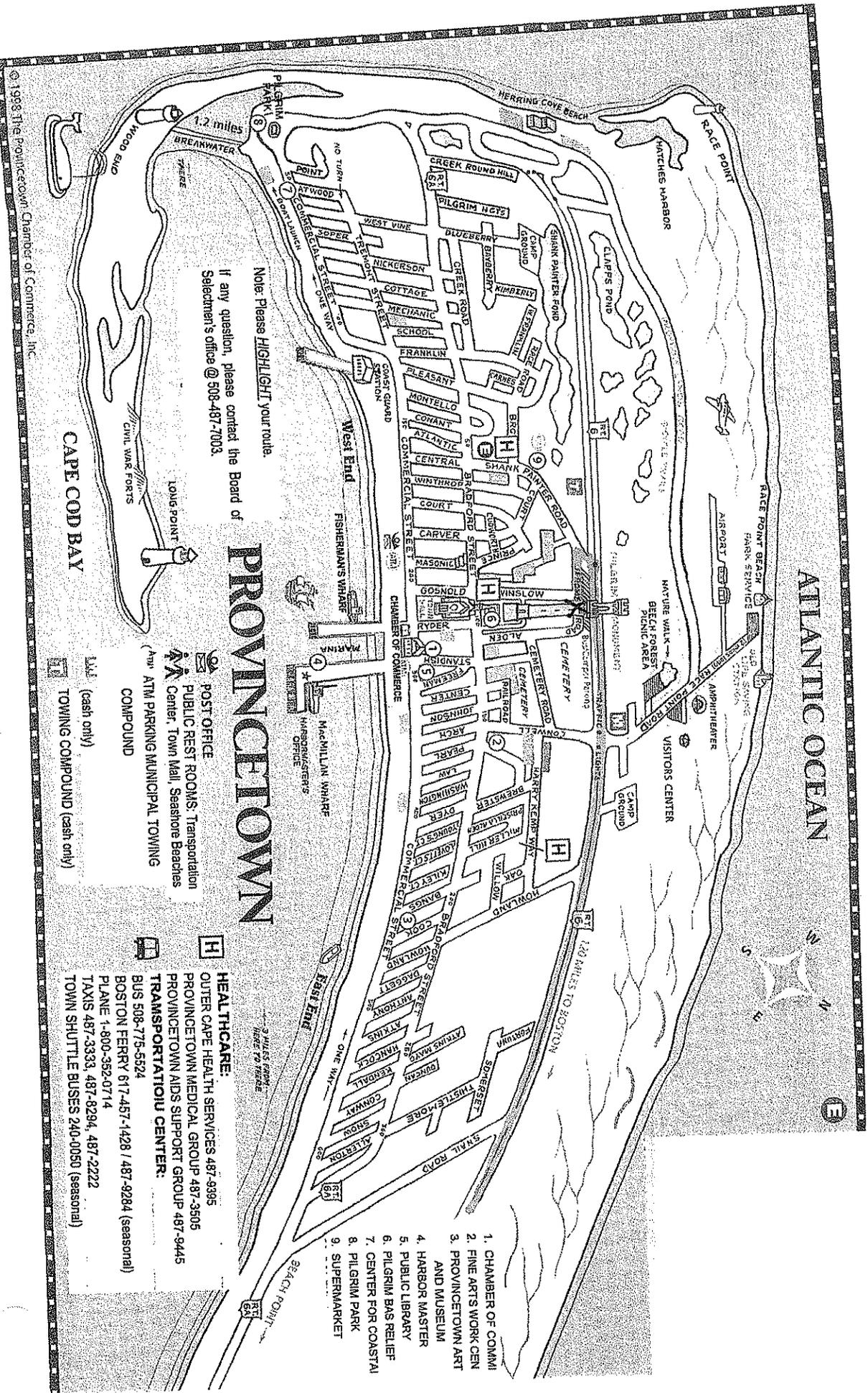
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please **HIGHLIGHT** and **type** or **print** your parade route. (Pg 4 of 4)



Note: Please **HIGHLIGHT** your route.  
 If any question, please contact the Board of Selectmen's office @ 508-487-7003.

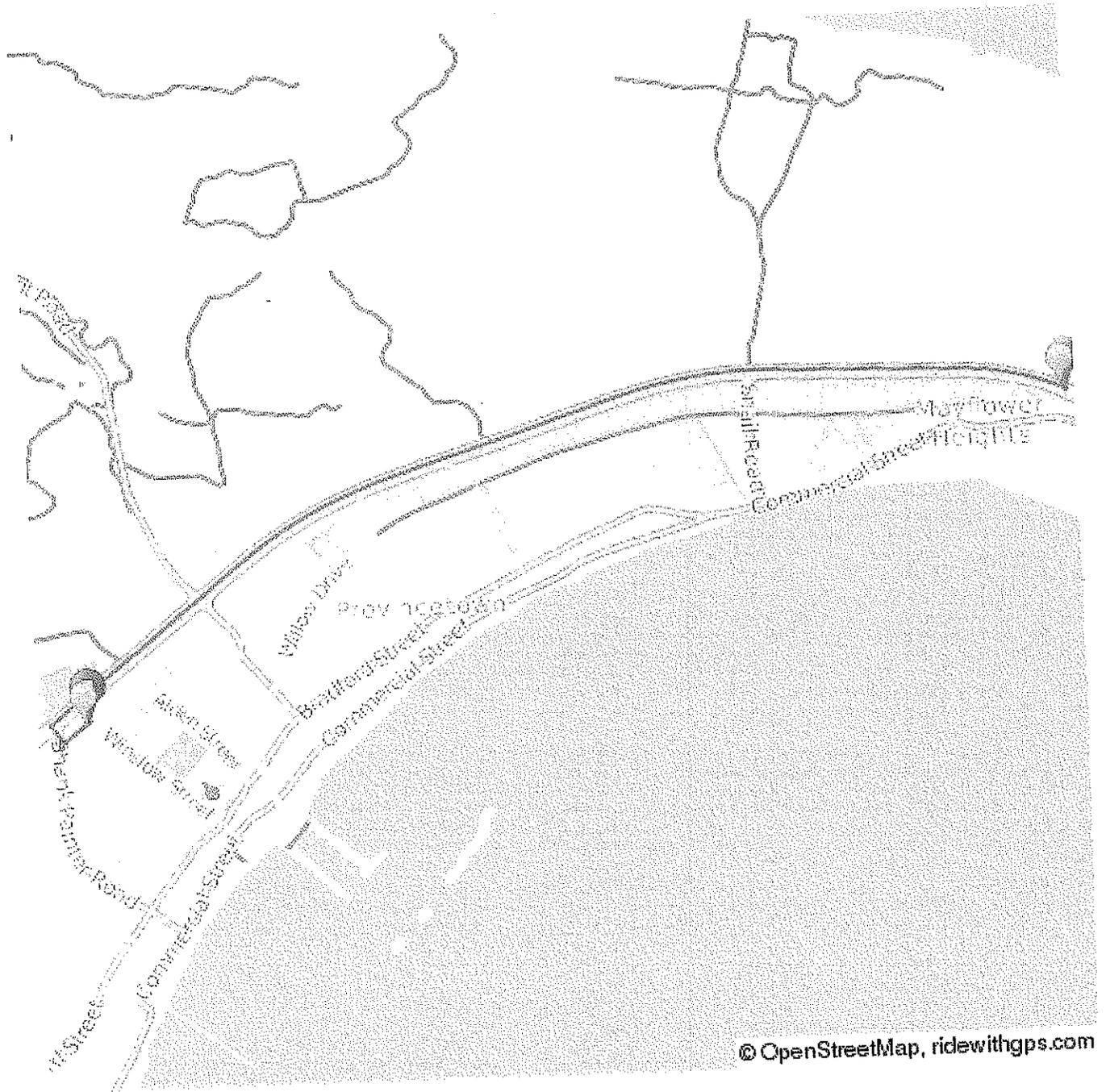
# PROVINCETOWN

- POST OFFICE
- PUBLIC REST ROOMS: Transportation Center, Town Hall, Seashore Beaches
- ATM
- MUNICIPAL TOWING
- (cash only)
- TOWING COMPOUND (cash only)

- HEALTHCARE:**
- OUTER CAPE HEALTH SERVICES 487-9395
- PROVINCETOWN MEDICAL GROUP 487-3505
- PROVINCETOWN AIDS SUPPORT GROUP 487-9445
- TRANSPORTATION CENTER:
- BUS 508-775-5524
- BUS FERRY 617-457-1428 / 487-9284 (seasonal)
- PLANE 1-800-382-0714
- TAXIS 487-3333, 487-8294, 487-2222
- TOWN SHUTTLE BUSES 240-0050 (seasonal)

1. CHAMBER OF COMMERCE
2. FINE ARTS WORK CENTER AND MUSEUM
3. PROVINCETOWN ART AND MUSEUM
4. HARBOR MASTER
5. PUBLIC LIBRARY
6. PILGRIM BAS RELIEF
7. CENTER FOR COASTAL
8. PILGRIM PARK
9. SUPERMARKET

# MS Bike Route through Provincetown





Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**

Monday, December 08, 2014

00C

# PARADE PERMIT REQUEST

## Family Equality Council – Pride Parade

Requested by: Brent Wright, Director of Programs

Action Sought: Approval

### Proposed Motion(s)

*MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by Brent Wright, on behalf of the Family Equality Council, to hold the Pride Parade, on Friday, July 31, 2015, from 3:00 PM to 4:00 PM.*

### Additional Information

See attached application and memo. Route: Start at Bas Relief Plaque; south on Ryder Street to Commercial Street; west on Commercial Street to Court Street; north on Court Street to Bradford Street; east on Bradford Street to Bas Relief Plaque to end parade.

### Board Action #1

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

**Town of Provincetown**

*James F. Golden*  
Chief of Police, Acting  
[jgolden@provincetown-ma.gov](mailto:jgolden@provincetown-ma.gov)  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)



**Police Department**

26 Shankpainter Road  
Provincetown, MA 02657  
Phone: (508) 487-1212  
Fax: (508) 487-4488

To: Provincetown Board of Selectmen  
From: Acting Chief of Police James Golden   
Subject: Staff Report 2015 Family Equality (Family Week Parade)  
Date: November 21, 2014

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I have reviewed the parade application for the Family Equality 2015 Family Week Parade event on Friday July 31, 2015. They estimate about 300 attendees.

The event is scheduled from 3:00pm to 4:00pm and will navigate a route beginning and ending at The Bas Relief Plaque on Bradford Street. The proposed route is the exact same as the past 5 years.

**ROUTE:**

- Start Bas Relief Plaque
  - South on Ryder Street to Commercial Street
  - West on Commercial Street to Court Street
  - North on Court Street to Bradford Street
  - East on Bradford Street to Bas Relief Plaque
  - End Bas Relief Plaque
- 
- One special duty police detail officer will be needed for 4 hours would cost them approximately \$180.00. Special duty police detail officer is there to escort the procession per the Family Equality Council parade permit and provide a public safety presence only.
  - The Family Equality Council knows that they are not guaranteed exclusivity of Commercial Street and as a condition of their permit know that they may have to share the road with local vehicle and essential delivery traffic. The road remains open while the group is escorted.

This event is always well organized, well attended and orderly.

If approved, would you please remind them to contact Lisa Cook at the Police Department about 2 weeks before the event to make arrangements for the needed traffic officer?

# Town of Provincetown Parade Permit Application

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

Applicant's Name: Family Equality Council  
Address: 41 Winter Street, 3<sup>rd</sup> floor Phone: (17.502.8711  
City/Town: Boston State: MA Zip Code: 02108  
Email: bwright@familyequality.org

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: Brent Wright, Director of Programs  
Address: same as above  
Phone: same as above  
Email: same as above

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: Pride Parade – the closing event of Family Week 2015

Date of Parade: Friday, July 31<sup>st</sup>, 2015 Rain Date (if any): none – event cancelled in extreme weather

Schedule: Start Time: 3:00 pm Finish Time: 4:00 pm

Number of Marchers: 300 (estimated) Number of Vehicles: 2

Events with amplified sound, entertainment, alcohol or food service MUST obtain Licensing Department approvals. Noise bylaw waiver applications required minimum 60 days prior to your scheduled event.  
(Please indicate actual or estimated.)

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

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

Signature of Applicant: Brent J. Wright

Date: 11-18-2014

Application received by: Trish Dougherty  
(Secretary to Board of Selectmen)

Date: 11.19.2014

**CONDITIONS and REQUIREMENTS**

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

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

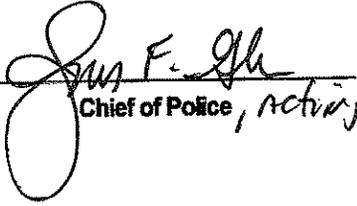
Any violation of applicable laws, by-laws, regulations, the above requirements, and/or special requirements made a condition of the granting of a Parade Permit will be grounds for immediate revocation of the Parade Permit, prosecution, and denial of future parade permissions.

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

We hope to assemble at Bas-Relief Park:

- Walking south on Ryder Street;
- Turning west onto Commercial Street;
- Turning north onto Court Street;
- Turning east onto Bradford Street;
- Ending back at Bas-Relief Park

**APPROVALS**

  
 Chief of Police, Acting

Date 11-21-2014

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

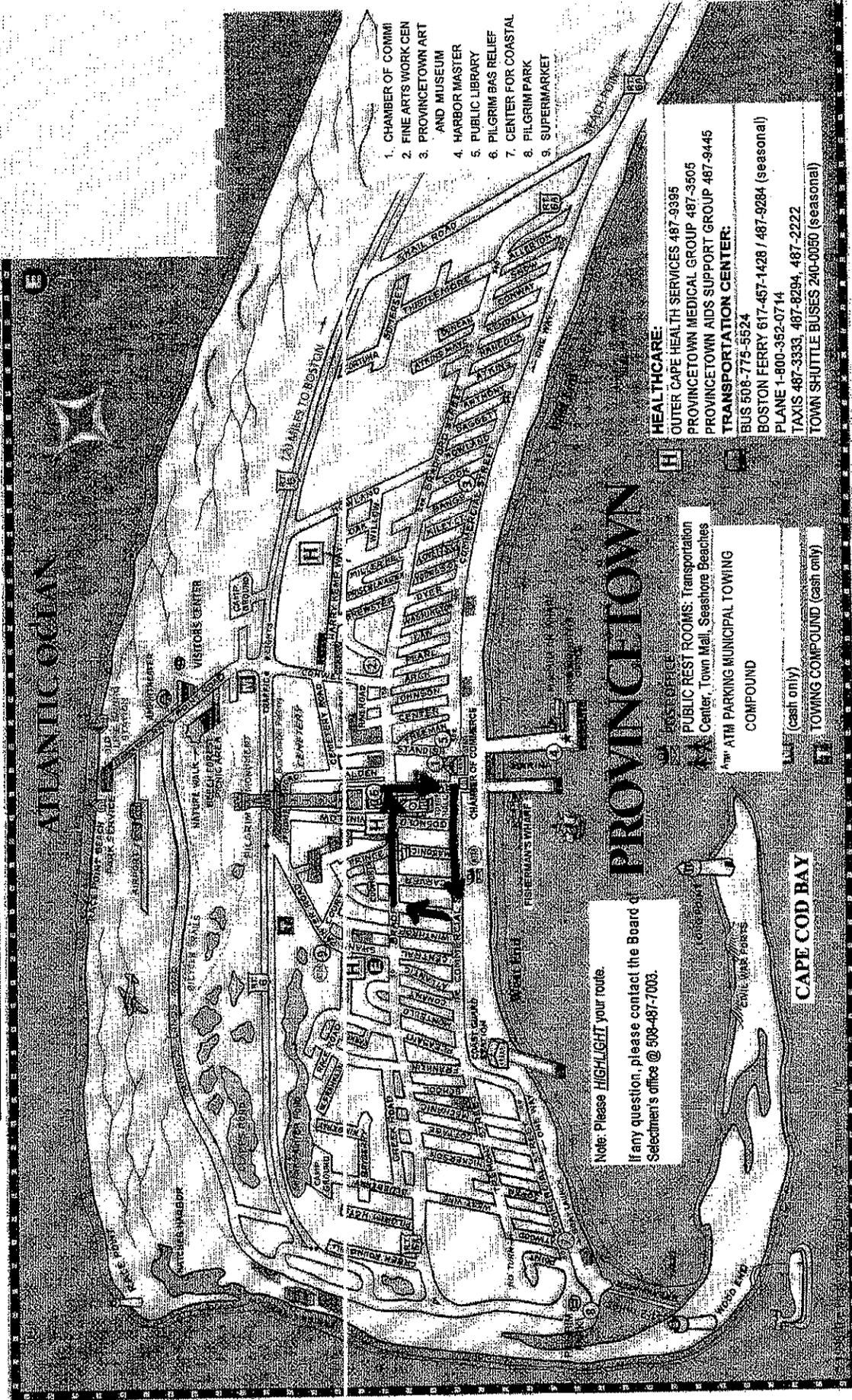
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please highlight your Parade Route on the Map





Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 8, 2014



## TREASURER'S TRANSFERS

### John Anderson Francis Scholarship Fund

Requested by: Treasurer Constance Boulos, 11/24/14

Action Sought: **Approval**

#### Proposed Motion(s)

MOVE that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$10,500.00 from the John Anderson Francis Scholarship Fund for the payment of scholarship(s).

#### Additional Information

Attached are the minutes and payment authorization from the John Anderson Francis Scholarship Committee in support of this request totaling \$10,500.00 leaving a remaining balance in the John Anderson Francis Scholarship Fund of \$1,140,636.13.

#### Board Action

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



# TOWN OF PROVINCETOWN

## REQUEST OF TRANSFER OF FUNDS

Date: December 8, 2014  
To: Constance Boulos, Treasurer  
From: Board of Selectmen

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

\$ 10,500.00 awarded scholarship invoice

\$ 10,500.00 Total

to be used to pay: scholarship award(s).

The Honorable Board of Selectmen:

---

Thomas N Donegan, Chair

---

Erik Yingling, Vice Chair

---

Cheryl Andrews, Selectman

---

Raphael Richter, Selectman

---

Robert Anthony, Selectman



John Anderson Francis Family Scholarship Committee  
Minutes of Meeting on Wednesday, November 19, 2014  
Provincetown High School Building  
12 Winslow Street  
Provincetown, MA 02657

The meeting convened at 4:00 PM. The following members were present: Mary S. Beck, Olympia Ciliberto, Eleanora Irving, Julia Perry and Robert Speiser. Mary Ann Cabral was excused.

There were no public comments.

J. Perry moved to approve the minutes of the November 12 joint meeting with the Town Scholarship Committee, subject to an amendment. R. Speiser seconded and the motion was unanimously approved.

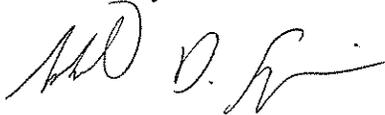
At 4:07, the Committee adjourned to meet in executive session.

On motion by O. Ciliberto, seconded by R. Speiser, the Committee unanimously voted to award eleven applicants a total of \$10,500 from the John Anderson Francis Family Scholarship fund, and ten scholarships totaling \$5000 from the Captain Joseph Oliver Scholarship Fund.

At 4:30, the Committee reconvened its public meeting, and discussed a draft of the description of the Committee's activities to be submitted for possible inclusion in the Town's annual report.

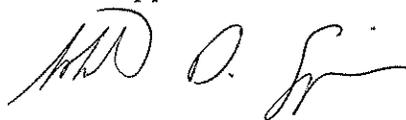
The meeting adjourned at 4:45.

Submitted by



Robert D. Speiser  
Acting Secretary

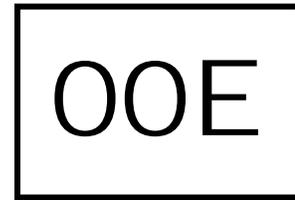
Minutes Approved



Robert D. Speiser  
Chair



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 8, 2015



## TREASURER'S TRANSFERS

### Captain Joseph F. Oliver Scholarship Fund

Requested by: Treasurer Constance Boulos, 11/24/14

Action Sought: **Approval**

#### Proposed Motion(s)

MOVE that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$5,000.00 from the Captain Joseph F. Oliver Scholarship Fund for the payment of scholarship(s).

#### Additional Information

Attached are the minutes and payment authorization from the John Anderson Francis Scholarship Committee in support of this request totaling \$5,000.00 leaving a remaining balance in the Captain Joseph F. Oliver Scholarship Fund of \$498,901.56.

#### Board Action

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



# TOWN OF PROVINCETOWN

## REQUEST OF TRANSFER OF FUNDS

Date: December 8, 2014  
To: Constance Boulos, Treasurer  
From: Board of Selectmen

As Commissioners of the Captain Joseph F. Oliver Scholarship Fund permission is hereby granted to you, the Treasurer of Provincetown, to pay the following award(s).

\$ 5,000.00 awarded scholarship invoice

\$ 5,000.00 Total

to be used to pay: scholarship award(s).

The Honorable Board of Selectmen:

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

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

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

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

\_\_\_\_\_  
Bobby Anthony, Selectman



John Anderson Francis Family Scholarship Committee  
Minutes of Meeting on Wednesday, November 19, 2014  
Provincetown High School Building  
12 Winslow Street  
Provincetown, MA 02657

The meeting convened at 4:00 PM. The following members were present: Mary S. Beck, Olympia Ciliberto, Eleanora Irving, Julia Perry and Robert Speiser. Mary Ann Cabral was excused.

There were no public comments.

J. Perry moved to approve the minutes of the November 12 joint meeting with the Town Scholarship Committee, subject to an amendment. R. Speiser seconded and the motion was unanimously approved.

At 4:07, the Committee adjourned to meet in executive session.

On motion by O. Ciliberto, seconded by R. Speiser, the Committee unanimously voted to award eleven applicants a total of \$10,500 from the John Anderson Francis Family Scholarship fund, and ten scholarships totaling \$5000 from the Captain Joseph Oliver Scholarship Fund.

At 4:30, the Committee reconvened its public meeting, and discussed a draft of the description of the Committee's activities to be submitted for possible inclusion in the Town's annual report.

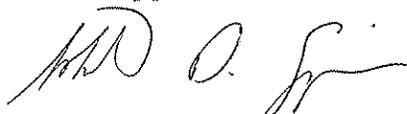
The meeting adjourned at 4:45.

Submitted by



Robert D. Speiser  
Acting Secretary

Minutes Approved



Robert D. Speiser  
Chair



Provincetown Board of Selectmen  
Monday, December 8, 2014

00F

## Bond Anticipation Note #1105

Requested by: Connie Boulos, Treasurer 11/25/14

Action Sought: **Approval**

### Proposed Motion(s)

MOVE that the Board of Selectmen vote to renew Bond Anticipation Note #1104 in the amount of **\$2,850,000** dated December 19, 2014 at 0.40% (\$11,368.77) interest payable at maturity to Cape Cod Five Cents Savings Bank due December 18, 2015.

### BOND ANTICIPATION NOTE ~ BAN #1105

#### Renewal:

**From the April 2, 2012 Special Town Meeting:**

Article #5 -Wastewater Optimization

**\$ 2,850,000**

**TOTAL BAN #1105**

**\$ 2,850,000.00**

### Additional Information

#### Renewal of #1104 for Wastewater Optimization

$$\text{Interest Rate} = \$2,850,000.00 \times .40\% / 365 \times 364 = \$11,368.77$$

### Board Action

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

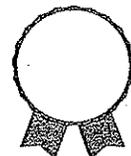
# The Commonwealth of Massachusetts

## 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 PROVINCETOWN, 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 PROVINCETOWN 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)*





No. 1105

\$ 2,850,000.00

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

Date of Issue December 19, 2014

For Value Received, the inhabitants of the Town of Provincetown

by their Treasurer, hereto duly authorized by vote of said Town passed on \_\_\_\_\_

04/02/2012 STM

or by Massachusetts General Laws Chapter 44, Section 788, or both,

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

at Cape Cod Five Cents Savings Bank

the sum of Two Million Eight Hundred Fifty Thousand Dollars

on 12/18/2015, with interest at an annual rate of 4.0% payable at maturity.

Countersigned and Approved

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

Majority of  
the Board of  
Selectmen

Signed  
Christopher Broussard  
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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

00G

## EXECUTIVE OFFICE OF PUBLIC SAFETY

State 911 Department Training Grant and EMD/Regulatory Compliance Grant Application

Requested by: Acting COP James Golden, 12/3/14

Action Sought: Approve Application

### Proposed Motion(s)

*MOVE that the Board of Selectmen vote to authorize the Acting Chief of Police to submit a State 911 Department Training and EM/Regulatory Compliance Grant to the Executive Office of Public Safety; in the amount of \$14,285.71, for reimbursement of overtime and allowable expenses incurred relating to the training and certification of enhanced 911 telecommunicators as well as the Medical Director fee required for quality assurance of EMD according to 560 CMR 5.0.*

### Additional Information

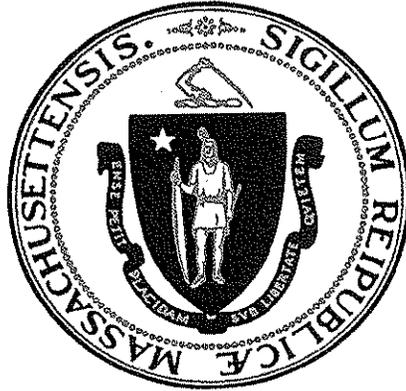
*See attached grant application from Acting Chief of Police James Golden. This grant does not require matching funds.*

### Board Action

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

**Commonwealth of Massachusetts**

**Executive Office of Public Safety and Security  
State 911 Department**



**State 911 Department  
Training Grant and EMD/Regulatory Compliance Grant  
Guidelines and Application Package  
Fiscal Year 2015**

**Deval L. Patrick  
Governor**

**Andrea J. Cabral  
Secretary, Executive Office of Public Safety and Security**

**Frank Pozniak  
Executive Director, State 911 Department**

**1380 Bay Street, Building C  
Taunton, MA 02780-1088  
Phone (508) 828-2911  
Fax (508) 828-2587  
[www.mass.gov/e911](http://www.mass.gov/e911)**

**All applications shall be mailed or hand delivered. No applications will be accepted via fax or email. All applications must be received by 5:00 P.M. on Wednesday, April 1, 2015.**

WHAT'S NEW for the Fiscal Year 2015 State 911 Department Training Grant  
and EMD/Regulatory Compliance Grant

- Training Grant funding allocation of 7% and minimum award of \$10,000 (p. 6).
- 2013 Call Volume will be utilized for Fiscal Year 2015 (p. 6).
- Applicants/grantees that propose to change the method by which EMD is provided are required to submit a written transition plan to the State 911 Department for approval (p. 9).
- Allowable expenses expanded to cover personnel costs (overtime only) of police and fire department personnel conducting CPR training of PSAP personnel for PSAPs that provide EMD in-house through certified EMD dispatchers (p. 13).
- Application deadline of April 1, 2015 (p. 15).
- Year end budget modifications shall be submitted by April 30, 2015 (p. 17).
- Clarification on type of documentation required for reimbursement of proof of course completion and conference attendance (pp. 17, 18).
- Timeframe for processing of reimbursement requests changed from twenty (20) days to thirty (30) days (pp. 18, 19).

## Introduction

Governor Deval L. Patrick , Secretary of the Executive Office of Public Safety and Security Andrea J. Cabral, and State 911 Department Executive Director Frank Pozniak are pleased to announce the Fiscal Year 2015 funding for the State 911 Department Training Grant and EMD/Regulatory Compliance Grant.

The State 911 Department is a department within the Executive Office of Public Safety and Security and is responsible for administering the State 911 Department Training Grant and EMD/Regulatory Compliance Grant. The State 911 Department is inviting eligible entities to submit applications for grant funds under the State 911 Department Training Grant and EMD/Regulatory Compliance Grant. All information needed to apply is contained in this application package.

The following guidelines have been developed for the State 911 Department Training Grant and EMD/Regulatory Compliance Grant and are applicable for Fiscal Year 2015.

**The guidelines and funding levels will be reviewed annually by the State 911 Department and are subject to change, with Commission approval, with each funding cycle.**

**Note:** The Fiscal Year 2015 Grant will begin on July 1, 2014 and run through June 30, 2015. The “Effective Date” of the individual awards shall be determined in accordance with Section 1 of the Commonwealth Terms and Conditions, which provides as follows: “The effective start date of performance under a Contract shall be the date a Contract has been executed by an authorized signatory of the Contractor, the Department, a later date specified in the Contract or the date of any approvals required by law or regulations, whichever is later.” **There shall be no reimbursement for costs incurred prior to the Effective Date of the Contract, and all goods and services MUST be received on or before June 30, 2015.**

## II. Definitions

The following words and phrases, as used in this document and the related application package, shall have the following meaning, unless the context clearly requires otherwise.

Automatic Number Identification or ANI: an enhanced 911 service capability that allows for the automatic display of a telephone number used to place or route a 911 call.

Automatic Location Identification or ALI: an enhanced 911 service capability that allows for the automatic display of information relating to the geographical location of the communication device used to place a 911 call.

Cardiopulmonary resuscitation or CPR certification: a certification demonstrating successful completion of an American Red Cross, American Heart Association, or other cardiopulmonary resuscitation training and certification program that is approved by the Department.

Certified emergency medical dispatch resource or certified EMD resource: a limited secondary PSAP, primary PSAP, regional PSAP, regional secondary PSAP, secondary PSAP, RECC,

wireless state police PSAP, or private safety department that is equipped to provide ANI and ALI displays and that is approved by the Department to provide emergency medical dispatch services for a PSAP or RECC through emergency medical dispatchers.

Commonwealth: the Commonwealth of Massachusetts.

Department: the State 911 Department.

Emergency Medical Dispatch or EMD: the management of requests for emergency medical assistance by utilizing a system of: (a) tiered response or priority dispatching of emergency medical resources based on the level of medical assistance needed by the victim; and (b) pre-arrival first aid or other medical instructions given by trained personnel responsible for receiving 911 calls and directly dispatching emergency response services.

Emergency Medical Dispatch Protocol Reference System or EMDPRS: a system approved by the Department that includes a protocol for emergency medical dispatcher response to calls, including structured caller questioning for patient condition, incident facts, and scene safety, pre-arrival instructions, post-dispatch instructions (such as first responder, basic life support and/or advanced life support), a continuous quality assurance program that measures compliance with the protocol through ongoing random case review of each emergency medical dispatcher.

Enhanced 911 Fund: the fund established under section 35JJ of Chapter 10 of the Massachusetts General Laws.

Enhanced 911 Telecommunicator: an individual who acts in the capacity of an enhanced 911 call taker.

Executive Director: the executive director of the State 911 Department.

Governmental Body: a state board, committee, special committee, subcommittee or commission, however created or constituted within the executive or legislative branch of the commonwealth or the governing board or body of any authority established by the general court to serve a public purpose in the commonwealth or any part thereof; a board, commission, committee or subcommittee of any district, city, region or town, however elected, appointed or otherwise constituted, and the governing board of a local housing, redevelopment or similar authority, provided that such entity currently operates a PSAP or RECC or seeks approval from the Department to operate a PSAP or RECC.

Grantee: an eligible applicant that has contracted with the State 911 Department to receive funds under the State 911 Department Training Grant and EMD/Regulatory Compliance Grant. Only governmental bodies and municipalities are eligible to be grantees.

Limited Secondary PSAP: a facility equipped, at a minimum, with automatic number identification and automatic location information display or printout capability. It receives 911 calls only if transferred from the primary PSAP. Data sent to a limited secondary PSAP cannot be re-routed to another location and may not necessarily be transmitted simultaneously with the voice call.

Post-dispatch Instructions: case-specific advice, warnings, and treatments given by a certified emergency medical dispatcher whenever possible and appropriate after dispatching field responders in accordance with a Department-approved EMDPRS.

Pre-arrival Instructions: scripted medical instructions given whenever possible and appropriate to provide necessary assistance and control of the situation, including without limitation, potential life-saving instructions and post-dispatch instructions, prior to arrival of emergency medical services personnel in accordance with a Department-approved EMDPRS.

Primary PSAP: a PSAP equipped with automatic number identification and automatic location identification displays, and is the first point of reception of a 911 call. It serves the municipality in which it is located.

Private Safety Department: an entity, except for a municipality or public safety department, that provides emergency police, fire, ambulance or medical services.

Public Safety Department: a functional division of a municipality or a state that provides firefighting, law enforcement, ambulance, medical or other emergency services.

Quality Assurance of EMD: a systematic program and services consisting of medical control, medical review, call review, call tracking, deficiency identification, and remediation of emergency medical dispatch personnel, policies and procedures.

Regional PSAP: a PSAP operated by or on behalf of 2 or more municipalities or governmental bodies, or combination thereof, approved by the department, for the operation of enhanced 911 call taking and call transfer activities. A regional PSAP may also be engaged in, by agreement, the dispatching or control of public safety resources serving some or all of the municipalities or governmental bodies that comprise the regional PSAP, including where services are provided by a private safety department. If the regional PSAP serves all such municipalities or governmental bodies for the operation of enhanced 911 call taking and call transfer activities and dispatch services including where some dispatch services are provided by a private safety department, it shall be considered a regional emergency communication center. The regional PSAP shall be equipped with automatic number identification and automatic location identification displays, as approved by the department, and is the first point of reception of a 911 call.

Regional Secondary PSAP: a facility operated by or on behalf of 3 or more municipalities or governmental bodies, or a combination thereof, approved by the department, that enter into an agreement for the establishment and provision of regional dispatch and coordination of either police, fire protection or emergency medical services, or any combination thereof. A regional secondary PSAP is equipped with automatic number identification and automatic location identification displays. It receives 911 calls only when transferred from a primary or regional PSAP or on an alternative routing basis when calls cannot be completed to the primary or regional PSAP.

Regional Emergency Communication Center or RECC: a facility operated by or on behalf of 2 or more municipalities or governmental bodies, or combination thereof, as approved by the Department, that enter into an agreement for the establishment and provision of regional dispatch and coordination of emergency services for all such municipalities or governmental bodies including, but not limited to, a regional PSAP that provides enhanced 911 service and police, fire protection, and emergency medical services dispatch, including services provided by a private

safety department. The regional PSAP portion of the center shall be equipped with automatic number identification and automatic location identification displays, as approved by the department, and is the first point of reception of a 911 call.

Ringling PSAP: a PSAP equipped for receipt of voice communications only, and may not operate 24 hours each day. It receives 911 calls that are transferred from the primary PSAP.

Secondary PSAP: a PSAP equipped with automatic number identification and automatic location identification displays. It receives 911 calls only when they are transferred from the primary PSAP or on an alternative routing basis when calls cannot be completed to the primary PSAP.

Wireless State Police PSAP: a state police facility assigned the responsibility of primarily or entirely receiving wireless 911 calls and, as appropriate, dispatching emergency response services or transferring or relaying emergency 911 calls to other public or private safety departments or other PSAPs

### **III. Eligibility**

#### **A. Training Grant**

All primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs are eligible to receive funding under the State 911 Department Training Grant.

Funding for the State 911 Department Training Grant originates from a portion of the surcharge revenues received pursuant to M.G.L. Chapter 6A, § 18H. For fiscal year 2015, seven percent (7%) of the total surcharge revenues of the previous fiscal year will be allocated to the State 911 Department Training Grant.

Funding in the amount of up to fifty thousand dollars (\$50,000) of the seven percent (7%) referenced above will be allocated to a PSAP executive development and leadership scholarship program to be known as the PSAP Leadership Scholarship Program. All primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs are eligible to apply for funding under the PSAP Leadership Scholarship Program. In addition, the State 911 Department will support the expenses of a scholarship recipient to attend the Navigator Conference should that person be selected to receive the David Connolly CCM Leadership Award.

Awards to grantees under the State 911 Department Training Grant will be disbursed according to a formula that weighs both population<sup>1</sup> served and 911 call volume<sup>2</sup>, with a minimum award of \$10,000. A complete listing of eligible award amounts by PSAP can be found in Appendix A-Award Amounts by PSAP.

#### **B. EMD/Regulatory Compliance Grant**

In addition to amounts allocated under the State 911 Department Training Grant, primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs are eligible to apply for grant funding through the State 911 Department EMD/Regulatory Compliance Grant. Wireless state police PSAPs are eligible to apply for grant funding through the State 911 Department EMD/Regulatory Compliance Grant for allowable expenses relating to emergency medical

<sup>1</sup> 2010 U.S. Census.

<sup>2</sup> 2013 Call Volume will be utilized for Fiscal Year 2015.

dispatch services provided through a certified EMD resource (Category E) and for other emergency medical dispatch and quality assurance of emergency medical dispatch services (Category F) only.

Awards to grantees under the State 911 Department EMD/Regulatory Compliance Grant will be disbursed on an as needed basis. The State 911 Department reserves the right to adjust the amount allocated to the State 911 Department EMD/Regulatory Compliance Grant and/or to adjust the amount awarded to eligible grantees to ensure a proper allocation in accordance with the purpose of the State 911 Department EMD/Regulatory Compliance Grant.

Funding for the State 911 Department EMD/Regulatory Compliance Grant originates from a portion of the surcharge revenues received pursuant to M.G.L. Chapter 6A, § 18H.

#### IV. Purpose

##### A. Training Grant

The purpose of the State 911 Department Training Grant is to reimburse primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses relating to the training and certification of enhanced 911 telecommunicators, including emergency medical dispatch programs and quality assurance of emergency medical dispatch programs.

Primary PSAPs, regional PSAPs, and RECCs who transfer 911 calls to a secondary PSAP or limited secondary PSAP may be reimbursed, under the State 911 Department Training Grant, for expenses relating to the training and certification of enhanced 911 telecommunicators located at such secondary PSAP or limited secondary PSAP, except that funding for expenses for EMD training and/or EMD certification of enhanced 911 telecommunicators located at such secondary PSAP will be authorized only for a secondary PSAP serving as the alternate PSAP for a primary PSAP or as a certified EMD resource for a primary PSAP, regional PSAP, or RECC or for a limited secondary PSAP that serves as the certified EMD resource for the applicant.

**Except as otherwise expressly noted herein for allowable expenses for administrator backroom training and for attendance at the State 911 Department Dispatch Academy, funding for the State 911 Department Training Grant shall first be used to meet minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, and funding may be used for other purposes only after funding has been used to meet such requirements. PSAPs are reminded that the State 911 Department training and certification requirements for enhanced 911 telecommunicators include annual continuing education obligations.**

##### B. EMD/Regulatory Compliance Grant

M.G.L. c. 6A, § 18H provides that the State 911 Department shall establish standards requiring PSAPs to have certified emergency medical dispatch personnel or to provide emergency medical dispatch through a certified emergency medical dispatch resource. The State 911 Department has established standards requiring PSAPs to have certified emergency medical dispatch personnel or to provide emergency medical dispatch through a certified emergency medical dispatch resource.

The primary purpose of the State 911 Department EMD/Regulatory Compliance Grant is to reimburse primary PSAPs, regional PSAPs, regional secondary PSAPs, RECCs, and wireless state police PSAPs for allowable expenses relating to emergency medical dispatch services provided through a certified emergency medical dispatch resource and for allowable expenses for other emergency medical dispatch and quality assurance of emergency medical dispatch services.

In addition, for good cause shown, primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs may be eligible for supplemental grant funding through the State 911 Department EMD/Regulatory Compliance Grant for allowable expenses relating to the training and certification of enhanced 911 telecommunicators (and primary PSAPs for allowable expenses relating to the training and certification of enhanced 911 telecommunicators of its secondary PSAP which serves as its alternate), including emergency medical dispatch and quality assurance of emergency medical dispatch programs, not otherwise funded by the State 911 Department Training Grant, in order to meet the minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department.

In order to qualify for such supplemental grant funding under the State 911 Department EMD/Regulatory Compliance Grant, the applicant shall be required to demonstrate, with supporting documentation to the satisfaction of the State 911 Department, as follows:

- (1) good cause why supplemental funding should be awarded (e.g., the applicant seeks funding in order to meet the minimum training and certification requirements for a newly hired enhanced 911 telecommunicator and such expenses could not reasonably have been anticipated; the applicant seeks funding for an increase in a contractual obligation for allowable emergency medical dispatch software that could not reasonably have been anticipated, etc.);
- (2) the applicant has exhausted all funds awarded to the applicant under the State 911 Department Training Grant to meet the minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, except as otherwise expressly permitted herein;
- (3) the applicant has not used funds awarded to the applicant under the State 911 Department Training Grant for purposes other than to meet the minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, except as otherwise expressly permitted herein and except if the applicant demonstrates to the satisfaction of the State 911 Department that: a) the applicant used funds awarded to the applicant under the State 911 Department Training Grant for other purposes only after the applicant had first used State 911 Department Training Grant funding to meet such minimum requirements; and b) the applicant could not reasonably have anticipated the expenses for which the applicant seeks funding.

The State 911 Department reserves the right, in its sole discretion, to require, as a condition of awarding supplemental funding under the State 911 Department EMD/Regulatory Compliance Grant, that the applicant shall first exhaust all available grant funding under other State 911 Department grant programs. The State 911 Department reserves the right, in its sole discretion, to adjust the amount awarded as supplemental funding under the State 911 Department EMD/Regulatory Compliance Grant by the amount of available and unexpended funds under other State 911 Department grant programs.

**Except as otherwise expressly noted herein for allowable expenses for administrator backroom training and for attendance at the State 911 Department Dispatch Academy no funding will be authorized under the State 911 Department EMD/Regulatory Compliance Grant unless the applicant has first demonstrated it will exhaust, during this grant funding cycle, all available funding awarded through the State 911 Department Training Grant to meet the minimum requirements established by the State 911 Department.**

**No funding will be authorized under the State 911 Department Training Grant or the State 911 Department EMD/Regulatory Compliance Grant for expenses relating to EMD training or EMD certification of enhanced 911 telecommunicators at a primary PSAP, regional PSAP, or RECC if the PSAP or RECC provides emergency medical dispatch through a certified EMD resource.**

If an applicant/grantee seeks to change the manner in which the applicant/grantee complies with the minimum requirements governing emergency medical dispatch established by the State 911 Department, the grantee shall submit a written transition plan to the State 911 Department for approval. A transition plan is required if an applicant/grantee: 1) seeks to change the EMDPRS that is utilized by the applicant/grantee; 2) currently provides EMD through certified emergency medical dispatchers and seeks to provide EMD through a certified EMD resource; 3) currently provides EMD through a certified EMD resource and seeks to provide EMD through certified emergency medical dispatchers; or 4) seeks to change the certified EMD resource utilized by the applicant/grantee.

The transition plan shall address, at a minimum, the following:

- The current method by which the applicant/grantee provides EMD;
- The proposed method by which the applicant/grantee seeks to provide EMD (including proposed effective date);
- How the applicant/grantee shall ensure that it shall comply with the minimum requirements governing emergency medical dispatch established by the State 911 Department;
- The reasons for the proposed change and the potential for positive public safety benefits; and
- The fiscal impact of the proposed change, including without limitation, steps taken by the applicant/grantee to reduce the need for additional funding (e.g., reuse of EMD products previously funded under this Grant, etc.)

## **V. Use of Funding**

### **1. Categories of Use of Funds**

Grantees may only use grant funds for the purposes indicated below. Use of all grant funding shall be (a) related to the training and certification of enhanced 911 telecommunicators, except as otherwise expressly noted herein for administrator backroom training; (b) related to emergency medical dispatch programs and quality assurance of emergency medical dispatch programs; and (c) approved by the State 911 Department. All wage reimbursements authorized under the Program shall be allocated by the grantee in adherence to applicable collective bargaining agreements. However, the State 911 Department is not bound by or required to adhere to grantee collective bargaining agreements when determining allocations or reimbursements.

**A.1. Fees:** Funding may be authorized for the expenses of live or online training courses, and certifications/recertifications, 911 accreditation of PSAPs, and quality assurance of EMD, to include applicable vendor fees, registration fees, and instructor fees. Funding may be authorized for membership fees for the following national and industry-recognized professional organizations:

The Association of Public Safety Communications Officials (APCO)  
National Emergency Number Association (NENA)

and for membership fees (not to exceed one membership per PSAP or RECC) for the following professional organization:

Massachusetts Communications Supervisors Association (MCSA).

Expenses associated with attendance at conferences will **NOT** be covered, except that funding may be authorized for conference registration fees only (but not for any other expenses associated with attendance) for APCO, NENA, and Navigator conferences. Requests for approval of conference registration fees for conferences other than APCO, NENA, and Navigator conferences, along with a conference agenda (including a list of key speakers), shall be submitted to the State 911 Department at least twenty-one (21) days in advance of the conference. Grantees are advised that failure to obtain prior express WRITTEN authorization from the State 911 Department may result in denial of reimbursement of any and all expenses associated with conferences fees for conferences other than APCO, NENA, and Navigator.

**A.2. PSAP Leadership Scholarship Program**

Funding for the PSAP Leadership Scholarship Program shall be awarded by the State 911 Department in its sole discretion based on selection criteria established by the MCSA to be approved by the State 911 Department. Funding may be awarded for expenses associated with attendance at the 2014 Communications Center Management Program, not to exceed one person per PSAP, for persons who are certified as an enhanced 911 telecommunicator and employed by a primary PSAP, regional PSAP, regional secondary PSAP, or RECC. Expenses may include salary costs (straight time or replacement time, but not both, for classroom time), course fees, airfare, lodging, meals (in accordance with Massachusetts “Redbook”), and other expenses, associated with attendance at the 2014 Communications Center Management Program.

To apply for the scholarship, an application shall be submitted to MCSA on or before June 1, 2014. MCSA shall submit nominations to the State 911 Department on or before July 15, 2014. Additional information regarding the PSAP Leadership Scholarship Program is available on the MCSA website at [www.ma911.org](http://www.ma911.org). In addition, the State 911 Department will support the expenses of a scholarship recipient to attend the Navigator Conference should that person be selected to receive the David Connolly CCM Leadership Award.

**B. Personnel Costs:** Funding may be authorized to defray the costs of salary enhanced 911 telecommunicator personnel, including enhanced 911 telecommunicators who are emergency communications dispatchers or supervisors. In order to be eligible for such funding, a grantee shall show that the personnel costs to be reimbursed: (1) cover only personnel who are trained and certified as an enhanced 911 telecommunicator in accordance with the requirements of the State 911 Department, or are in the process of obtaining such certification, in accordance with the requirements of the State 911 Department; and (2) except as otherwise approved by the State 911 Department are solely for hours in which funding shall be assigned to specific identified

personnel, and the funding shall be applied to the personnel costs associated with such specific identified personnel.

These costs may include: straight time expenses for new hires to meet the minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, straight time expenses or replacement expenses, but not both, for attendance at the State 911 Department Dispatch Academy, and straight time expenses for part-time and/or reserve employees for participation in Grant-related activities; overtime expenses for participation in Grant-related activities; replacement expenses (straight time for part-time and/or reserve employees, or overtime) for participation in Grant-related activities; and associated fringe benefits and/or indirect costs as applied by a municipality or the Commonwealth. Grantees will be reimbursed for classroom hours and reasonable travel time only, except that, with respect to approved in-house training courses conducted by PSAPs, funding may be authorized for course trainer preparation time. Reimbursement for such course trainer preparation time shall not exceed twenty (20) per cent of the number of course hours and shall be supported by detailed documentation, including but not limited to, a detailed description of the dates, times, and nature of the course trainer preparation activity. Travel time, where applicable, will be verified utilizing a recognized mileage guide such as mapquest.com.

Funding for personnel costs for participation in on-line training courses may be authorized for up to one (1) additional hour per person per year, with supporting documentation from the participant's supervisor.

**Administrator Backroom Training:** Funding may be authorized for personnel costs for employees of the applicant for administrator backroom training on the use and operation of 911 equipment, including but not limited to, the operation and use of digital logging recorders, not to exceed eight (8) hours (which may consist of two (2) four (4) hour classes) per PSAP annually. The grantee shall submit supporting documentation from the PSAP supervisor attesting that the training and hours are for personnel whose job duties include the operation and use of the 911 equipment for which training is sought. No funding for such training will be available under the State 911 Department EMD/Regulatory Compliance Grant. To the extent that the applicant has additional training needs, the State 911 Department will make every effort to conduct on-site training.

Certified enhanced 911 telecommunicators or new personnel working toward obtaining such certification for whom reimbursement requests are submitted shall be identified on Appendix D-Personnel Costs. A PSAP may add a certified enhanced 911 telecommunicator or new personnel working toward such certification following the award of the grant by submitting a request to [911DeptGrants@state.ma.us](mailto:911DeptGrants@state.ma.us). Said request shall contain the information noted on Appendix D-Personnel Costs and shall provide documentation of the required certifications received from attendance at courses hosted by an entity other than the State 911 Department. The State 911 Department will review the request and advise, in writing, whether or not the request has been approved.

**C. Training Software and Other Products:** Funding may be authorized for the purchase, installation, replacement, maintenance, and /or upgrade of software and other products related to the certification and training of enhanced 911 telecommunicators, including but not limited to, call handling guide cards (such as crimes in progress and emergency medical dispatch call handling guides), call handling software, emergency medical dispatch software, skill and ability testing software, and additional related training materials such as books and guides. No funding will be available for equipment, hardware, or internet service. Funding for replacement of training software and other products previously funded under the State 911 Department Grant

programs will be authorized only for good cause shown. No funding for EMD software will be available under the EMD/Regulatory Compliance Grant unless the grantee is a regional PSAP or RECC.

**If the applicant provides EMD through a certified EMD resource, no funding will be available for emergency medical dispatch software or emergency medical dispatch products at the PSAP or RECC.**

All technology or telecommunications related goods or services must be compliant with applicable laws, rules, regulations, and standards. Grantees shall specify that they have referenced [www.mass.gov/accessibility](http://www.mass.gov/accessibility), [www.access-board.gov](http://www.access-board.gov), the Massachusetts Architectural Access Board regulations at [www.mass.gov/aab](http://www.mass.gov/aab), and the Massachusetts Office on Disability standards and best practices at [www.mass.gov/mod/ADACoordinators.html](http://www.mass.gov/mod/ADACoordinators.html) to determine what laws, rules, and standards apply and what efforts they have made to ensure specific compliance therewith. Failure to make adequate ascertains of compliance will result in denial of funding for the requested goods or services.

**D. Lodging:** Funding for lodging expenses may be authorized for participation in training courses that are scheduled for two (2) or more consecutive days and the distance of which is equal to or greater than ninety (90) miles away from where travel originates. Lodging expenses may only be authorized for nights of stay that occur between consecutive training course days, except with the prior WRITTEN approval of the State 911 Department *prior to travel* where (1) travel originates from the Islands of Martha's Vineyard and/or Nantucket; or (2) in cases of extreme hardship. Travel distance for lodging will be calculated using the place of employment as the origination point and will be verified utilizing a recognized mileage guide such as mapquest.com.

Grantees are advised that failure to obtain prior express WRITTEN authorization from the State 911 Department may result in denial of reimbursement of any and all expenses associated with lodging.

### **EMD/Regulatory Compliance Grant**

**E. Certified EMD Resource:** Funding may be authorized for emergency medical dispatch services, including quality assurance of emergency medical dispatch, provided through a certified emergency medical dispatch resource. The applicant shall make a best value selection; execute a signed formal, binding agreement or contract with the certified EMD resource; and demonstrate the potential for positive public safety benefits.

**F. Other Emergency Medical Dispatch and Quality Assurance of Emergency Medical Dispatch Services:** Funding may be authorized for emergency medical dispatch services, including quality assurance of emergency medical dispatch, for the following allowable expenses to meet the minimum requirements governing EMD established by the State 911 Department.

- Personnel costs not eligible for funding under other State 911 Department grant programs for case review of calls requesting medical assistance to identify compliance with the emergency medical dispatch protocol reference system, in accordance with the guidelines of the EMDPRS;

- Personnel costs not eligible for funding under other State 911 Department grant programs for quality assurance evaluation review session in accordance with the guidelines of the EMDPRS;
- Personnel costs not eligible for funding under other State 911 Department grant programs for preparation of reports documenting the quality assurance case review process utilized to identify compliance with the EMDPRS;
- Fee for EMD medical director review and approval of emergency medical dispatch quality assurance program; and
- Personnel costs (overtime only) of police and fire department personnel conducting CPR training of PSAP personnel for PSAPs that provide EMD in-house through certified EMD dispatchers.

**The State 911 Department reserves the right to request documentation that the requested funding represents the best value.**

**All goods and services shall be received on or before June 30, 2015 to be eligible for reimbursement under the Fiscal Year 2015 State 911 Department Training Grant and EMD/Regulatory Compliance Grant.**

## **2. Training Courses**

Funding will be available for training courses, including approved on-line training, as follows: (a) courses, certifications, and training hosted by or offered by the State 911 Department; and (b) courses, certifications, and training directly related to 911 communications hosted by other entities.

### **A. Training Courses Hosted or Offered By the State 911 Department**

The State 911 Department will host or offer the State 911 Department Public Safety Communications Academy, modules, equipment training, emergency medical dispatch training, and other training throughout the grant period (July 1 – June 30). All courses, certifications, and training hosted or offered by the State 911 Department are free of charge. No vendor fees will be charged to participants. Funding may be authorized for reimbursement of personnel costs and lodging expenses, if applicable, to attend academies, modules, equipment courses, certifications, and other training hosted or offered by the State 911 Department. Please visit [www.mass.gov/e911](http://www.mass.gov/e911) to view a schedule of training classes and programs directly hosted or offered by the State 911 Department.

### **B. Training Courses Hosted by Entities other than the State 911 Department**

Reimbursement may be authorized for personnel costs, vendor fees, and lodging expenses, if applicable, to attend training courses including in-house training courses conducted by PSAPs and individualized “on the job” training, with appropriate documentation from the PSAP supervisor attesting to the training and hours, that are directly related to 911 communications. On the job training may include quality assurance of emergency medical dispatch in order to meet the minimum requirements governing emergency medical dispatch established by the State 911 Department.

The State 911 Department has compiled a listing of courses previously requested by PSAPs and authorized by the Department. All courses found on this list are considered to be approved and

no further advance written authorization from the State 911 Department is required. This list is not intended to limit training opportunities but is merely provided as a resource to Grantees.

The current list of approved training courses may be found at Appendix B – Current List of Approved Training Courses. Please note that this list is subject to change. Classes may be added or removed by the State 911 Department. As this list of training courses is compiled from requests received from Grantees for training courses, Grantees are encouraged to periodically visit [www.mass.gov/e911](http://www.mass.gov/e911) for an updated list. Please note this list is not intended to support or promote course providers, it is merely a compilation of courses requested by Grantees and reviewed and approved by the State 911 Department. Only Grantees and not vendors are permitted to submit courses for consideration of approval. The State 911 Department-approved continuing education training opportunities may be found at Appendix C- Continuing Education.

Grantees are encouraged to seek additional training opportunities and submit the sponsor of the course, vendor name, course curriculum, agenda, or syllabus, course location, and course cost to the State 911 Department for approval. Requests for funds for in-house training shall also include the name of the instructor, the credentials of the instructor, and the target audience. Requests for funds for in-house training must be requested each grant cycle, and authorization for such funding for a prior grant cycle does not constitute approval for a subsequent grant cycle. Such requests must be submitted by Grantee's authorized signatory at least twenty-one (21) days prior to the commencement of the course via email to [911DeptGrants@state.ma.us](mailto:911DeptGrants@state.ma.us). Although the State 911 Department will endeavor to provide authorization or denial of authorization to the PSAP within ten (10) business days of the request, failure of the State 911 Department to respond within such ten (10) business days does not confer authorization. No authorization for reimbursement will be made without the prior express written approval of the State 911 Department.

Grantees are advised that failure to obtain prior express WRITTEN authorization from the State 911 Department for costs associated with any training course that is not listed on the Approved Training Course List may result in denial of reimbursement of any and all costs associated with the training.

## **VI. Application Process**

All applicants shall submit to the State 911 Department one (1) original of the completed application, a fully executed Commonwealth of Massachusetts Contract Authorized Signatory Listing, including notary page(s) and completion of the highlighted areas of the Commonwealth's Standard Contract Form signed by an authorized signatory for the grant.

**PLEASE DO NOT SUBMIT BLANK PAGES FOR WHICH NO FUNDING IS REQUESTED.**

**All applications shall be signed and submitted by an authorized signatory of the applicant.**

All applications must be mailed or hand-delivered to the address below. No applications will be accepted via fax or email.

State 911 Department  
1380 Bay Street, Building C  
Taunton, MA 02780-1088

**ALL GRANT APPLICATIONS SHALL BE RECEIVED BY THE STATE 911 DEPARTMENT NO LATER THAN 5:00 P.M. ON WEDNESDAY, APRIL 1, 2015.**

The State 911 Department reserves the right, in its sole discretion, to extend the application deadline.

### **VII. Grant Review and Selection Process**

The State 911 Department staff will review all applications and make selection recommendations to the Executive Director or his designee. The State 911 Department staff will use its best efforts to review grant applications and to take the following action within fifteen (15) business days of receipt of the grant application: 1) request additional information from the applicant in the event that the grant application is not complete; 2) recommend approval of the grant; or 3) recommend denial of the grant, in part or in its entirety. If the State 911 Department staff determines, based upon its review of the grant application, that the grant application is not complete, the State 911 Department will notify the applicant by telephone and/or e-mail of the need to provide additional information and will notify the applicant that such additional information shall be provided to the State 911 Department staff. If the applicant fails to provide the requested information necessary to complete the application, the State 911 Department may consider the application closed and return the application to the applicant. If the application is closed and returned to the applicant, the applicant may resubmit the application, in which case the application will be considered a new application, and the review period will begin again.

Any denial of a grant application, in whole or in part, may be appealed to the Executive Director, or his designee, with supporting documentation. The Executive Director will use his best efforts to respond to the appeal within five (5) business days. All decisions of the Executive Director for selecting applicants for the State 911 Department Training Grant and EMD/Regulatory Compliance Grant are final.

The State 911 Department reserves the right, in its sole discretion, to extend any of the above processing timelines.

Adherence to the conditions detailed within the grant application package and other factors will be considered. These factors include:

- A reasonable and properly completed application; and
- Applicant's adherence to Grant Guidelines and Reporting Requirements.

### **VIII. Grant Funding Process**

Upon completion of the grant review and selection process, the State 911 Department will enter into contracts with approved applicants. After contract execution, the grantee can incur costs and seek reimbursement from the State 911 Department, provided that all award conditions have been satisfied.

- The State 911 Department will not reimburse for costs incurred prior to the contract effective date.
- All funding is subject to the availability of funds.

- Grantees shall maintain and retain accounting and other records of Grant-related information as required by applicable state and local laws and regulations. Such records shall be subject to examination, audit and inspection by the State 911 Department and/or any other federal, state, or local agency that has appropriate jurisdictional authority.
- The State 911 Department reserves the right to withhold future grant funding and/or disqualify grantee from participating in future grant awards if any grant funds received by the grantee are not properly accounted for or if the grantee fails to meet reporting requirements, including without limitation, reporting and/or certification requirements set forth in regulations and/or standards established by the State 911 Department.
- The State 911 Department may reimburse grantees for allowable expenses associated with fees incurred for training commenced but not completed during Fiscal Year 2015 (e.g., fees associated with long-term courses or 911 PSAP accreditation commenced but not completed during Fiscal Year 2015). Upon completion of such training, the grantee shall be required to provide the State 911 Department with proof of successful completion of such training, and the State 911 Department reserves the right to withhold future grant funding for the amount reimbursed if the grantee fails to provide proof of successful completion of such training.
- Funding of reimbursement requests received more than six (6) months after the close of the fiscal year under which the costs were incurred cannot be guaranteed.

### **Budget Modifications**

**After contract execution, the grantee is permitted to move amounts between approved categories for approved items without requesting prior approval from the State 911 Department.**

**Budget modifications and/or reallocating funding to a category and/or item not previously approved shall be subject to the prior written approval of the State 911 Department, and such approval shall be sought and obtained PRIOR to implementation of such reallocation or new budget items/expenses.**

Budget modification forms can be found at [www.mass.gov/e911](http://www.mass.gov/e911). This form should be completed, signed by an authorized signatory and forwarded along with a brief narrative explaining the requested changes. Budget modifications along with requested narrative and quotes (if applicable) SHALL be mailed to:

State 911 Department  
1380 Bay Street, Building C  
Taunton, MA 02780-1088

Although the State 911 Department will endeavor to provide authorization or denial of authorization to the PSAP or RECC within ten (10) business days of the request, failure of the State 911 Department to respond within such ten (10) business days does not confer authorization. No authorization for reimbursement will be made without the prior express written approval of the State 911 Department.

**Grantees are strongly encouraged to submit final, year-end budget modification requests on or before April 30, 2015.**

The State 911 Department reserves the right, in its sole discretion, to extend any of the above processing timelines.

All State 911 Department Training Grant and State 911 Department EMD/Regulatory Compliance Grant reporting forms will be made available at [www.mass.gov/e911](http://www.mass.gov/e911). Reimbursement forms shall be signed by grantee's authorized signatory and submitted to the State 911 Department by mail. Electronic signatures or fax copies of these forms will not be accepted. Please be sure to notify your Municipal Treasurer's/Finance Office as all payments will be issued to that office.

## **Reimbursement Process**

### **A. Reimbursement for Expenses Incurred**

After contract execution, the grantee can incur costs and seek reimbursement from the Department. Approval of reimbursement at the time of contract execution is conditional on the reasonableness of the request and adequacy of documentation at the time funds are to be disbursed.

**Reimbursement requests should be submitted to the Department within thirty (30) days of the date on which the cost is incurred.** Failure to submit requests within the noted timeframe may result in a delay of the funding process as detailed above. Reimbursement requests must include expenditure and activity reports as well as supporting documentation, including but not limited to, copies of receipts, proof of payment and/or payroll records. **All reimbursement requests shall be submitted within six (6) months of the contract end date.** PSAPs are advised that the Department is unable to guarantee funding for reimbursement requests received more than six (6) months after the close of the fiscal year under which costs were incurred.

For personnel costs, proof of payment shall include the individual name, pay period, pay date, rate of pay, number of hours paid and the total amount paid. As an example, the supporting documentation may be a copy of the payroll register/report from the city or town or copies of pay advices for the employee. Please note the payroll register/report does not need to segregate the "grant" costs, it simply needs to show payment to the individual for at least the amount of the requested reimbursement. In addition, proof of course completion (class roster or course certificate) and/or conference attendance (certificate or registration badge) is required for reimbursement of personnel expenses.

For vendor payments, proof of payment shall include the check/electronic funds transfer ("eft") number, the date of payment, the vendor name, and the amount of payment. As an example, the supporting documentation may be a copy of the check, cancelled check, check warrant report or a general ledger report. If the amount of the check is greater than the amount being requested, a breakdown of the payment should be provided to properly support the costs being requested. In addition, proof of course completion (class roster or course certificate) and/or conference attendance (certificate or registration badge) is required for reimbursement of vendor fees.

All State 911 Department Program reimbursement forms will be made available at [www.mass.gov/e911](http://www.mass.gov/e911).

## B. Release of Funding to Grantees for Anticipated Expenditures

The Department recognizes that grantees may have budget limitations that do not permit them to make significant purchases without adequate funds already in place. Therefore, the Department may disburse grant funds for anticipated expenditures as detailed below.

- Training Software and Other Products and Certified EMD Resource: Upon request of the grantee, anticipated expenditures may qualify for a disbursement of grant funds when the good/service is: (1) an approved budget item; (2) complies with all applicable purchasing policy, procedures, and regulations; (3) goods/services have been received/rendered (unless the contract with a certified EMD resource requires otherwise); and (4) a valid invoice from the vendor documenting receipt of the goods/services is produced. Documentation, including but not limited to, bid documents (where applicable), product information, shipping documents and additional pertinent and available information will be required prior to release of funds. Additional documentation, including but not limited to, proof of payment and other pertinent and available documentation shall be submitted to the State 911 Department within fifteen (15) days of issuance of payment by the grantee to the vendor. The State 911 Department reserves the right to withhold future disbursements to a grantee who fails to comply with reporting requirements.
- State Agencies: In compliance with Massachusetts finance law, funds may be disbursed upon execution of an intergovernmental service agreement (“ISA”) for state agencies hosting a PSAP. State agencies shall be required to submit the same level of documentation as detailed in Section VIII “Grant Funding Process” subsection A “Reimbursement for Expenses Incurred.” Failure to submit documentation in compliance with these grant guidelines may result in suspension or cancellation of the ISA and/or delays in future funding. Expenses identified by the State 911 Department as ineligible under this grant shall be removed from the child account within ten (10) business days of receipt of notification of ineligible expenses.

The State 911 Department staff will review all reimbursement requests and make selection recommendations to the Executive Director or his designee. The State 911 Department will e-mail the grantee an acknowledgment of receipt of grant reimbursement requests (if the e-mail address has been provided by the grantee on the grant reimbursement form).

The State 911 Department staff will use its best efforts to review reimbursement requests and take the following action within thirty (30) business days of receipt of the reimbursement request: 1) request additional information in the event that the reimbursement request is not complete; 2) recommend approval, in full or in part, of the reimbursement request; or 3) recommend denial of the reimbursement request. If the State 911 Department staff determines, based upon its review of the reimbursement request, that the reimbursement request is not complete, the State 911 Department will within thirty (30) business days notify the grantee (or the specific person that prepared the reimbursement request) by telephone and/or e-mail of the need to provide additional information and will notify the grantee that such additional information shall be provided to the State 911 Department staff within ten (10) business days in order to complete the reimbursement request. If the grantee fails to provide the requested information necessary to complete the reimbursement request within ten (10) business days of the request by the State 911 Department, the State 911 Department will take the following

action: 1) process the reimbursement request to the extent practicable; or 2) consider the reimbursement request closed and return the reimbursement request to the grantee. If the reimbursement request is closed and returned to the grantee, the grantee may resubmit the reimbursement request, in which case the reimbursement request will be considered a new reimbursement request, and the review period will begin again.

The State 911 will provide a letter of explanation with all reimbursement requests that are returned to a grantee. The State 911 Department will also notify, via e-mail, the authorized signatory(ies) for a grantee of all payments processed. In the event that a payment is processed for an amount less than that requested, the reason(s) for such reduction will be noted in the aforementioned e-mail notification.

Any denial of a reimbursement request, in whole or in part, may be appealed to the Executive Director, or his designee, with supporting documentation. The Executive Director will use his best efforts to respond to the appeal within five (5) business days. All decisions of the Executive Director for reimbursement requests under the State 911 Department Training Grant and State 911 Department EMD/Regulatory Compliance Grant are final.

#### **IX. Assistance**

A sample application form is posted on the State 911 Department website at [www.mass.gov/e911](http://www.mass.gov/e911).

For assistance please contact the State 911 Grant Specialist, Marilyn Godfrey at 508-821-7299 or [911DeptGrants@state.ma.us](mailto:911DeptGrants@state.ma.us).

For additional assistance, please refer to the following State 911 Department contact list:

| <b>Name</b>       | <b>Resource</b>   | <b>Contact Number</b> | <b>E-Mail</b>  |
|-------------------|---|-----------------------|--|
| Marilyn Godfrey   | Questions regarding application process, budget modifications                 | 508-821-7299          | <a href="mailto:911DeptGrants@state.ma.us">911DeptGrants@state.ma.us</a>         |
| Vicki Goetz       | Questions regarding supporting documentation for reimbursements               | 508-821-7211          | <a href="mailto:Vicki.Goetz@state.ma.us">Vicki.Goetz@state.ma.us</a>             |
| Michelle Hallahan | Questions regarding eligibility and process for reimbursements                | 508-821-7216          | <a href="mailto:Michelle.Hallahan@state.ma.us">Michelle.Hallahan@state.ma.us</a> |
|                   | Adding Enhanced 9-1-1 telecommunicators to a grant after contract award       |                       | <a href="mailto:911DeptGrants@state.ma.us">911DeptGrants@state.ma.us</a>         |
|                   | Requesting approval of a training course/in-house training                    |                       | <a href="mailto:911DeptGrants@state.ma.us">911DeptGrants@state.ma.us</a>         |
| Monna Wallace     | Questions regarding training, certification, and compliance with 560 CMR 5.00 | 508-821-7220          | <a href="mailto:Monna.Wallace@state.ma.us">Monna.Wallace@state.ma.us</a>         |
| Cathy Rodriguez   | Questions regarding training scheduling and training opportunities            | 508-821-7217          | <a href="mailto:Cathy.Rodriguez@state.ma.us">Cathy.Rodriguez@state.ma.us</a>     |
| Venus Wheeler     | Questions regarding training scheduling and training opportunities            | 508-821-7201          | <a href="mailto:Venus.Wheeler@state.ma.us">Venus.Wheeler@state.ma.us</a>         |

All applications shall be submitted to:

State 911 Department  
1380 Bay Street, Building C  
Taunton, MA 02780

State 911 Department Grant Application Checklist**Checklist:**

- Signed and Dated Training Grant and EMD/Regulatory Compliance Grant Application Page
- Completed Training Grant Budget Worksheet
- Completed EMD/Regulatory Compliance Grant Budget Worksheet, if applicable
- Completed EMD/Regulatory Compliance Grant Narrative Worksheet, if applicable
- Completed Appendix D – Personnel Costs
- Completed Authorized Signatory Listing Page
- Completed and Notarized Proof of Authentication of Signature Page
- Signed and Dated Standard Contract Page

**FY2015 Training Grant and EMD/Regulatory Compliance Grant**

|   |  |
|---|--|
| <b>1. Name of City/Town/Municipality</b>  | TOWN OF PROVINCETOWN   |
| Address   | 260 COMMERCIAL STREET  |
| City/Town/Zip   | PROVINCETOWN, MA 02657   |
| Telephone Number  | 508-487-7000   |
|   | 508-487-9560   |
| Website   | <a href="http://www.provincetown-ma.gov">www.provincetown-ma.gov</a>         |
| <br><b>2. Name of Applicant (PSAP)</b>  | PROVINCETOWN POLICE DEPARTMENT   |
| <b>Name/Title of Authorized Signatory</b>   | Acting Chief James F. Golden   |
| Address (if different from above)   | 26 Shankpainter Road<br>Provincetown, MA 02657                               |
| Telephone Number  | 508-487-1212   |
| Fax Number  | 508-487-4488   |
| Email Address   | <a href="mailto:jgolden@provincetown-ma.gov">jgolden@provincetown-ma.gov</a> |
| <br><b>3. Contact Name/Title for Grant Questions</b>  | Paige Perry, Administrative Assistant to Chief                               |
| Telephone Number  | 508-487-1212   |
| Fax Number  | 508-487-4488   |
| Email Address   | <a href="mailto:pperry@provincetown-ma.gov">pperry@provincetown-ma.gov</a>   |
| <br><b>4. Total State 911 Department Training Grant funds (not to exceed total amount allocated to PSAP).</b> | <b>\$ 10,000.00</b>  |
| <br><b>Total State 911 Department EMD/Regulatory Compliance Grant funds</b>                                   | <b>\$ 4,285.71</b>   |
| <b>Total</b>  | <b>\$ 14,285.71</b>  |

5. Applicant meets the EMD requirements established by the State 911 Department as follows:  
(choose one)

|  |                                     |  |
|--|-------------------------------------|--|
| <input checked="" type="checkbox"/> Provide EMD utilizing in-house certified emergency medical dispatchers. Please indicate EMD protocol being utilized. (Select One Only) |                                     |  |
| <input checked="" type="checkbox"/> APCO   | <input type="checkbox"/> PowerPhone | <input type="checkbox"/> Priority Dispatch |

OR

|   |
|---|
| <input type="checkbox"/> Provide EMD through a Certified EMD Resource:<br>Name of Certified EMD Resource: _____ |
| Please indicate EMD protocol being utilized. (Select One Only)  |
| <input type="checkbox"/> APCO <input type="checkbox"/> PowerPhone <input type="checkbox"/> Priority Dispatch    |
| Please attach a copy of the contract between the applicant and the Certified EMD Resource.                      |

*Sign below to acknowledge having read and agreed to the grant conditions and reporting requirements listed in the application packet.*

*Signed under the penalties of perjury this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.*

\_\_\_\_\_  
*Original Signature of Authorized Signatory (Blue Ink)*

**FY 15 TRAINING GRANT BUDGET WORKSHEET**

| CATEGORY  | AMOUNT              | NARRATIVE DESCRIPTION OF WHAT FUNDING WILL BE USED FOR AND IDENTIFICATION OF TYPES OF TRAINING  |
|---|---------------------|---|
| <b>A. FEES</b>  | <b>\$ 4,500.00</b>  | Fees associated with attendance at approved 911 training courses for certified telecommunicators for training and certification compliance which includes 16 hours of continuing education.   |
| <b>B. 1. Personnel Costs</b><br>*Please complete Appendix D                 | <b>\$ 5,500.00</b>  | Overtime for participants, replacement costs associated with participant attendance, straight time for part-time per diem for participation or replacement costs associated with training and certification compliance which includes 16 hours of continuing education. |
| <b>B 2. Fringe and/or Indirect Costs associated with Personnel Costs</b>    | \$                  |   |
| <b>C. Training Software and Other Products</b>                              | \$                  |   |
| <b>D. Lodging</b>   | \$                  |   |
| <b>TOTAL State 911 Department award to PSAP as set forth in Appendix A.</b> | <b>\$ 10,000.00</b> |   |

In order to receive reimbursement for allowable expenses relating to EMD and/or Quality Assurance of EMD programs, the applicant shall select and use a single EMD certification organization and a single EMDPRS.

Except as otherwise expressly noted herein for allowable expenses for administrator backroom training and for attendance at the State 911 Department Dispatch Academy, funding for the State 911 Department Training Grant shall first be used to meet minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, and funding may be used for other purposes only after funding has been used to meet such requirements.

Initial Here: \_\_\_\_\_

**FY 15 EMD/REGULATORY COMPLIANCE GRANT BUDGET  
WORKSHEET**

| CATEGORY  | AMOUNT       | NARRATIVE DESCRIPTION OF WHAT FUNDING WILL BE USED FOR AND IDENTIFICATION OF TYPES OF TRAINING   |
|---|--------------|--|
| <b>A. FEES</b>  |              |  |
| <b>B. 1. Personnel Costs</b><br>*Please complete<br>Appendix D  |              |  |
| <b>B 2. Fringe and/or Indirect Costs associated with Personnel Costs</b>                                | \$           |  |
| <b>C. Training Software and Other Products</b>  | \$           |  |
| <b>D. Lodging</b>   | \$           |  |
| <b>E. Certified EMD Resource</b>  | \$           |  |
| <b>F. Other Emergency Medical Dispatch and Quality Assurance of Emergency Medical Dispatch Services</b> | \$ 4,285.71  | Fee for Medical Director relating to quality assurance of EMD in compliance with 560 CMR 5.0 Please see attached Services Agreement for further details. |
| <b>TOTAL</b>  | \$ 14,285.71 |  |

Grant applicants seeking supplemental funding under the State 911 Department EMD/Regulatory Compliance Grant shall complete a project narrative. Applicants shall state good cause why supplemental funding should be awarded (e.g., training/certification of unanticipated new hire; unanticipated increase in contractual obligation, etc.) and shall include any and all additional information that further supports the request for such supplemental funding. (i.e., spreadsheet/worksheet attachment). A sample spreadsheet/attachment is posted on the State 911 Department website at [www.mass.gov/e911](http://www.mass.gov/e911).

Except as otherwise expressly noted herein for allowable expenses for administrator backroom training and for attendance at the State 911 Department Dispatch Academy, funding for the State 911 Department Training Grant shall first be used to meet minimum training and certification requirements for enhanced 911 telecommunicators and minimum requirements governing emergency medical dispatch established by the State 911 Department, and funding may be used for other purposes only after funding has been used to meet such requirements.

Initial Here: \_\_\_\_\_

|  |                          |   |                          |
|--|--------------------------|---|--------------------------|
| <b>CONTRACTOR LEGAL NAME:</b><br>(and d/b/a): TOWN OF PROVINCETOWN POLICE  |                          | <b>COMMONWEALTH DEPARTMENT NAME:</b> State 911 Department<br><b>MMARS Department Code:</b> EPS  |                          |
| <b>Legal Address: (W-9, W-4,T&amp;C):</b> 260 Commercial St., Provincetown, MA 02657   |                          | <b>Business Mailing Address:</b> 1380 Bay Street, Building C, Taunton, MA 02780   |                          |
| <b>Contract Manager:</b> Dan Hoot  |                          | <b>Billing Address (if different):</b>  |                          |
| <b>E-Mail:</b> dhoot@provincetown-ma.gov   |                          | <b>Contract Manager:</b> Marilyn Godfrey  |                          |
| <b>Phone:</b> 508-487-7015   | <b>Fax:</b> 508-487-9560 | <b>E-Mail:</b> 911DeptGrants@state.ma.us  |                          |
| <b>Contractor Vendor Code:</b> VC6000191950  |                          | <b>Phone:</b> 508-821-7299  | <b>Fax:</b> 508-828-2585 |
| <b>Vendor Code Address ID (e.g. "AD001"):</b> AD___<br>(Note: The Address Id Must be set up for EFT payments.)   |                          | <b>MMARS Doc ID(s):</b> CT GRNT   |                          |
|  |                          | <b>RFR/Procurement or Other ID Number:</b> FY2015 GRNT  |                          |
| <b>X NEW CONTRACT</b>  |                          | <b>___ CONTRACT AMENDMENT</b>   |                          |
| <b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b><br><input type="checkbox"/> <b>Statewide Contract</b> (OSD or an OSD-designated Department)<br><input type="checkbox"/> <b>Collective Purchase</b> (Attach OSD approval, scope, budget)<br><input checked="" type="checkbox"/> <b>Department Procurement</b> (includes State or Federal grants 815 CMR 2.00)<br>(Attach RFR and Response or other procurement supporting documentation)<br><input type="checkbox"/> <b>Emergency Contract</b> (Attach justification for emergency, scope, budget)<br><input type="checkbox"/> <b>Contract Employee</b> (Attach <b>Employment Status Form</b> , scope, budget)<br><input type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification, scope and budget)   |                          | Enter <b>Current Contract End Date</b> <u>Prior</u> to Amendment: _____, 20____.<br>Enter <b>Amendment Amount:</b> \$ _____. (or "no change")<br><b>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</b><br><input type="checkbox"/> <b>Amendment to Scope or Budget</b> (Attach updated scope and budget)<br><input type="checkbox"/> <b>Interim Contract</b> (Attach justification for Interim Contract and updated scope/budget)<br><input type="checkbox"/> <b>Contract Employee</b> (Attach any updates to scope or budget)<br><input type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification and updated scope and budget) |                          |
| The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;C)</b> has been executed, filed with CTR and is incorporated by reference into this Contract.<br><input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services  |                          |   |                          |
| <b>COMPENSATION:</b> (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.<br><input type="checkbox"/> <b>Rate Contract</b> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)<br><input checked="" type="checkbox"/> <b>Maximum Obligation Contract</b> Enter Total Maximum Obligation for total duration of this Contract (or <i>new</i> Total if Contract is being amended). \$ _____.  |                          |   |                          |
| <b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting <b>accelerated</b> payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)   |                          |   |                          |
| <b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) <b>For disbursement of funds under the State 911 Department FY2015 Training and EMD/Regulatory Compliance Grant as authorized and awarded in compliance with program guidelines and grantee's approved application.</b>  |                          |   |                          |
| <b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:<br>___ 1. may be incurred as of the <b>Effective Date</b> (latest signature date below) and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> .<br>___ 2. may be incurred as of _____, 20____, a date <b>LATER</b> than the <b>Effective Date</b> below and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> .<br>___ 3. were incurred as of _____, 20____, a date <b>PRIOR</b> to the <b>Effective Date</b> below, and the parties agree that payments for any obligations incurred prior to the <b>Effective Date</b> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.  |                          |   |                          |
| <b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>June 30, 2015</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.   |                          |   |                          |
| <b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the " <b>Effective Date</b> " of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <b>Contractor Certifications</b> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <b>Commonwealth Terms and Conditions</b> , this Standard Contract Form including the <b>Instructions and Contractor Certifications</b> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract. |                          |   |                          |
| <b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b><br><br>X: _____ Date: _____<br>(Signature and Date Must Be Handwritten At Time of Signature)<br>Print Name: <u>JAMES F. GOLDEN</u><br>Print Title: <u>ACTING CHIEF OF POLICE</u>  |                          | <b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b><br><br>X: _____ Date: _____<br>(Signature and Date Must Be Handwritten At Time of Signature)<br>Print Name: <u>Frank Pozniak</u><br>Print Title: <u>Executive Director</u>   |                          |

**INSTRUCTIONS:** Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

**NOTICE:** *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

| AUTHORIZED SIGNATORY NAME | TITLE                  |
|---------------------------|------------------------|
| JAMES F. GOLDEN           | ACTING CHIEF OF POLICE |
|                           |                        |
|                           |                        |
|                           |                        |
|                           |                        |

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

\_\_\_\_\_  
Signature

Date:

Title: ACTING TOWN MANAGER Telephone: 508-487-7000 x527

Fax: 508-487-9560

Email: dgardner@provincetown-ma.gov

[Listing can not be accepted without all of this information completed.]  
A copy of this listing must be attached to the "record copy" of a contract filed with the department.

**PROOF OF AUTHENTICATION OF SIGNATURE**

**This page is optional and is available for a department to authenticate contract signatures. It is recommended that Departments obtain authentication of signature for the signatory who submits the Contractor Authorized Listing.<sup>3</sup>**

**This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.**

Signatory's full legal name (print or type): JAMES F. GOLDEN

Title: ACTING CHIEF OF POLICE

**X**

Signature as it will appear on contract or other document (Complete only in presence of notary):

**AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:**

I, Paige E. Perry (NOTARY) as a notary public certify that I witnessed the signature of the aforementioned signatory above and I verified the individual's identity on this date:

\_\_\_\_\_, 20 \_\_\_\_.

My commission expires on: 10/16/2020

AFFIX NOTARY SEAL

I, \_\_\_\_\_ (CORPORATE CLERK) certify that I witnessed the signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an authorized signatory for the Contractor on this date:

\_\_\_\_\_, 20 \_\_\_\_.

AFFIX CORPORATE SEAL

<sup>3</sup> This form is required for this grant program.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

1A

## MCDBG 2015

### Community Development Strategy Public Hearing

Requested by: Grant Administrator, 12/3/14

Action Sought: discussion

#### Proposed Motion(s)

Conduct public hearing and accept comments on the Town of Provincetown's Community Development Strategy under the Massachusetts Community Development Block Grant's FY 2015 Community Development Fund program.

#### Additional Information

A copy of the CD Strategy is attached. This Strategy along with the hearing is required for a Mass. Community Development Block grant application both individually and regionally. The activities within the grant must be part of an identified need in the Strategy. The Strategy must be submitted no later than Jan. 13, 2015 to DHCD; can be no longer than 7 pages and must fit DHCD's format. Applications are anticipated to be due Feb. 13, 2015. There will be a future public meeting about proposed grants.

#### Board Action

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



Board of Selectmen

# Public Hearing

## FY 2015 Massachusetts CDBG Community Development Strategy

The Provincetown Board of Selectmen will hold a public hearing on **Monday, December 8, 2014 at 6 p.m.** in the Judge Welsh Room, Provincetown Town Hall, 260 Commercial Street, Provincetown MA 02657, to obtain public input on the town's proposed *Community Development Strategy [CDS]* under the Massachusetts Community Development Block Grant Program's FY 2015 Community Development Fund application which will summarize various planning documents and outline a potential action plan intended to accomplish specific community development goals, including those outlined in the town's Annual Goals, and potential activities in CDBG applications. The CDS is available on line at the Town's website [www.provincetown-ma.gov](http://www.provincetown-ma.gov) .

Any person or organization wishing to be heard will be given an opportunity at said hearing. For more information on the Community Development Strategy, contact Grant Administrator Michelle Jarusiewicz at 508/487-7087 or at [mjarusiewicz@provincetown-ma.gov](mailto:mjarusiewicz@provincetown-ma.gov) .

*Thomas N. Donegan  
Chairman, Board of Selectmen*

Posted - Town Hall, <http://www.provincetown-ma.gov>

Published - Provincetown Banner: November 20 and November 27, 2014

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# **Community Development Strategy**

## **TOWN OF PROVINCETOWN**

### **For FY 2015 CDF**

#### **PLANNING TOOLS**

The Town of Provincetown has many tools for Community Development Planning including the adoption of annual town-wide goals by the Board of Selectmen (short-term), the Local Comprehensive Plan (long-term) adopted by Town Meeting in April 2000, the Capital Improvements Program, The Housing Needs Assessment & action Plan, Capital Building Needs Assessment, and ongoing numerous community outreach efforts. All of these tools are community-based with many public meetings, and often involve a working group or task force that molds the process.

**Annual Town-wide Policy Goals establishes priorities:** The Town conducts an annual goal setting process which establishes the priorities for the upcoming fiscal year and determines the primary focus of board members and staff. For FY 15, the Board conducted a public hearing on 7/18/14. Following the Public Hearing, the Board issued its FY '15 annual goals as follows: (1) Fiscal Management, (2) Community Housing, (3) Capital Improvements & Infrastructure, (4) Government & Administration, (5) Economic Development, Tourism & Year-round Economy. Updates are provided to the Board of Selectmen at public meetings along with a final assessment of the goals accomplished. These goals are posted on the Town's website as well ([www.provincetown-ma.gov](http://www.provincetown-ma.gov)) and are listed in detail below. Throughout the year, in pursuit of each of these goals, along with other opportunities that arise, the Town pursues various funding strategies which include CDBG and non-CDBG funds. Recent examples include significant USDA funding for water and wastewater along with local CPA funds for the restoration of town hall, acquisition of land for affordable housing, and acquisition of land for a community garden. The Mass. Historical Commission provided funding in addition to town funds for the restoration of the Town Hall Auditorium and for the façade restoration of the Town Library.

**Capital Building Needs Assessment:** On 2/22/11, Bargmann Hendrie and Archetype, Inc. presented to the Town their report for the full assessment of all town-owned buildings, including building condition and repair needs.

**Community Housing Plan:** In 2013/2014, the Town updated its Housing Needs Assessment from 2006 and conducted a series of meetings that culminated in a Housing Summit attended by approximately 60 people. John Ryan of Development Cycles conducted the Assessment, the meetings & summit, and submitted a Housing Action Plan as a result. The Town has been aggressively pursuing a variety of strategies identified in that plan.

**Economic Development Planning:** In November 2014, the Town conducted a DART [Design & resiliency Team] process through AIA. The Team of consultants visited Provincetown on 2 occasions with a variety of community meetings and drafted resiliency recommendations with regard to economic development & community housing. A slide show was produced as part of the 11/19/14 presentation. Final report will be forthcoming.

**Local Comprehensive Plan [LCP]:** The above DART exercise is the town's kick-off for updating the LCP. The LCP process began in 1994 with a community survey and vision project. A public hearing was conducted on 1/11/00; the plan was adopted at the April 2000 Annual Town Meeting, the Cape Cod Commission held a public hearing on 6/29/00, and certified the plan on 7/13/00. There are 7 sections including Land Use & Management, Natural Resources, Open Space & Recreation, Historic Preservation & Community Character, Economic Development, Affordable Housing, and Community Facilities and Services. Each section has an introduction, goals and policies, inventory, analysis and action steps. FY'15 goal proposes to update the LCP.

**E0418 Community Development Plan:** The Town initiated its Community Development Planning process through the development of a Community Vision Statement to include Open Space/Resource Protection, Affordable Housing, Transportation, and Economic Development. A public forum was conducted on 6/16/03 followed by the establishment of a Community Development Working Group. They had broad representation including town staff, business organizations, art & cultural organizations, and the general public. Town staff met with more than 25 groups for input on the plan. In 2004, Provincetown underwent a visioning process as part of its Community Development Plan and tackled important local issues such as open space, affordable housing, local education, transportation, and economic development.

The Center for Policy Analysis at the UMass Dartmouth conducted a community survey prior to the April 2004 Annual Town Meeting. Survey questionnaires were distributed to all residents (approx. 3,800) and non-resident property owners (approx. 1,800). There were approximately 900 returned questionnaires [16%] of the total number distributed, a statistically valid sample size. The survey results demonstrated that the 2004 community goals were very similar to those developed in the 1988 Master Plan, the 1995 Vision Survey and the 2000 LCP.

**Capital Improvement Program:** Pursuant to the Provincetown Charter, a five-year Capital Improvements Program (CIP) must be prepared as part of the Annual Budget. The CIP must include a clear summary of its contents, a list of all improvements proposed to be undertaken during the next five years with supporting data, cost estimates, methods of financing, and recommended time schedule, and the estimated annual cost of operating and maintaining the facilities.

## **ACTION PLAN**

As described above, specific actions result from each of the above documents and activities. The EO 418 planning process was an ongoing, fluid, community based effort. Each year, the annual goal-setting process establishes priorities for the upcoming fiscal year building on accomplishments and incorporating ongoing and new needs. The FY'15 annual goal setting process resulted in the Selectmen adopting numerous goals in the categories as detailed below.

**Affordable Housing:** A common thread throughout all of these is the need for affordable housing. Housing has been a town-wide goal since 1997 and again is among the top annual town-wide goals in FY'15; there is a chapter in the LCP; a section in the EO 418 Community Development Plan, and both the 2013/2014 & 2006 Needs Assessments. Housing costs have skyrocketed due to the pressure created by the tourist/second home market combined with low wages and seasonal employment. This housing pressure threatens the ability of residents to remain in Provincetown and the ability of businesses to access the labor force needed during the critical summer months. Provincetown has seen significant out-migration of residents and the labor force due to housing pressures. This has significantly impacted the school system, with a declining enrollment of 61% between 2001 and 2011; the high school graduated its final class in 2013. In 2013/2014, the Town of Provincetown updated its 2006 Needs Assessment and Housing Action Plan. The process included two Affordable Housing Summits inviting the public to participate. While the recent economic crisis leveled the escalation, housing costs remain out of reach for the largely low and moderate income population [57%, HUD 2007], and for those of median and middle income as well. Following the completion of the 2 developments at 83 and 90 Shank Painter and 60 new rental units in 2012, the town is still in crisis mode and is aggressively pursuing many different strategies to create and maintain community housing. Consideration is also being given to the need for seasonal workforce housing.

Successful housing strategies include the sale of a town-owned Grace Gouveia building where a 1/3 of the units will be deed-restricted affordable rental units; a feasibility analysis of conversion to community housing at the former Community Center is underway by Mass. Housing Partnership; the acquisition of the former VFW site where a portion of the site will be used for community housing; the adoption of the Community Preservation Act in May 2004 and the April 2014 town meeting dedicating 60% of CPA funds to housing [instead of 10%]; the October 2014 Special Town Meeting adopted an optional donation checkbox to be included in tax bills; town meeting's amended Growth Management By-law (1997) which dedicates growth management permits for affordable housing projects; a Home Rule petition enacted (Ch 43, Acts of '00) to allow Provincetown to use 10% of its proceeds under the Cape Cod Open Space Acquisition Act (Land Bank) for affordable housing purposes; the creation of an Affordable Housing Trust Fund (Ch 230 Acts of '02); and the creation of an annual tax exemption for year-round affordable rental units [CH 408, Acts of '02]. Following a trend of converting commercial establishments to residential, on 11/13/06, the town approved a zoning-by-law requirement that a share of affordable housing units be created, to include not just new construction, but also changes in use which produce more than 5 units.

One successful strategy has been ongoing participation in housing rehabilitation programs for adding and maintaining affordable units. Strategies include the preference for use and reuse of existing structures and the utilization of the Community Preservation Act. With funding assistance from the CPA and technical assistance from the Mass. Housing Partnership, in 2007 the Town acquired 2.53 acres from Cumberland Farms for the creation of community housing at 90 Shank Painter Rd. In 2009, The Community Builders received a 40B Comprehensive Permit for the construction of 50 new rental units at the site and occupancy is now complete. Ten additional rental units at 83

Shank Painter Rd. are complete across the street. Begun in 2009, the Cape Cod Commission has been working with the town to develop a plan for the creation of sidewalks and bike paths along Shank Painter Road. An additional 23 units are in the development stage at Race Point Road. Other needs are under consideration including the development of additional senior housing; a local housing voucher program; and childcare. The Provincetown Housing Authority manages a 24 unit senior housing development that typically has a 5 to 7 year waiting list and has few resources for expansion and maintenance. A plan is underway for connecting this property to the Town's sewer.

**Water:** Limited water resources and the need to address the issue are demonstrated in all planning efforts, including as an integral component of the Growth Management By-law. As the adequacy of the water supply has become an increasingly critical issue, the town voted at the April 2000 annual town meeting to further restrict and more accurately measure future growth. Previously, the Growth Management Bylaw linked to Provincetown's limited water supply and capacity to manage solid and liquid waste, allowed only 23 new building permits (6,000gpd) per year. The amended by-law, established a new measure referred to as the *Growth Limitation Goal* which is defined as the annual allotment for increases in Title 5 Design flow for all proposed construction. The yearly allocation is limited to 3,650 gpd for the town. Prioritization of the water supply is further reflected in the annual town-wide goals as adopted by the Board of Selectmen with regard to the water management plan: 2011 acquisition of North Union Field [NUF] for a redundant water source, ongoing construction of the new NUF well fields by June 2013; construction of water treatment plant at Knowles Crossing; reduce unaccounted for water; and continue leak detection. With significant grant assistance from MCDDBG & USDA Rural Development program to address these needs, numerous construction projects are underway.

**Economic Development:** The recent DART effort promotes waterfront activities to encourage fishing & shellfishing, boat repairs, etc. along with streetscape improvements to encourage community activities in the area. The Local Comprehensive Plan (LCP) promotes Economic Development in Provincetown that is compatible with Provincetown's environmental, cultural, and economic strengths. Given limited available land (the Cape Cod National Seashore comprises 79% of the land area), restricted resources (such as fresh water and waste disposal sites), and sensitive environment, Provincetown's economic development options are somewhat limited. The LCP promotes the encouragement of yearround as well as seasonal enterprises; it encourages the reuse and rehabilitation of existing buildings for residential and yearround commercial growth; it recommends improving the economic well being of Provincetown's low and moderate income residents through job creation, job training, and affordable housing; it encourages building on Provincetown's arts heritage; and it supports the development of new business start-ups and the expansion of existing businesses in Provincetown. The Town is looking forward to a grand celebration in 2020 [The Mayflower landed here 1<sup>st</sup> in 1620!] and is beginning preparations including the renovation of the Bas Relief Park.

The LCP has also identified several areas that have significant impacts on economic development including the lack of affordable housing and the lack of childcare. "The lack of any licensed child care services in Provincetown has a strong impact on the flexibility of local families and employers vis-a-vis employment opportunities. The nearest child care center, the Children's Place in Eastham, has worked to recruit in-home childcare providers in Provincetown. In so doing, the center has found that outdoor play space requirements, the seasonal nature of the economy and limits to the number of children allowed per in-home license are among a number of obstacles to addressing this need. Strategies for meeting Provincetown's childcare needs include formalization of a working arrangement with the Children's Place, coordination with the Massachusetts Office for Children in finding in-home child care solutions, preparation of grant proposals and development of a working group of local child care providers." As a result, the Provincetown School has partnered with the Recreation Dept in providing an after-school program at the Community Center and has provided space within the school for the development of a comprehensive early childhood program.

## FUNDING

The Town has grappled with an onslaught of the most expensive capital projects over the past twenty years and continues to wrestle with budget-breaking items such as rising health care costs and drastic budget cuts at all levels including state and federal aid and grants for various programs. Phase 4 sewer construction is ongoing with \$12-million in USDA funding along with \$7.2-million in town funds. The sewer program began in 2003 with the \$16.5-

million sewer system [Phase 1] for a community that had no sewers-- only septic systems and cesspools—with a 0% interest loan under the State's Revolving Fund. With more than \$2-million in CPA funds, Phase 2 of the award-winning renovation of Town Hall was completed in 2010. The \$18.2-million reconstruction of the Town's MacMillan Pier was completed in 2003 with \$14.3-million in state and federal grants (including MDFA, EOTC, CDBG, and Seaport Bond Bill). A \$4-million project to rehabilitate the Town-owned Heritage Museum as a new public library is complete, with more than \$2.1-million in town funds, a \$1.87-million grant from the Mass. Board of Library Commissioners and additional funding from the Mass. Historical Commission. \$12-million in new water source acquisition and water main improvement projects were recently completed. In 2006, the Town partnered with New England Deaconess to take on the operational and financial responsibilities of the town-owned nursing home, while also expanding services to include outpatient rehabilitation therapies and affordable assisted living and independent living. It required a capital investment of \$900,000 in CPA funds towards the affordable housing component for 9 deed-restricted affordable rental units. A rather full plate for a Town of 2,942 year-round residents. The Town consistently pursues various funding opportunities— including CDBG, USDA, EOPS, MHP, MDPH, EOE, Barnstable County, and MCC, to address the needs of the community.

### **SUSTAINABLE DEVELOPMENT PRINCIPLES:**

Provincetown's approach to planning & development mirrors all of the Commonwealth's Sustainable Development Principles.

- 1. Concentrate Development and Mix Uses:** Given limited available land-- the National Seashore comprises 79% of the land mass of Provincetown—surrounded on three sides by water, restricted resources, and sensitive environment, Provincetown has no choice but to concentrate development. Provincetown traditionally has small lot sizes [many 5,000 SF] and mixed use parcels with Commercial Street full of businesses on the ground floor and apartments upstairs or in back. It is a walking town, with many residents choosing not to own a car as one can walk most any place. Redevelopment gets first consideration. The LCP encourages the reuse and rehabilitation of existing buildings for residential and year-round commercial growth. The recent complete historic renovation of town hall and the restoration of an old-Methodist Church (formerly the town museum) as the new town library are perfect examples. The former Grace Gouveia & former Community Center are being converted to housing purposes.
- 2. Advance Equity:** As described above, Provincetown routinely conducts open planning processes and encourages all to participate. The Vision survey recognized the considerable value placed by the community on diversity of all kinds including economic and social.
- 3. Make Efficient Decisions:** Provincetown promotes collaboration [both public and private] and is evaluating zoning by laws to simplify and clarify.
- 4. Protect Land and Ecosystems:** The LCP has 7 sections - Land Use and Management, Natural Resources, Open Space & Recreation, Historic Preservation & Community Character. In addition to the Land Bank, Provincetown adopted the Community Preservation Act, which sets aside funds for open-space acquisition, historic preservation, and community housing. Provincetown promotes water conservation. Provincetown has purchased numerous parcels of land with Town and grant assistance to set-aside as open-space and greenways for wildlife habitat. Provincetown cherishes its natural resources. Recent activities include the restoration of the Winthrop Street Cemetery, the acquisition of Jimmy's Pond - 2 acres of land [with Self-Help grant funds] for conservation purposes, and the purchase of two areas for community gardens [CPA, PARC]. The Town approved CPA funds and along with grant funds for the acquisition of 6 adjoining lots and Dunes Edge Campground.
- 5. Use Natural Resources Wisely:** Provincetown promotes water conservation through educational programs as well as its tiered water use pricing. Provincetown tax-payers pay into both the Land Bank and CPA with funds directed at open-space acquisition. CPA funds were used to acquire a parcel of land abutting a town well field to prevent development immediately adjacent and to protect the well field.
- 6. Expand Housing Opportunities:** As described above, Provincetown has been proactive in the development of housing strategies to support community housing across a range of incomes – low/moderate, median, and middle. Community Housing is a focal point of all planning processes and a primary concern identified by

residents through the 2004 vision process as well as through the 2006 & 2013 Needs Assessment and Housing Action Plan. With CPA Funds alone, over \$3-million has been authorized for housing projects.

7. **Provide Transportation Choice:** In addition to a local airport, buses to other communities, and seasonal ferry service, Provincetown has a very successful seasonal shuttle and participates with other Lower Cape towns in an expanded bus route – a flex-route – to provide greater choices for residents to access resources up Cape year-round. Provincetown is a very walk-able town, essentially 3 miles long by one mile wide with many residents choosing not to own a car as one can walk most any place.
8. **Increase Job and Business Opportunities:** As described above, economic development– the desire to promote economic diversity through a range of jobs and a varied economic base through the promotion of existing industries [fishing, tourism, arts, and culture] is reflected in the community survey and all of our planning documents. With funding and technical assistance from Barnstable County's Cape Cod EDC, the town has undertaken the collection and analysis of economic data for the provision of baseline data and the development of an economic development plan. The Town is awaiting the report from the recent DART exercise which includes recommendations for promoting waterfront based activities.
9. **Promote clean energy:** Provincetown was selected in Nov. 2014 to participate in Solarize Mass – a group purchasing program to make solar installations more affordable for home & business owners. Provincetown is a designated Green community and actively works on a variety of projects.
10. **Plan regionally:** Provincetown participates in many regional planning efforts through the Cape Cod Commission, the Lower Cape Cod Community Development Partnership, and its own planning efforts. For example, Provincetown has no potable water resources within its own borders—all of its drinking water comes from the neighboring town of Truro— through inter-municipal planning, Provincetown recently reached an agreement with the Town of Truro on a \$10.2 million public redundant water well in Truro. Provincetown has also participated in regional housing rehabilitation and childcare programs.

### **Adoption of Annual Town-wide Policy Goals for FY 2015**

The Provincetown Board of Selectmen held a Public Hearing on **Monday, July 28, 2014 at 6 p.m.** in the Judge Welsh Room, 260 Commercial Street, Provincetown, MA, and then and there voted to adopt the following Town-wide policy goals for Fiscal Year 2015:

#### **FY2015 Town Wide Policy Goals**

**Fiscal Management:** Explore different approaches to taxing property to promote year-round businesses and housing. Have a comprehensive discussion of possible changes in tax policy to support a year-round community, including small business exemption, year round residential exemption and taxing short term rentals. A five year Fiscal Policy Plan and a five year Capital Improvement Plan are essential tools needed for future forecasting and planning and are included in the Charter. However, from time to time it is important to take a longer view and for fiscal year 2015, we will work with staff to develop a 10 year Financial Plan that projects revenue and expenses to determine what, if any, changes in expense, revenue or development trends are required. Review the Clifton Larson Allen Audit Report and Management Letter and craft compliance plan.

**Community Housing:** Develop a plan to achieve 10% affordable units in 3 years. Create and begin implementing a plan to create year-round rental housing. Adopt the Housing Summit Report and establish concrete goals. Develop strategies to increase our year round population as measured by local census. Investigate the creation of a community housing investment fund that would be presented to Town Meeting voters. Bring a Zoning Bylaw revision to Town Meeting in spring 2015 to allow accessory units in the Res 1 zone that will be guaranteed as year round rental housing for at least 10 years. Investigate redevelopment of the Governor Bradford School and VFW sites for the benefit of community housing including incomes from 80% to 110% AMI and secure funds as required to complete the project.

**Capital Improvements and Infrastructure:** Continue the paving of Commercial Street and the implementation of the Town-wide Paving Management Plan. Continue to work with the Cape Cod Commission traffic engineers to review the completed traffic study analysis on Shank Painter Road and determine what infrastructure and capital improvements are required to improve access and safety for pedestrian and bike traffic as residential units are developed within the Shank Painter area. Conduct an overall traffic flow study of Provincetown. Reducing

unaccounted-for water by continuing with the leak detection and removal program that reduces water lost in the system with a goal of achieving 10% or less unaccounted-for water by 2015. Continue Storm Drain Repairs/Storm Water Run-Off/Harbor and Beach Management Plan. Special consideration should be paid to identifying solutions or alternatives to the Ryder Street Extension outfall pipe. Continue the pursuit of grants and other funding mechanisms in order to continue the process of completing these important drain rehabilitation projects each year.

**Government and Administration:** Recruit and hire a Town Manager and lead efforts to make the new Town Manager successful. Support efforts to amend the Charter to change the residency requirement for senior staff. Support and encourage Sustainable Energy Generation: Support and encourage the Historic District Commission to increase green energy generation and to increase energy self-sufficiency through the appropriate deployment of solar and wind generation. Seek revision of Zoning Bylaws as required to allow for appropriate Solar and Wind generation in all Town districts. Recruit Historic District Commission (HDC) members to fill HDC vacancies who are sympathetic to the importance of local generation of green energy. Initiate a study of ways to use Town owned buildings and land for solar and renewable energy projects of all kinds, including the Route 6 corridor. Work with the Department of Community Development to create a more effective and efficient environment for regulatory transactions between businesses and the Town and Town related boards. As an example encourage renewals rather than reapplication for licenses, properly incent self-regulation. Develop and implement a systematic process to grant and administer all Town concessions (i.e. trolley, map distribution, farmers market, etc.) as well as other nongovernmental organizations use of Town owned property. Community Policing: Re-establish community policing and institute community government in our town. Each department head would hold regular monthly meetings to build a relationship between community and government to address community issues. By reestablishing and implementing strategies such as the community policing committee along with open communication with the public, we can avoid misconduct and wrongdoing ahead of time and take proactive steps to eliminate it when it occurs. We need public oversight and transparency for the people to regain the trust of Town officials and employees again. Community policing allows the public to have a voice in their community. Work with the new Town Manager to hire a new Police Chief committed to community policing through effective partnerships with residents, businesses, employees and visitors. Encourage increased turnout at Town Meeting. Evaluate electronic voting. Evaluate a 'consent agenda' approach to routine articles. Prepare a plan to use alternative seating for Town Meeting Voters. Increase publicity of Town Meeting.

**Economic Development, Tourism and Year Round Economy:** Initiate an update of the Local Comprehensive Plan (LCP). Foster and support initiatives, including taxes, and fees that encourage a year round economy. Conduct a Traffic and Parking Study. Seek funds from grants or a Town Meeting appropriation to create a thorough, town-wide plan for future parking needs, road and traffic flow improvements. Included in this plan should be a series of recommendations for better integrating bicycles into our roadways, especially as it relates to connections to the Cape Cod National Seashore and Cape Cod rail trails. Economic Development of the Harbor: Work with Boards to study the possible expanded uses of Provincetown Harbor for passive and active economic development through aquaculture and enhanced facilities for mariners of all kinds as well as a full marketing plan to eventually encourage more visitors to arrive via private vessels. Create a Town-wide Bicycle Master Plan. Continue to pursue Provincetown as a bicycle friendly destination by the following actions: Creating a public awareness and safety campaign Implementing bicycle improvements and amenities throughout Town Connecting bike paths with Truro. Plan for the 2020 Celebration: Work to immediately establish a leadership structure and timeline for planning and executing a major opportunity to promote Provincetown to the world for the 2020 celebration. A list of improvements necessary to Town facilities should be created, and a clear plan should be established on how to move forward. Potential key partners, such as the Town of Plymouth, private ferry and ground transportation operators, and other regional partners should be brought in early to find ways to collaborate with Plymouth's celebration and transport the public frequently and easily between the two communities. Cape Cod National Seashore Continue to work in partnership with the CCNS to develop and expand bicycle lanes, trails and connections between the Seashore and Town. Encourage the CCNS to utilize local workers for upcoming projects. Prepare and submit local preferential work authorization requirements to the NPS/CCNS. Seek the Establishment of the Stellwagen Bank Marine Sanctuary, Visitor Center in Provincetown. Support efforts to restore the Bas Relief and to support completion of Fisherman's Memorial sculpture and AIDS Memorial.



## Affordable Housing Tax Exemption

### Public Hearing

Requested by: Housing Specialist 12/3/14 Action Sought: conduct hearing & approve

#### Proposed Motion(s)

Move that the Board of Selectmen vote to approve tenant eligibility for qualification under the Provincetown Affordable Housing Tax Exemption Program to increase to 80% Area Median Income from 60% Area Median Income effective July 1, 2015, for FY 2016.

#### Additional Information

See attached memo from Housing Specialist. This is one of the identified strategies in the 2014 Housing Action Plan to encourage the retention and creation of affordable year-round housing.

#### Board Action

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



## Board of Selectmen

# Public Hearing

## **Provincetown Affordable Housing Property Tax Exemption Program**

The Provincetown Board of Selectmen will hold a public hearing on **Monday, December 8, 2014 at 6 p.m.** in the Judge Welsh Room, Provincetown Town Hall, 260 Commercial Street, Provincetown MA 02657, to review proposed changes to the Provincetown Affordable Housing Property Tax Exemption Program. The tenant eligibility level for Property Owner's to qualify for the exemption is proposed to be increased from 60% AMI to 80% AMI.

The public is encouraged to submit any comments in writing to the Board of Selectmen, Town Hall, 260 Commercial Street, Provincetown, MA 02657, or to [selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov) or in person at the hearing.

*Thomas N. Donegan  
Chairman, Board of Selectmen*

Posted - Town Hall, <http://www.provincetown-ma.gov>

Published - Provincetown Banner: November 20 and November 27 , 2014

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# Memo

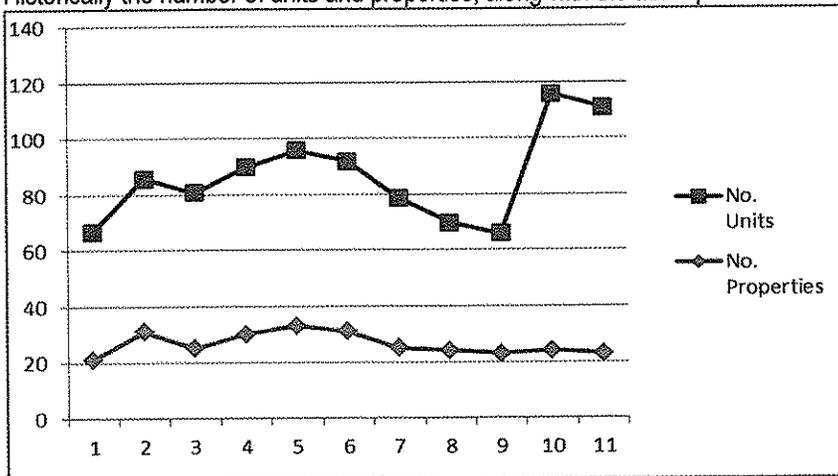
**To:** Board of Selectmen, Acting Town Manager David Gardner  
**cc:** Assessor Scott Fahle, Community Housing Council  
**From:** Michelle Jarusiewicz, Community Housing Specialist/Grant Administrator  
**Date:** December 3, 2014  
**Re:** Affordable Housing Tax Exemption Program

In 2002, the Town approved a special act for property tax exemptions for rental properties in the Town that were used as year-round affordable rental properties. On 12/19/02 Chapter 408 of the Acts of 2002 was signed; it was accepted on 5/6/03 and went into effect on 7/1/03. While the Act allows eligibility for up to 80% Area Median Income [AMI]; the Town implemented the program up to 60% AMI. The overall goal of this program is to encourage retention and development of affordable housing. The property owner must submit an application annually along with documentation for the eligible tenant to receive a pro-rated tax exemption. For example, if the owner resides in 1 unit of a 2 unit building and rents the other unit to an income eligible tenant on a year-round basis, a portion of the taxes is exempt. It is determined on a pro-rated basis – if the eligible unit is 50% of the total building, than 50% of the taxes are exempt.

The 2014 Housing Action Plan identified this as a strategy under "Getting the Incentives Right:"

**Action 3.2. Task the Board of Selectmen to adopt a policy authorizing eligibility under the current Property Tax Exemption program [Chapter 408 of the Acts of 2002] to allow for eligibility up to 80% AMI [Area Median Income] in a manner that reflects the need across a range of eligible incomes. This increase from the current 60% AMI will allow for greater incentives to allow for greater participation.**

Historically the number of units and properties, along with the tax impact is detailed below:



| <b>Fiscal Year</b> | <b>No. Properties</b> | <b>No. Units</b> | <b>Tax Amount</b> |
|--------------------|-----------------------|------------------|-------------------|
| 2004               | 21                    | 46               | \$ 32,110         |
| 2005               | 31                    | 55               | \$ 51,902         |
| 2006               | 25                    | 56               | \$ 48,955         |
| 2007               | 30                    | 60               | \$ 57,167         |
| 2008               | 33                    | 63               | \$ 70,103         |
| 2009               | 31                    | 61               | \$ 64,620         |
| 2010               | 25                    | 54               | \$ 50,606         |
| 2011               | 24                    | 46               | \$ 49,707         |
| 2012               | 23                    | 43               | \$ 46,723         |
| 2013               | 24                    | 92               | \$ 60,728         |
| 2014               | 23                    | 88               | \$ 61,182         |

Please let me know if you have any further questions.

Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657



Board of Assessors

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## FY 2014 Affordable Housing Property Tax Exemption for Owners of Affordable Year-round Rental Housing July 1, 2014 deadline for FY 2014

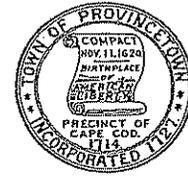
**Please Note: FY 2014 Final/Actual Tax Bill must be paid in full & Rental Certificate must be on file with the Licensing Department in order to submit application & receive exemption.**

*On May 6, 2003, at the Annual Town Election, Provincetown voters approved the acceptance of Chapter 408 of the Acts of 2002 providing for a property tax exemption for affordable year-round rental units in Provincetown. The program went into effect July 1, 2003*

***Property Tax Exemption*** — No property tax will be charged for that portion of the property, which is used for affordable housing purposes under this program. The amount of the exemption would be equal to the tax otherwise due multiplied by the square footage of the units set aside for affordable housing purposes divided by the total square footage of the structure.

***No deed restrictions are needed*** — Properties would qualify annually, with exemptions granted by the Board of Assessors on a year-to-year basis. If a property qualifies for that year, an exemption is granted for that year. The Town's Principal Assessor as an agent for the Board of Assessors will coordinate a review of tenants' income information — verified by Tax Returns of the previous year (i.e. 2013 Federal Tax Return for FY14 Exemption) or in the case of a person who receives Social Security and does not file a Tax Return, a copy of SSI Wage Statement or one monthly bank statement showing electronic transfer of Social Security payments). This eliminates the requirement for a deed restriction. **Property owners must have a lease in place for the entire fiscal year - July 1, 2013 to June 30, 2014** - in order for the Board of Assessors to be able to grant tax exemption for FY 2014. The lease must conform to income limits for low-income households as defined by HUD and shown in Table 1.

Town of Provincetown  
 260 Commercial Street  
 Provincetown, MA 02657



**Board of Assessors**

***For Year-round Rental Properties Only*** --- This tax exemption will only be available to owners of housing units, which are *rented* to low-income households, as defined in the program. Owners of Provincetown dwellings who live out of Town and who do not currently rent out all or part of their property on a year round basis may want to consider participating in this program. Doing so would create additional year-round affordable housing for income eligible residents, and would allow these property owners to receive reasonable rents as well as pay less in property tax.

***For Low Income Households only***

Renters' household income limits may not exceed 60% of the median household income for the region, as established by the Massachusetts Housing Partnership. Those limits----- based on household size --- are shown in Table 1.

**Table 1 -- Annual Income Limits --Household size Low Income (HUD 60%)**

| 1 Person | 2 Persons | 3 Persons | 4 Persons | 5 Persons | 6 Persons |
|----------|-----------|-----------|-----------|-----------|-----------|
| \$36,120 | \$41,280  | \$46,440  | \$51,540  | \$55,680  | \$59,820  |

If property owners rent at affordable rates to households, which earn above these income limits, then they are not eligible for the tax exemption. **Property owners and tenants should be aware that income verification of tenants requires documentation (i.e. Federal Tax Returns, Bank Statements, etc.).**

***Low Income Rent Limits*** Owners may not charge rents----- *including utilities*----- which exceed the following Massachusetts Housing Partnership rent limits for low income households, as shown in Table 2.

**Table 2 -- Monthly Rent Limits -- Number of bedrooms Low Income (MHP 60%)**

| SRO   | Efficiency | 1 BDRM | 2 BDRM  | 3 BDRM  | 4 BDRM  |
|-------|------------|--------|---------|---------|---------|
| \$677 | \$903      | \$967  | \$1,161 | \$1,340 | \$1,495 |

If property owners rent to income eligible households (per Table 1), but charge rents (including utilities) above those shown in Table 2, they are not eligible for the tax exemption. These rents assume that the landlord pays all utilities; an allowance for any utilities paid by tenants must be deducted from these rents (see Utility Allowances). **A twelve-month lease must be in place by July 1, 2013.**

Town of Provincetown  
 260 Commercial Street  
 Provincetown, MA 02657



**Board of Assessors**

**Utility Allowances**—Owners will need to subtract the allowed utility costs from the maximum rent if tenants pay their own utilities. See Table 3 below.

**Table 3 -- Monthly Utility Allowance – For Multi-Family & Attached Condos**

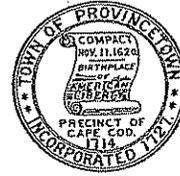
Note: Utility chart for single family and stand alone condo units available on request.

| Table 3: Multi-Family & Attached Condo Utility Allowance<br>Monthly Utility Allowance for Multi-Family & attached Condos |           |           |           |           |           |
|--|-----------|-----------|-----------|-----------|-----------|
|  | 0 Bedroom | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4 Bedroom |
| Heat-Oil   | \$28      | \$38      | \$51      | \$63      | \$78      |
| Heat-Gas   | \$41      | \$53      | \$69      | \$82      | \$96      |
| Heat-Electric  | \$35      | \$47      | \$64      | \$79      | \$88      |
| Heat-Propane   | \$21      | \$29      | \$40      | \$49      | \$60      |
| Plus +   |           |           |           |           |           |
| Electric (General)   | \$33      | \$40      | \$52      | \$59      | \$67      |
| Plus +   |           |           |           |           |           |
| Hot Water-Electric   | \$20      | \$28      | \$35      | \$42      | \$51      |
| Hot Water-Nat Gas  | \$16      | \$21      | \$25      | \$31      | \$36      |
| Hot Water-Oil  | \$11      | \$14      | \$18      | \$21      | \$25      |
| Hot Water-Propane  | \$20      | \$28      | \$36      | \$45      | \$57      |
| Plus +   |           |           |           |           |           |
| Cooking-Electric   | \$5       | \$7       | \$10      | \$12      | \$15      |
| Cooking-Nat-Gas  | \$6       | \$8       | \$9       | \$11      | \$14      |
| Cooking-Propane  | \$12      | \$16      | \$21      | \$26      | \$33      |

Utility Allowances - Owners will need to subtract the allowed utility costs from the maximum if tenants pays their own utilities. See table below for examples of Multi-Unit Dwellings

| Multi-Family & Attached Condo | Rental Unit-Type | Rental Unit-Rent See Table 2 | Utilities Paid by Tenant | Amount of Utilities See Table 3 | Rent - Utilities = Allowable Rent |
|-------------------------------|------------------|------------------------------|--------------------------|---------------------------------|-----------------------------------|
| Example 1                     | 1 BDRM           | \$967                        | Heat-Propane             | \$29                            | \$938                             |
| Example 2                     | 2 BDRM           | \$1,161                      | Heat-Oil                 | \$51                            | \$1,012                           |
|                               |                  |                              | Electric-General         | \$52                            |                                   |
|                               |                  |                              | Hot Water-Propane        | \$36                            |                                   |
|                               |                  |                              | Cooking-Electric         | \$10                            |                                   |
| Example 3                     | 3 BDRM           | \$1,340                      | Heat-Electric            | \$79                            | \$1,148                           |
|                               |                  |                              | Electric-General         | \$59                            |                                   |
|                               |                  |                              | Hot Water-Electric       | \$42                            |                                   |
|                               |                  |                              | Cooking-Electric         | \$12                            |                                   |

Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657



## Board of Assessors

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### Benefit

The benefit of the program is that property owners who do provide affordable housing are exempt from paying property tax on that portion of their property which is being rented at or below the affordable rates as shown above, to income-eligible households.

### Example

A particular dwelling is a duplex. The owner lives in one unit and rents out the other unit (of equal size) to an income eligible household at rents (including utilities) at or below those shown above. Without this affordable housing exemption, the property owner would have had a tax burden of \$4,000. If a lease for the full fiscal year (July 1, 2013 to June 30, 2014) is in place by July 1, 2013, then the owner could apply for a property tax exemption, and if granted, would pay property tax for the year of only \$2,000, or half of the full tax burden. Therefore, this affordable housing exemption, if granted by the Board of Assessors, would save the property owner \$2,000 in FY 2014 Real Estate Taxes. Land Bank & CPA taxes are not eligible for exemption.

### Background

At the April 1, 2002 Special Town Meeting, Provincetown voters approved STM Article 9, to submit a home rule petition for special state legislation allowing the Town of Provincetown to offer *a property tax exemption available to owners of housing units that are rented on a year-round basis to low income households at rents (including utilities) not exceeding HUD limits for low income households. This Town Meeting Article was introduced into the State Legislature as Senate Bill No. 2325. Following final enactment by both the House and Senate, the bill was placed before the Governor for signature on December 9, 2002 to become law. On December 19, 2002, Acting Governor Jane Swift signed this bill into law as Chapter 408 of the Acts of 2002.*

This Act required acceptance by Provincetown voters at a subsequent town election in order to take effect. On May 6, 2003, voters approved the acceptance of Chapter 408 of the Acts of 2002, providing for a property tax exemption for affordable year-round rental units in Provincetown. The program went into effect July 1, 2003.

### Contact Information

If you provide year-round rental housing to income-eligible households at affordable rates (or if you wish to), contact Principal Assessor Paul Gavin prior to July 1, 2014 at 508 487-7017 or [pgavin@provincetowngov-ma.gov](mailto:pgavin@provincetowngov-ma.gov) to obtain additional information about qualifying for this property tax exemption.

Name:  
Address:

Map/Parcel:  
Key:

ASSESSORS USE ONLY



DATE RECEIVED

ASSESSORS USE ONLY

**TOWN OF PROVINCETOWN**

Assessors Office (508) 487-7017

**FY 14 APPLICATION FOR AFFORDABLE HOUSING  
EXEMPTION**

(Ch.408 of the Acts of 2002)

*Rental Certificate must be on file with Licensing Department  
FY14 Tax Bill must be paid in full. Application Due July 1, 2014*

**INSTRUCTIONS:** Complete all sections that apply. Please print or type.

**A. Identification:** Complete this section fully.

Name of Applicant Property Owner \_\_\_\_\_

Social Security No. \_\_\_\_\_ (optional) Tel. No. \_\_\_\_\_

Mailing Address \_\_\_\_\_

Location of Property \_\_\_\_\_ No. of Dwelling Units \_\_\_\_\_

Did you own the property on July 1, 2013 \_\_\_\_\_?  Yes  No

If so, were you

Sole Owner  Co-owner with spouse/partner only  Co-owner with others

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership  GRANTED Assessed Tax \_\_\_\_\_  
 Tenant Income  DENIED Exempted Tax \_\_\_\_\_  
 Lease Adjusted Tax \_\_\_\_\_  
 Rental Certificate Verified \_\_\_\_\_ **Board of Assessors:**

Date Voted \_\_\_\_\_

Certificate No. \_\_\_\_\_

Date Cert./Notice Sent \_\_\_\_\_

Date

**B. Rental information:** Please complete information for each rental space for which you are seeking an exemption

Unit 1: Number of bedrooms in **this** affordable unit:  Studio     2-bedroom  4-bedroom  
 1-bedroom  3-bedroom

Rent \_\_\_\_\_/per month. Does this amount include all utilities?     Yes     No  
If not, which utilities are paid by the tenant? (*ie, electric, gas or oil heat, etc.*) \_\_\_\_\_

*(Note: The maximum allowable rent decreases if the tenant pays any utilities.)*

Number of Renters \_\_\_\_\_    Name(s) of renter(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**Gross Receipts from all Sources (Please supply information for each renter). Copies of renters' state and federal income tax returns must be submitted to verify income.**

Wages, Salaries and other Compensation..... \_\_\_\_\_

Unit 2: Number of bedrooms in **this** affordable unit:  Studio     2-bedroom  4-bedroom  
 1-bedroom  3-bedroom

Rent \_\_\_\_\_/per month. Does this amount include all utilities?     Yes     No  
If not, which utilities are paid by the tenant? (*ie, electric, gas or oil heat, etc.*) \_\_\_\_\_

*(Note: The maximum allowable rent decreases if the tenant pays any utilities.)*

Number of Renters \_\_\_\_\_    Name(s) of renter(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**Gross Receipts from all Sources (Please supply information for each renter). Copies of renters' state and federal income tax returns must be submitted to verify income.**

Wages, Salaries and other Compensation..... \_\_\_\_\_

Unit 3: Number of bedrooms in this affordable unit:  Studio  2-bedroom  4-bedroom  
 1-bedroom  3-bedroom

Rent \_\_\_\_\_/per month. Does this amount include all utilities?  Yes  No

If not, which utilities are paid by the tenant? (ie, electric, gas or oil heat, etc.) \_\_\_\_\_

(Note: The maximum allowable rent decreases if the tenant pays any utilities.)

Number of Renters \_\_\_\_\_ Name(s) of renter(s) \_\_\_\_\_

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

**Gross Receipts from all Sources (Please supply information for each renter). Copies of renters' state and federal income tax returns must be submitted to verify income.**

Wages, Salaries and other Compensation..... \_\_\_\_\_

(USE ADDITIONAL SHEET IF MORE SPACE IS NEEDED)

### ADDITIONAL INFORMATION

Do you have a lease for the aforementioned tenant(s) running from July 1, 2013 to June 30, 2014?

Yes  No (If yes, please provide us with a copy of this.)

Is your property rented **YEAR-ROUND** to income eligible tenants (ie, those making no more than 60% of the median household income for Barnstable County).

Yes  No

*Note: Property owners, who believe they qualify, must reapply for this tax exemption each year. If a property qualifies for a particular year, the tax exemption would be granted for that year. Owners may not at any time occupy any part of the affordable unit.*

*If property owners rent at affordable rates to households earning above these income limits, they are not eligible for this tax exemption. Likewise, if property owners rent to tenants making less than 60% of the County median income, but at rents that are above those considered to be affordable, no tax exemption will be granted.*

***FY14 Real Property Tax Bill must be paid in full before any exemption is granted.***  
***Rental Certificate must be on file with Licensing Department before any exemption is granted.***  
***Deadline for filing this application is July 1, 2014.***

**C. Signature:** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, it and all accompanying documents and statements are true, correct and complete.

\_\_\_\_\_  
Property owner's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Renter's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Renter's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Renter's signature

\_\_\_\_\_  
Date

**Please Note:**

**FY14 Real Property Tax Bill must be paid in full before any exemption is granted.**

**Rental Certificate must be on file & current with the Licensing Department before any exemption is granted.**

**Deadline for filing this application is July 1, 2014**

**For more information or assistance, please contact:**

**TOWN OF PROVINCETOWN**  
260 Commercial Street  
Provincetown, MA 02657  
Assessors Office (508) 487-7017  
[Pgavin@Provincetown-ma.gov](mailto:Pgavin@Provincetown-ma.gov)

Provincetown FY14  
Affordable Housing – Utility Insert

| Table 4: Single Family (Detached) Utility Allowance<br>Monthly Utility Allowance for Single Family Dwellings & Free Standing Units |           |           |           |           |           |
|--|-----------|-----------|-----------|-----------|-----------|
|  | 0 Bedroom | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4 Bedroom |
| Heat-Oil   | \$37      | \$47      | \$63      | \$77      | \$96      |
| Heat-Gas   | \$48      | \$63      | \$80      | \$95      | \$114     |
| Heat-Electric  | \$47      | \$64      | \$87      | \$107     | \$131     |
| Heat-Propane   | \$25      | \$34      | \$47      | \$57      | \$70      |
| Plus +   |           |           |           |           |           |
| Electric (General)   | \$33      | \$40      | \$52      | \$59      | \$67      |
| Plus +   |           |           |           |           |           |
| Hot Water-Electric   | \$20      | \$28      | \$35      | \$42      | \$51      |
| Hot Water-Nat Gas  | \$16      | \$21      | \$25      | \$31      | \$36      |
| Hot Water-Oil  | \$11      | \$14      | \$18      | \$21      | \$25      |
| Hot Water-Propane  | \$20      | \$28      | \$36      | \$45      | \$57      |
| Plus +   |           |           |           |           |           |
| Cooking-Electric   | \$5       | \$7       | \$10      | \$12      | \$15      |
| Cooking-Nat-Gas  | \$6       | \$8       | \$9       | \$11      | \$14      |
| Cooking-Propane  | \$12      | \$16      | \$21      | \$26      | \$33      |

Utility Allowances - Owners will need to subtract the allowed utility costs from the maximum if tenants pay their own utilities. See table below for examples of Single Family Dwellings

| Single Family and Free Standing Condo Units | Rental Unit-Type | Rental Unit-Rent See Table 2 | Utilities Paid by Tenant  | Amount of Utilities See Table 4 | Rent - Utilities = Allowable Rent |
|---|------------------|------------------------------|---|---------------------------------|-----------------------------------|
| Example 1                                   | 1 BDRM           | \$967                        | Heat-Propane  | \$34                            | \$933                             |
| Example 2                                   | 2 BDRM           | \$1,161                      | Heat-Oil<br>Electric-General<br>Hot Water-Propane<br>Cooking-Electric       | \$63<br>\$52<br>\$36<br>\$10    | \$1,000                           |
| Example 3                                   | 3 BDRM           | \$1,340                      | Heat-Electric<br>Electric-General<br>Hot Water-Electric<br>Cooking-Electric | \$107<br>\$59<br>\$42<br>\$12   | \$1,120                           |

| WORK SHEET                            | Rental Unit-Type | Rental Unit-Rent | Utilities Paid by Tenant  | Amount of Utilities | Rent - Utilities = Allowable Rent |
|---------------------------------------|------------------|------------------|---------------------------|---------------------|-----------------------------------|
| Single Family and Free Standing Units |                  | From Table 2     | List type of utility here | From Table 4        |                                   |
| Rental 1                              | Bedrooms         |                  | 1                         |                     |                                   |
|                                       |                  |                  | 2                         |                     |                                   |
|                                       |                  |                  | 3                         |                     |                                   |
|                                       |                  |                  | 4                         |                     |                                   |
| Rental 2                              | Bedrooms         |                  | 1                         |                     |                                   |
|                                       |                  |                  | 2                         |                     |                                   |
|                                       |                  |                  | 3                         |                     |                                   |
|                                       |                  |                  | 4                         |                     |                                   |
| Rental 3                              | Bedrooms         |                  | 1                         |                     |                                   |
|                                       |                  |                  | 2                         |                     |                                   |
|                                       |                  |                  | 3                         |                     |                                   |
|                                       |                  |                  | 4                         |                     |                                   |



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

2

## PUBLIC STATEMENTS

Requested by: Board of Selectmen

Action Sought: Open

Proposed Motion(s)

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

Additional Information

Board Action

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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**

Monday, December 08, 2014

3

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## SELECTMENS STATEMENTS

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

### Proposed Motion(s)

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

**Robert Anthony**

**Raphael Richter**

**Erik Yingling**

**Cheryl Andrews**

**Tom Donegan**

### Additional Information

### Board Action

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

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

4A

Joint Meeting with Open Space Committee  
Future of Land Bank

Requested by: Board of Selectmen

Action Sought: Discussion

Proposed Motion(s)

*Discussion Dependent*

Additional Information

See attached memo from Finance Director Dan Hoort with accompanying documents.  
See attached materials from Open Space Committee Chairman Dennis Minsky,

Board Action

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



## Finance Director

# Memo

**To:** Provincetown Board of Selectmen  
David Gardner, Acting Town Manager

**From:** Dan Hoort, Finance Director

**Date:** December 3, 2014

**Re:** Modified CPA Fund

The Town of Provincetown has the option of discontinuing the Land Bank fund and rolling the existing Land Bank funds into the newly created Modified CPA fund. There are three steps to follow should the town decide to take this action.

1. Vote to revoke the current CPA fund authorization
2. Vote to enact a modified CPA fund
3. End the Land Bank fund and transfer uncommitted funds to the modified CPA fund.

### Step 1 – Vote to Revoke Current CPA Fund authorization (see page 1)

The first step is to revoke the existing authorization for the current Community Preservation fund. Should the Selectmen wish to proceed with that step a warrant article would be inserted into the April town meeting warrant. If voters approved the article the current CPA fund would end on June 30, 2015.

The 3% surcharge would continue to appear on the tax bill until enough funds are collected to satisfy all existing obligations of the current CPA fund. In a worst case scenario the 3% surcharge would extend through early FY 2023. It may be possible for this to happen sooner if we refinanced some of our existing debt and were able to pay off some of our existing CPA debt.

### Step 2 – Vote to approve modified CPA Fund

An article would be inserted into the April town meeting warrant asking voters to authorize a modified CPA fund. If voters approved the modified CPA fund it would be funded by a 3% surcharge. The modified CPA fund would also be eligible to receive partial matching state funds. A sample of the modified CPA fund appears on page 3

### Step 3 – End the Land Bank fund

If voters authorized the creation of the modified CPA fund, the Land Bank fund would cease to exist. All remaining funds in the Land Bank along with any outstanding obligations would be transferred to the modified CPA fund. Current projections are that the net amount of the transfer after all obligations are satisfied would be \$1,164,914 (see page 2). Those funds would be transferred to the modified CPA fund and would be unrestricted as to their use.

### Summary

If desired by the Selectmen and approved by town meeting voters the modified CPA fund (page 3) would generate an estimated \$3,128,767 from FY 2016 to FY 2020. Added to the unused Land Bank funds the total would grow to \$4,293,681.

It should also be noted that the Affordable Housing Trust Fund is funded by 10% of the Land Bank receipts. If the Land Bank were disbanded a town meeting vote would be required to transfer any funds in the modified CPA fund to the Affordable Housing Trust Fund.

| <b>Community Preservation Fund</b> |          | <b>Balance</b>   |
|------------------------------------|----------|------------------|
| Balance at 06/30/14                |          | 1,932,188        |
| FY 2015 Est. Receipts Local        | 435,200  | 2,367,388        |
| FY 2015 Est. Receipts State        | 202,130  | 2,569,518        |
| FY 2015 Debt Service               | -464,528 | 2,104,990        |
| <b>Subtotal at 06/30/15</b>        |          | <b>2,104,990</b> |

| Outstanding Commitments at 06/30/14 |            |         |
|-------------------------------------|------------|---------|
| Stable Path                         | -540,000   |         |
| 10ATM Building Provincetown         | -12,500    |         |
| 13ATM Eastern School                | -50,000    |         |
| 13ATM Winthrop St Cem               | -50,000    |         |
| 13ATM Greensfelder Ct               | -72,916    |         |
| 14ATM Pilgrim Park                  | -30,000    |         |
| 14ATM Winthrop St Cem               | -30,000    |         |
| 14ATM B St Garden Stormwater        | -153,100   |         |
| 14ATM Connected Trails              | -43,214    |         |
| 14ATM Little Fix                    | -30,000    |         |
| 14ATM Big Fix                       | -180,000   |         |
| 14ATM CPA Admin                     | -20,766    |         |
| 14ATM Housing Office                | -67,475    |         |
| Outstanding Commitments             | -1,279,971 | 825,019 |

**Projected Balance at 06/30/15** 825,019

| <b>Balance in CPA Fund:</b>     |               | <b>825,019</b>                               |
|---------------------------------|---------------|--|
| Est. Receipts from 3% Surcharge |               |  |
| FY 2016                         | 446,080       | 1,271,099                                    |
| FY 2017                         | 457,232       | 1,728,331                                    |
| FY 2018                         | 468,663       | 2,196,994                                    |
| FY 2019                         | 480,379       | 2,677,373                                    |
| FY 2020                         | 492,389       | 3,169,762                                    |
| FY 2021                         | 504,699       | 3,674,461                                    |
| FY 2022                         | 517,316       | 4,191,777                                    |
| <b>FY 2023</b>                  | <b>73,413</b> | <b>4,265,190 Stop (smaller % in FY 2023)</b> |

| <b>Debt Service Balance</b> | <b>Principal</b> | <b>Interest</b> | <b>Balance</b> |
|-----------------------------|------------------|-----------------|----------------|
| FY 2016                     | 3,408,337        | 856,853         | 4,265,190      |

| <b>Land Bank Fund</b>                  |         | <b>Balance</b>   |
|--|---------|------------------|
| Balance at 06/30/14                    |         | 1,058,289        |
| FY 2015 Estimated Receipts             | 485,000 | 1,543,289        |
| FY 2015 Debt Service                   | -68,425 | 1,474,864        |
| <b>Projected Balance at 06/30/15</b>   |         | <b>1,474,864</b> |
| Outstanding Debt Service               |         | -309,950         |
| <b>Projected Consolidation Balance</b> |         | <b>1,164,914</b> |

***For Information Only***

Future Land Bank Receipts:

|              |                  |
|--------------|------------------|
| FY 2016      | 494,700          |
| FY 2017      | 504,594          |
| FY 2018      | 514,686          |
| FY 2019      | 524,980          |
| FY 2020      | 535,479          |
| <b>Total</b> | <b>2,574,439</b> |

| <b>Modified CPA Fund</b> | <b>Total</b> | <b>Undesignated</b> | <b>Housing 60%</b> | <b>Historic Preservation 10%</b> | <b>Open Space - Recreation 10%</b> |
|--------------------------|--------------|---------------------|--------------------|----------------------------------|------------------------------------|
| Land Bank Transfer       | 1,164,914    | 1,164,914           |                    |                                  |                                    |
| Estimated Receipts       |              |                     |                    |                                  |                                    |
| FY 2016 Local            | 424,016      | 127,205             | 254,410            | 42,402                           | 42,402                             |
| FY 2016 State            | 180,000      | 54,000              | 108,000            | 18,000                           | 18,000                             |
| Balance at 06/30/16      | 1,768,930    | 1,346,119           | 362,410            | 60,402                           | 60,402                             |
| Estimated Receipts       |              |                     |                    |                                  |                                    |
| FY 2017 Local            | 434,616      | 130,385             | 260,770            | 43,462                           | 43,462                             |
| FY 2017 State            | 180,000      | 54,000              | 108,000            | 18,000                           | 18,000                             |
| Balance at 06/30/17      | 2,383,546    | 1,530,504           | 731,179            | 121,863                          | 121,863                            |
| Estimated Receipts       |              |                     |                    |                                  |                                    |
| FY 2018 Local            | 445,482      | 133,645             | 267,289            | 44,548                           | 44,548                             |
| FY 2018 State            | 180,000      | 54,000              | 108,000            | 18,000                           | 18,000                             |
| Balance at 06/30/18      | 3,009,028    | 1,718,148           | 1,106,469          | 184,411                          | 184,411                            |
| Estimated Receipts       |              |                     |                    |                                  |                                    |
| FY 2019 Local            | 456,619      | 136,986             | 273,971            | 45,662                           | 45,662                             |
| FY 2019 State            | 180,000      | 54,000              | 108,000            | 18,000                           | 18,000                             |
| Balance at 06/30/19      | 3,645,647    | 1,909,134           | 1,488,440          | 248,073                          | 248,073                            |
| Estimated Receipts       |              |                     |                    |                                  |                                    |
| FY 2020 Local            | 468,034      | 140,410             | 280,821            | 46,803                           | 46,803                             |
| FY 2020 State            | 180,000      | 54,000              | 108,000            | 18,000                           | 18,000                             |
| Balance at 06/30/20      | 4,293,681    | 2,103,544           | 1,877,260          | 312,877                          | 312,877                            |

4

## Dan Hoort

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**To:** Curtis, Jared (curtisj@dor.state.ma.us)  
**Subject:** RE: Rolling Land Bank into CPA fund

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From: Curtis, Jared [curtisj@dor.state.ma.us]  
Sent: Thursday, October 23, 2014 12:47 PM  
To: Dan Hoort  
Subject: FW: Rolling Land Bank into CPA fund

Dan,

See the message below from our legal staff.

Jared

From: Hunt, Patricia F.  
Sent: Wednesday, October 22, 2014 12:54 PM  
To: Curtis, Jared  
Cc: Oneil, Maura A.  
Subject: RE: Rolling Land Bank into CPA fund

Greetings Jared:

When transitioning from the CCLB to the modified version of the CPA, the town adopts Chapter 149, s. 298 of the Acts of 2004. Bulletins 2004-13B and 16B describe that process - adoption by legislative body vote and ballot question are required. The adoption of Section 298 implements a modified version of the CPA under c. 44B. For example, under Section 298, there are no optional exemptions, the adoption cannot be revoked or amended until 2020 and the surcharge remains at 3%. In answer to your specific question what happens to the CCLB funds after they transition to the CP Fund, see Section B.2 of Bulletin 2004-16B, which states "The accounting officer must abolish the CCLB fund and transfer the balance as of June 30 to the community preservation fund. The amount transferred will then be considered community preservation fund balance available for appropriation for CPA spending purposes during the first fiscal year the modified CPA is in effect." (Emphasis added.) Therefore, the CCLB funds are credited to the CP Fund balance of the modified CPA and not an open space reserve.

In the Provincetown case, however, the town has already independently adopted the CPA pursuant to G.L. c. 44B, s. 3-7. It already has a CP Fund and, presumably, special purpose reserves, a CPC and, perhaps, outstanding obligations such as borrowings made pursuant to G.L. c. 44B, s. 11. As explained above, the CPA independently adopted by the town is not the same as a modified CPA adopted pursuant to Section 298.

As a result, for the town to transition to one Community Preservation Fund, we believe a two-step process is required: (1) – the adoption of Section 298 (to transition the CCLB to the modified CPA); and (2) – a revocation of the independently adopted CPA under G.L. c. 44B, s. 16(b), assuming five years have passed since its adoption. The revocation is accomplished in the same manner as the CPA was originally adopted.

Once the independently adopted CPA is revoked, a wind-down of that CP Fund is required. All outstanding obligations, including future debt service payments and deficits, that are to be financed from the CP Fund revenues must be identified and a determination made whether there are sufficient uncommitted monies available within the fund to meet those obligations.

If so, the assessment of that surcharge in future fiscal years will cease. If there are not sufficient funds to pay existing obligations, the surcharge should continue to be assessed until sufficient funds become available to pay the remaining obligations. If the surcharge would generate significantly more revenues than necessary, the community may amend (pursuant to G.L. c. 44B, s. 16(a), with prior approval of the Bureau of Accounts, the surcharge to a percentage that will provide the revenues needed to fund the obligations. In addition, any funds remaining in special purpose reserves may only be spent for the reserve's CPA purpose – open space (including recreation), community housing, and historic resources. Please refer to Section III-A-10, IGR 00-209<<http://www.mass.gov/dor/docs/dls/publ/igr/2000/00-209amended.pdf>>, for further information on wind-down of the CPA after revocation.

We hope that this information has been helpful.

Patricia F. Hunt, Tax Counsel  
Dept. of Revenue, Division of Local Services Bureau of Municipal Finance Law  
100 Cambridge St.  
Boston, MA 02114  
617-626-2400  
huntp@dor.state.ma.us<<mailto:huntp@dor.state.ma.us>>

This e-mail response is intended to provide general information about the application of municipal tax and finance laws and Department of Revenue policies and procedures. It is not a public written statement, as defined in 830 CMR 62C.3.1, and does not state the official position of the Department on the interpretation of the laws pertaining to local taxes and finance. Informational responses provided by this e-mail means are akin to ordinary telephone or face-to-face conversations and do not reflect the level of factual or legal inquiry or analysis which would be applied in the case of a formal legal opinion.

Patricia F. Hunt, Tax Counsel  
Dept. of Revenue, Division of Local Services Bureau of Municipal Finance Law  
100 Cambridge St.  
Boston, MA 02114  
617-626-2400  
huntp@dor.state.ma.us<<mailto:huntp@dor.state.ma.us>>

From: Curtis, Jared  
Sent: Wednesday, October 15, 2014 12:31 PM  
To: Hunt, Patricia F.  
Cc: Oneil, Maura A.  
Subject: FW: Rolling Land Bank into CPA fund

Patricia,

Would you see the question below. Provincetown has both. They are thinking about doing away with the Land Bank. If they do that, is the money in the landbank transferred to the CPA fund balance or the Open Space Reserve?

Thank you for your help.

Jared

From: Dan Hoort [mailto:dhoort@provincetown-ma.gov]  
Sent: Wednesday, October 15, 2014 10:49 AM  
To: Curtis, Jared  
Subject: Rolling Land Bank into CPA fund

Jared,

The town is discussing rolling the Land Bank into the Community Preservation Fund as 13 out of 15 Cape Cod towns have done. I read the bulletin listed below, but want to confirm a question.

If the town votes to combine the two funds and the balance in the Land Bank fund is rolled into the CPA fund are there any restrictions on the how those funds that are part of the CPA fund may be used? Open space, affordable, etc. I didn't see any restriction and wanted to make sure I was correct that there is no restriction.

Thanks,  
Dan

<http://www.mass.gov/dor/docs/dls/publ/bull/2004/2004-13b.pdf>

Dan Hoort  
Director of Municipal Finance  
Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657  
(508) 487-7000 ext 523

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4

## VIEWPOINT

Dennis Minsky

While I applaud and enthusiastically join in the Banner's Nov. 21 expression of thankfulness for the Seashore, I am extremely surprised that that gratitude was not also addressed a little closer to home- namely for all the accessible open space right here in town. (And while I focus on the specifics of Provincetown, similar profiles exist for every town on the Cape.)

Do you hanker for an outdoor experience, a chance to commune with nature, the possibility of encountering some of our endemic native plants and flourishing wildlife? Join me then on a daylong hike through Provincetown- all on publicly accessible land.

Let's start at the far east end of town on the Old Colony Nature Trail. From its beginning at Pilgrim Heights it winds through beautiful woodlands; as we approach Snail Road, we find side trails through Foss Woods and the newly acquired Sateriale property, which has views of the bay. Continuing on Old Colony we find additional side trails at Whistle Path Woods and Fox Run, where stands of white cedar beckon. But we continue on, all the way to Howland Street. Just beyond, off Harry Kemp Way, we turn into Nicky's Park, where a lovely trail, with benches at scenic overlooks, leads to Jimmy's Pond, a site with rare water plants and birds. Just a hop, skip, and a jump from there is the amazingly diverse landscape of the Hawthorne property, with brand new trails being forged (and a direct link with Nicky's Park in the works).

As we tramp west we certainly must stop at the B-Street Garden, not only to admire the 60 plots lovingly tended by Provincetown residents and visitors, but also to look out on Shank Painter Pond (and where pondside trails and benches are being planned). On the other side of the pond is the Shank Painter uplands nature area, with a well maintained trail with native plantings that leads to a deck affording a beautiful overlook of the pond, with its quaking bogs and unique wildlife (otters, herons, waterfowl, and more).

Finished? Not yet. On the other side of Route 6 we have the entire Dune's Edge Campground, over 17 acres, open to the public in the offseason, not to mention

the Clapp's Pond trail. We still haven't seen it all: we skipped Suzanne's Garden, on Commercial Street in the East End, where usually an artist or two can be seen painting the luxuriant flowers, only to be interrupted by the occasional wedding ceremony.

Every step we took was on publicly accessible land, acquired either by the Town through the expenditure of Land Bank funds (which result from a 3% surcharge on property taxes) which are usually offset by state grants, or by the Provincetown Conservation Trust, a private nonprofit association devoted to land conservation.

We should be thankful to the voters of Provincetown, who for decades have been far-sighted enough to realize the multifaceted value of open space- not just for wildlife habitat and erosion and flood control, but for people, residents and visitors alike, to have access to the natural beauty of our town. Provincetown voters overwhelmingly vote for land conservation, and cooperate with and donate to the Trust as well, because they realize that an integral part of this town, along with the art, history, culture, commerce, night life and fine dining, is its natural beauty. The age of eco-tourism is just dawning, and we are way out in front of it.

Thoreau said "in wildness is the preservation of mankind". Let's be mindful- and thankful- for what we have right here in town.

Dennis Minsky

## Provincetown Open Space Properties\*

| <u>Property</u>        | <u>Size (acres)</u>   | <u>Date acquired</u> | <u>LB Funding( K\$)*</u> |
|------------------------|-----------------------|----------------------|--------------------------|
| Old Colony Nature Path | 24 (1 mile)           | 1995                 | NA                       |
| Foss Woods             | 15                    | 1996                 | NA                       |
| Sateriale              | 2.3                   | 2013                 | 266                      |
| Whistlepath Woods      | 7.9                   | 2001                 | 752                      |
| Fox Run                | 1.5                   | 2004                 | 89                       |
| Suzanne's Garden       | 5,000 ft <sup>2</sup> | 2009                 | 20                       |
| Nicky's Park           | 4.1                   | 2004, 2006           | 288,440                  |
| Hawthorne              | 3.0                   | 2010                 | 183,535                  |
| B-Street Garden        | 2.3                   | 2009                 | 86,400                   |
| Shank Painter Uplands  | 7.5                   | 1999                 | 1,100,000                |
| Dune's Edge Campground | 17.5                  | 2013                 | 450                      |
| Clapp's and Duck Ponds | 100                   | ?                    | NA                       |

\*Does not include approximately 100 acres protected by Provincetown Conservation Trust, nor the land protected by Mass. Dept. of Fish & Game

\*further breakdown of funding, by property:

Property

**Foss Woods** ?

**Sateriale** CPA 50,000  
 LB 266,000  
 State LAND 342,385  
 TOTAL \$ 658,000

**Hawthorne** LB 183,535  
 CPA 133,200  
 State LAND 343,265  
 TOTAL \$660,000

**Whistlepath** LB 752,000  
 250 LWCF, 478 PCT 728,000  
 TOTAL \$1,480,000

**B-St. Garden** LB 86,400  
 State LAND 93,600  
 TOTAL \$180,000

**Fox Run** LB 89,000  
 TOTAL \$89,000

**Shank Painter** LB 1,100,000  
 Selfhelp + MHD 500,000  
 TOTAL \$1,600,000

**Suzanne's** CPA 100,000  
 LB 20,000  
 State PARC 130,000  
 TOTAL \$250,000

**Dune's Edge** LB 450,000  
 CPA 150,000  
 State PARC 400,000  
 TOTAL \$1,000,000

**Nicky's Park, part 1** LB 125,000  
 TOTAL \$125,000

LB= Town Land Bank funds

**Nicky's Park, part 2** LB 163,440  
 State LAND 177,060  
 TOTAL \$340,500

CPA= Town Community Preservation Act funds

PARC and LAND= state funding, 52%

PCT= Provincetown Conservation Trust (private)

LAND BANK FUND Projections

|                   | 06/30/13  | 06/30/14    | 06/30/15    | 06/30/16    | 06/30/17    | 06/30/18    | 06/30/19    | 06/30/20    |
|-------------------|-----------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Beginning Balance |           | \$652,331   | \$1,011,056 | \$1,380,631 | \$1,761,316 | \$2,153,498 | \$2,557,556 | \$2,973,673 |
| Tax Receipts      |           | \$430,000   | \$438,600   | \$447,372   | \$456,319   | \$465,446   | \$474,755   | \$484,250   |
| Investment Income |           | \$2,500     | \$2,500     | \$2,500     | \$2,500     | \$2,500     | \$2,500     | \$2,500     |
| Debt Service      |           | -\$73,775   | -\$71,525   | -\$69,188   | -\$66,638   | -\$63,888   | -\$61,138   | -\$75,250   |
| Ending Balance    | \$652,331 | \$1,011,056 | \$1,380,631 | \$1,761,316 | \$2,153,498 | \$2,557,556 | \$2,973,673 | \$3,385,173 |

Administrative Fund

\$22,193

|         | Land Acquisition - Locke (MPL 2002) |          |           | Land Acquisition - Locke (MPL 2009) |          |          | Total Debt Service   |
|---------|-------------------------------------|----------|-----------|-------------------------------------|----------|----------|----------------------|
|         | Principle                           | Interest | Balance   | Principle                           | Interest | Balance  |                      |
| FY 2014 | \$40,000                            | \$14,950 | \$270,000 | \$15,000                            | \$3,825  | \$75,000 | \$73,775             |
| FY 2015 | \$40,000                            | \$13,150 | \$230,000 | \$15,000                            | \$3,375  | \$60,000 | \$71,525             |
| FY 2016 | \$40,000                            | \$11,300 | \$190,000 | \$15,000                            | \$2,888  | \$45,000 | \$69,188             |
| FY 2017 | \$40,000                            | \$9,500  | \$150,000 | \$15,000                            | \$2,138  | \$30,000 | \$66,638             |
| FY 2018 | \$40,000                            | \$7,500  | \$110,000 | \$15,000                            | \$1,388  | \$15,000 | \$63,888             |
| FY 2019 | \$40,000                            | \$5,500  | \$70,000  | \$15,000                            | \$638    | \$0      | \$61,138             |
| FY 2020 | \$35,000                            | \$3,500  | \$35,000  | \$0                                 | \$0      | \$0      | \$38,500             |
| FY 2021 | \$35,000                            | \$1,750  | \$0       |                                     |          |          | \$36,750 Pay in 2020 |

Original message

**From:** Keith Bergman  
**To:** Bill Dougal ; David Nicolau ; Elaine Anderson ; Eric Dray ; Stephen Milkewicz ; Tim Hazel ; Treg Kaesela  
**Cc:** Celine Gandolfo ; Robin Evans ; Mithelle Jarusiewicz ; Alexandra Heilala ; Cheryl Andrews, DMD ; Mary-Jo Avellar ; Michele Couture ; Richard Olson ; Sarah Peake  
**Sent:** Wednesday, February 09, 2005 5:02 PM  
**Subject:** FW: #243031 v1 - PROVVAT Peters Land OL re: Use of CCLB Funds for Community Preservation

Below is Town Counsel Jeanne McKnight's response to the Community Preservation Committee's inquiry about whether Land Bank open space funds can be transferred to the Community Preservation Committee.

Thanks  
kb

February 8, 2005

re LANDBANK/CPA

BY FACSIMILE - (508) 487-9560

Mr. Keith Bergman  
Town Manager  
Provincetown Town Hall  
260 Commercial Street  
Provincetown, MA 02657

**Re:** Use of Cape Cod Land Bank Funds to Support Community Preservation

Dear Mr. Bergman:

You have requested an opinion as to whether funds from the Cape Cod Land Bank Fund may be transferred to the Community Preservation Fund to be used for acquiring open space. In my opinion, Land Bank Funds may not be transferred to the Community Preservation Fund.

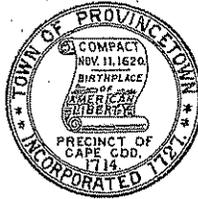
The Town voted to participate in the Cape Cod Open Space Land Acquisition Program (the "Program") established under Chapter 298 of the Acts of 1998 as amended by Section 211 of the Acts of 1999 and Chapter 43 of the Acts of 2000 (the "Cape Cod Land Bank Act" or "CCLB Act"). Under Section 5 of the CCLB Act, a town participating in the Program must establish a separate account known as the Land Bank Fund for the purposes set forth in Section 3 of the CCLB Act. Among those purposes is acquiring land or interests in land for open space.

The Town also voted to participate in the Community Preservation Program established under G.L. c.44B (the "Community Preservation Act" or "CPA"), and to impose the maximum property tax surcharge of 3 percent allowed under the CPA. Section 7 of the CPA provides that all funds collected from the surcharge or bond proceeds in anticipation of revenue from the surcharge shall be deposited in a Community Preservation Fund ("CPF"), into which also shall be deposited funds received from the commonwealth or any other source for such purposes; and proceeds from the disposal of real property acquired with funds from the CPA funds.

<http://sz0034.wc.mail.comcast.net/zimbra/h/printmessage?id=194841&xim=1>

12/6/2010

14



**Open Space Committee**  
**Town of Provincetown**  
260 Commercial Street  
Provincetown, MA 02657  
(508) 487-7020 FAX: (508) 487-7040

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April 7, 2014

Dear Property Owner,,

You are receiving this letter because the Provincetown Open Space Committee is potentially interested in your property as part of the Provincetown Open Space Plan.

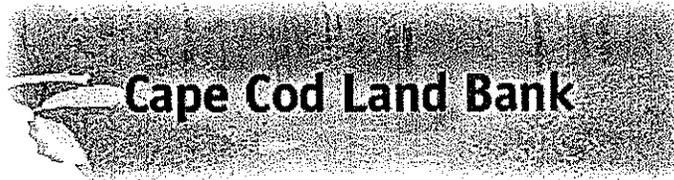
The Open Space Committee is a town committee composed of volunteers whose mission is the preservation of open space and wildlife habitat. Expenditures to this end are funded through the Land Bank, which derives from a 3% surcharge on property taxes. The Open Space Committee makes recommendations of expenditures to Town Meeting and these are subject to voters' approval.

There are a range of options available to you, from a Conservation Restriction (in which you retain ownership of your property but receive tax benefits) to a negotiated full-market sale to a bargain sale for conservation (with attendant tax advantages). These techniques are more fully explained in the accompanying booklet; please enjoy it with our compliments. Please be aware that the Land Bank program ends in 2020, so if you have any interest at all it would serve you to look into the matter sooner than later.

We would be interested in discussing these options with you at your convenience. We can be contacted by phone at (508) 487-0683, by email at [DMinsky4@comcast.net](mailto:DMinsky4@comcast.net), or by mail at: attention Open Space Committee, Town Hall, Provincetown, MA 02657.

The Open Space Committee

Dennis Minsky, chair  
Dave Hale  
April Baxter  
Steve Milkewicz



## Questions and Answers

Updated December 2006

[General Information](#) | [Using Land Bank Funds](#) | [Protecting Land Bank Properties](#) | [Miscellaneous](#)

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*NOTE: In 2005, 13 of the 15 towns on Cape Cod voted to convert the Cape Cod Land Bank Act in their towns to the Community Preservation Act, thereby ending the Cape Cod Land Bank. Two, the towns of Chatham and Provincetown, having previously adopted the Community Preservation Act in addition to the Cape Cod Land Bank, have both preservation programs in place.*

### General Information

#### What is the Cape Cod Land Bank?

In 1998, the Massachusetts Legislature enacted the Cape Cod Open Space Land Acquisition Program for the purposes of acquiring land and interests in land to protect public drinking water supplies and open space and conservation land, and to create walking and bicycle trails and recreational areas. The Act required approval of the voters in each of the Cape's 15 towns through a referendum that was on the ballot in November 1998. The referendum passed in every town on Cape Cod. It expires in 2020.

#### How is the Land Bank funded?

The program is funded by a 3% surcharge on real estate property tax bills in each community beginning in FY 2000. This money is placed in a town land bank fund which is dedicated for this purpose and accrues interest. Additional sources of funds include a \$15 million state matching program which was authorized in the Act (described below). Donations can also be made to the town land bank fund. Towns can bond in anticipation of future land bank revenue.

#### What is the role of the town open space committees?

Each town's board of selectmen or town council is required to create or designate a town open space committee to carry out the provisions of the Act. The committee can be an existing board, special committee, or nonprofit land trust/conservation organization. Committee members may not be paid for their service. Town committees are responsible for recommending to town meeting (town council in Barnstable) what lands or interests in lands should be acquired with town land bank funds.

**How is land purchased?**

Each acquisition of interests in land must be approved by a municipality's town meeting (or town council). If borrowing is involved a 2/3 vote is required, if not a simple majority is sufficient. The warrant article should reference the land bank as a funding source for the acquisition.

**How soon can funds be spent?**

Towns began collecting revenue in FY 2000. By the end of 1999, approximately 800 acres of land had been approved for purchase totalling close to \$20 million.

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**How Can Land Bank Funds be Used?****What kind of land can be purchased with local land bank funds?**

The Act permits the following kinds of land to be purchased: existing and future wellfields, aquifers and recharge areas; agricultural lands; forest lands; fresh and salt water marshes and other wetlands; ocean and pond frontage, beaches, dunes and other coastal lands; scenic vistas; nature or wildlife preserves; land and easements for trails; and land for recreational use. In addition to outright land purchase, the Act permits the acquisition of conservation restrictions or development rights from landowners.

**Can a town use land bank funds to buy land for active recreation and facility construction?**

The Act makes clear that funds can be used to purchase land for recreational uses. Land bank funds cannot be used to develop facilities beyond the 3% permitted for "maintenance and improvements." Section 3 of the Act makes clear that passive recreation facilities can be developed on lands purchased with land bank funds, so long as they are consistent with the purposes for which the land was acquired.

**Can a town use land bank funds for up front costs associated with land acquisition (option payments, appraisals, surveys, P&S deposit)?**

The Department of Revenue has stated that upfront costs associated with acquisition of real property interests can be funded with land bank funds, so long as they are made in good faith anticipation of purchase. A number of towns have received town meeting approval for the dedication of funds for this purpose.

**Can money from one town be used to purchase land in another town?**

Yes. The land is owned and managed by the town that acquires it.

**Can land bank funds be used to maintain town conservation land?**

The Act allows up to 3% of land bank funds to be used for maintenance and improvement of property purchased with land bank funds. Maintenance/improvement of other town conservation lands not purchased with land bank funds is not permitted.

**Can land bank funds be used to administer the program (upgrading assessors equipment, paying staff salaries, etc.)?**

No. The Mass. Department of Revenue has stated that this is not an allowable expense. Land bank funds must be used for acquisition of real property interests and associated costs.

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## **Ensuring Protection of Land Bank Properties**

### **What uses can occur on property protected with land bank funds?**

The Act states that any land or interests in land purchased with land bank funds shall be retained in a "natural, scenic or open condition" and shall be bound by a permanent deed restriction limiting the use of the land or interest in land to the purpose for which it was acquired. The Act states that a deed restriction must be placed on the land that is enforceable by either a state agency or a land trust. It is clear that improvements can be made for passive recreational purposes that are not inconsistent with the reasons for which the land was acquired. To be safe, a town should specify in its town meeting vote, the purposes for which the land is being acquired.

### **Can a town sell portions of land acquired with land bank funds (e.g. a parcel includes a house which could be divided off and sold)?**

There is no provision in the Act that permits this, however a town could supplement land bank funds with other towns funds (e.g. general fund) to make such a purchase, and then use the proceeds from the sale to reimburse the town.

### **Can a town convert land bank properties to another use?**

No. Properties that are purchased for conservation/open space purchases will be protected both by the deed restriction required in the Act, as well as by Article 97 of the Massachusetts Constitution. Article 97 requires that in order to remove a parcel from conservation use there must be approval by the conservation commission, board of selectmen, and town meeting/town council, as well as the Massachusetts legislature and the Secretary of Environmental Affairs.

### **Who owns and manages property purchased with land bank funds?**

Section 4 of the Act requires property interests acquired with land bank funds to be owned and managed by the town that purchases them. However, the Board of Selectmen/Town Council may delegate management of lands to a qualified nonprofit organization or for wellhead sites to a water company/district or fire district. A management plan is not required to be prepared (unless state Self-Help funds are used) but may be helpful for large or complex properties.

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## **Miscellaneous**

### **Can a Board of Selectmen or Town Meeting override the recommendations of the town open space committee and purchase different properties?**

The Act delegates the responsibility of making recommendations to town meeting to the town's open space committee. A Board of Selectmen may disagree with their recommendation, but the Act does not provide for the Selectmen to make different recommendations to town meeting. Town Meeting, of

course, has the final say and may accept or reject the recommendations of an open space committee.

**What should a town's open space committee consider in determining what land to protect?**

Town open space committees are required to "use as a guideline" local and regional open space plans, master plans, and local comprehensive plans, if any in considering any specific acquisition.

**Can a landowner take a charitable deduction for a bargain sale to the town?**

Yes, a landowner can take a deduction for the difference between the appraised fair market value and the town's purchase price. A qualified appraisal will be required by the IRS.

**Can a town opt out of the land bank?**

There is no provision in the Act for a town to withdraw from participation in the Land Bank.

**Are towns still eligible to apply for EOEA Self Help grants for land acquisition?**

Absolutely. In fact the Act specifically states that the availability of land bank funds "shall not affect the eligibility of any town to receive funds" under these programs. A town must have an approved five year open space and recreation plan to be eligible for Self Help grants. The state has awarded 13 Self Help grants in 9 communities since the inception of the Land Bank, a total of \$3,591,000.

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Return to the [Cape Cod Land Bank](#) Home Page



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**

Monday, December 08, 2014

5A

## BOARD OF SELECTMEN REAPPOINTMENTS

### Board of Selectmen End of Year Reappointments

Requested by: Doug Johnstone, Town Clerk

Action Sought: **Approval**

#### Proposed Motion(s)

*Move that the Board of Selectmen vote to reappoint the following Board and Committee members, as noted in the attached list, to an additional three-year term to expire on December 31, 2017.*

#### Additional Information

**All candidates have agreed to serve another term.**

#### Board Action

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



# Town of Provincetown Town Clerk

Direct Line 508-487-7013

**TO:** Board of Selectmen  
**FROM:** Doug Johnstone, Town Clerk  
**DATE:** November 19, 2014  
**SUBJ:** Board of Selectmen End of Year Appointment Report

**Current board members with appointments ending December 31, 2014 who are eligible for reappointment.**

| Town Board                        | Name               | Position  |
|-----------------------------------|--------------------|-----------|
| Airport Commission                | Health Gatlin      | Regular   |
| Airport Commission                | Michael Valenti    | Regular   |
| Airport Commission                | Stephen Katsurinis | Alternate |
| Art Commission                    | Peter Petas        | Regular   |
| Beautification Committee          | Bill Docker        | Regular   |
| Beautification Committee          | Barbara Rushmore   | Regular   |
| Beautification Committee          | Ross Sormani       | Regular   |
| Bicycle Committee                 | Michael Peregon    | Regular   |
| Building Committee                | Thomas Coen        | Regular   |
| Building Committee                | Leif Hamnquist     | Regular   |
| Council On Aging                  | Christine Asselin  | Regular   |
| Cultural Council                  | Brian O'Malley     | Regular   |
| Cultural Council                  | Bragan Thomas      | Regular   |
| Board of Health                   | Ken Janson         | Regular   |
| Board of Health                   | Mark Phillips      | Regular   |
| Historic District Commission      | Lance Hatch        | Alternate |
| Licensing Board                   | Deborah Heller     | Regular   |
| Licensing Board                   | Vida Hamnquist     | Alternate |
| Planning Board                    | Dorothy Palanza    | Regular   |
| Recycling & Renewable Energy Com. | Lydia Hamnquist    | Regular   |
| Recycling & Renewable Energy Com. | Anna Meade         | Alternate |
| Water & Sewer Board               | George Haunstrup   | Regular   |
| Zoning Board of Appeals           | Robert Littlefield | Regular   |

**Current board members appointed by the Selectmen with terms ending December 31, 2014 who cannot be reappointed as defined in the Provincetown Charter 3-4-4 (Term Limits).**

| Town Board                   | Name          | Position |
|------------------------------|---------------|----------|
| Art Commission               | James Bakker  | Regular  |
| Historic District Commission | Polly Burnell | Regular  |
| Historic District Commission | John Dowd     | Regular  |
| Recreation Commission        | Treg Kaeselau | Regular  |
| Board of Registrars          | Olive Ahmuty  | Regular  |



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

5B

## BOARD OF SELECTMEN REAPPOINTMENTS

### End of Year Re-appointments for Constables

Requested by: Doug Johnstone, Town Clerk

Action sought: Discussion and Approval

#### Proposed Motion(s)

**Move that the Board of Selectmen vote to re-appoint Rachel Peters, as a Town of Provincetown Constable with a term to expire on December 31, 2017.**

**Move that the Board of Selectmen vote to re-appoint Barbara Prato, as a Town of Provincetown Constable with a term to expire on December 31, 2017.**

#### Additional Information

See attached memo from Doug Johnstone, Town Clerk

The jurisdiction of Constables in Massachusetts is in most cases limited to the cities and towns in which they are appointed or elected, with limited exceptions. Constables usually serve civil process, they may however, serve both civil and criminal process. A constable requires an extensive knowledge of civil law, and the criminal law aspects that may arise from civil law violations. In this regard courts prefer constable to handle these matters rather than police officers as they can execute both civil and criminal process.

Provincetown currently has five constables:

In Town Hall, Constables are needed to post the Town Election and Town Meeting warrants in numerous locations in town, and are also used for official postings in other departments including the Treasurer's and Assessor's Office. Outside entities also contact the Town Clerk for contact information on our Constables for their own purposes.

#### Board Action

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

## Loretta Dougherty

---

**From:** Doug Johnstone  
**Sent:** Wednesday, November 19, 2014 11:35 AM  
**To:** Loretta Dougherty  
**Cc:** David Gardner  
**Subject:** Selectmen's Year end Appointments

Hi Loretta – I would like to request that the following two Constables whose terms expire on 12/31/14 be added to the Selectmen's agenda when considering their year end appointments:

Rachel Peters  
46 Nelson Avenue  
Provincetown, MA

An

Barbara Prato  
70 Snail Road  
Provincetown, MA

Since these are not Town Board positions, they will need to be their own item under appointments, but I would like them to be considered as the Selectmen are considering all year end appointments (and thereby not requiring them to come in to the meeting to be interviewed). Both Rachel and Barbara have served as Constables for many years and each would be re-appointed to a three year term to expire on 12/31/2017.

Please let me know if you have any questions.

Thank you.  
dj



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

6A

## PROCLAMATION: SENIOR CITIZENS DAY

Sunday, December 14, 2014

Requested by: **Robin Reid**

Action Sought: **Approval**

### Proposed Motion(s)

*Move that the Board of Selectmen vote to approve the request by Robin Reid of Provincetown, MA to proclaim Sunday, December 14, 2014, as Senior Citizen Day in the Town of Provincetown.*

### Additional Information

See attached copy of proclamation. This is an annual proclamation to be read at the David Asher Senior Citizen Dinner organized by Robin Reid and her committee.

### Board Action

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



# 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, Senior Citizens make a significant contribution to the social fabric of the Community to set an example for residents of all ages, and

WHEREAS, the Senior Citizens have set aside a day of celebration among themselves and with friends in a festive holiday observance sponsored by the Provincetown Business Guild and the Council on Aging.

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

**SUNDAY, DECEMBER 14, 2014**

*as*

**SENIOR CITIZEN DAY**

*in the Town of Provincetown.*

and encourages our citizens to express their gratitude, honor, and continued support of our Senior Citizens, and to pay tribute on this day as an expression of our commitment to their general well being and participation in community activities.

The Honorable Board of Selectmen

*Tom Donegan, Chairman*

*Erik Yingling, Vice-Chairman*

*Cheryl Andrews*

*Raphael Richter*

ATTEST: *David Gardner, Acting Town Manager*

*Robert Anthony*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

6B

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## SHELLFISH CONSTABLE POSITION

Requested by: BOS

Action sought: Discussion

### Proposed Motion(s)

**Discussion Dependent.**

### Additional Information

See attached documents

### Board Action

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

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## SHELLFISH CONSTABLE

### **Position Purpose:**

The purpose of this position is to perform administrative, law enforcement and training and education of Provincetown's marine resources, to enforce all relevant state and local laws, bylaws, ordinances and regulations regarding its marine resources, to protect the public health and other duties and related work as required or assigned by the appointing authority.

### **Supervision:**

*Supervision Scope:* Performs varied duties of a routine nature following clearly prescribed procedures. Requires the responsibility and judgment in determining method of completion.

*Supervision Received:* Works under the general supervision of the Town Manager.

*Supervision Given:* This position has no supervisory responsibilities.

### **Job Environment:**

Majority of work is performed outdoors at which time the employee may be exposed to weather extremes of hot and cold temperatures and inclement weather. The employee is required to traverse uneven terrain and is subject to the hazards associated with working around motorized equipment and bodies of water. Work environment is generally quiet.

Operates an automobile, truck, and equipment such as power tools, hand tools, and standard office machines.

Has frequent contact with the general public. Also communicates with Town staff, committees, and state, county and federal officials. Communication is generally in person and involves an information exchange dialogue.

This position does not have access to confidential information.

Errors in judgment may impose undue and substantial expense recovering from errors, results in delays or loss of service, injury to others and legal ramifications.

### **Essential Functions:**

*(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)*

Patrols Town marine waters (tide flats) and marshes as necessary to determine size and amounts of shellfish harvested.

Enforce state and town rules and regulations relative to taking of shellfish. Check for possession of required permits and take action issuing warnings when appropriate and justified and if necessary issue citations, make arrests and follow up with court action.

Plan, develop, deploy complete programs for shellfish development and protection. Research and survey Flats and Harbor Bottom to determine shellfish population and the species to the area (quahogs, soft shell clams, etc.).

Predator control; put out traps for green crabs and collect moon snails and star fish.

Recommend to Board of Selectmen the opening and closing of Town Shellfish areas and special permits required the the state and aquaculture grants to be issued.

Performs similar or related work as required.

**Recommended Minimum Qualifications:**

**Education, Training and Experience:**

High school education and Advanced Technical Education. Certification as a Massachusetts Shellfish Constable per Massachusetts General Law, Chapter 130, Section 98 approved

**Special Requirements:**

Possession of a valid Massachusetts driver's license.  
CPR certification

**Knowledge, Skill, and Ability:**

*Knowledge:* Knowledge of town waters, tidal conditions and currents. Basic knowledge of marine and shellfish biology.

*Ability:* Ability to operate machines and equipment above. Ability to operate shellfish harvesting equipment.

*Skill:* Skill in handling small boats. Basic performance skills in carpentry and mechanics to repair and maintain equipment.

**Physical Requirements:**

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

Work requires constant physical effort. The incumbent must have the physical ability to use hand and power tools, and walk for long periods of time during all types of weather conditions. This position requires the physical ability to occasionally lift materials in excess of 100 pounds while working in adverse weather conditions. Work may involve recurring applications of considerable physical effort, such as lifting, jumping, and occasional awkward positions.

Regular and sustained periods of strenuous physical exertion, requiring ability to lift, carry and position heavy objects utilizing proper body mechanics and techniques. Ability to drive a motor vehicle.

*(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)*



THE 188<sup>TH</sup> GENERAL COURT OF  
THE COMMONWEALTH OF MASSACHUSETTS

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Home Bills & Laws Laws General Laws PART I TITLE XIX CHAPTER 130 Section 98

Massachusetts Laws

General Laws

Print Page

- Massachusetts Constitution
- General Laws
- Session Laws
- Rules

|                    |  |      |      |
|--------------------|--|------|------|
| <b>PART I</b>      | <b>ADMINISTRATION OF THE GOVERNMENT</b>  |      |      |
|                    |  |      | NEXT |
| <b>TITLE XIX</b>   | <b>AGRICULTURE AND CONSERVATION</b>  |      |      |
|                    |  | PREV | NEXT |
| <b>CHAPTER 130</b> | <b>MARINE FISH AND FISHERIES</b>   |      |      |
|                    |  | PREV | NEXT |
| <b>Section 98</b>  | <b>Shellfish constables; appointment; powers and duties; notice of appointment</b> |      |      |
|                    |  | PREV | NEXT |

Section 98. In each city and town bordering on coastal waters the mayor or the selectmen, as the case may be, shall appoint a person or persons, qualified by training and experience in the field of shellfishery management, as shellfish constables or deputy shellfish constables. A person having successfully completed the shellfish wardens training course at the Massachusetts Maritime Academy as certified by said academy, shall be considered qualified by training and experience in the field of shellfishery management and shall be eligible for appointment as a shellfish constable or deputy shellfish constable. Such shellfish constables and deputy shellfish constables shall be appointed for terms of three years, and may be reappointed. They shall, subject to the appointing authority, initiate, promote and manage shellfisheries in such city or town and shall make or cause to be made such studies as may be necessary to enhance the value of such shellfisheries. They shall enforce all statutes, ordinances, by-laws, rules and regulations relative to shellfish in such city or town. They shall, for the enforcement of sections thirty-one, thirty-seven, forty-one, forty-three and forty-four, have the authority granted to natural resource officers, subject to written rules and regulations of the commissioner. In the performance of his duties, a shellfish constable or deputy shellfish constable may request any person who he has cause to believe is engaged in unlawful shellfishing, is in unlawful possession of shellfish, or is in possession of shellfish unlawfully taken, to display forthwith for inspection all shellfish in his possession, and he may arrest without a warrant any person refusing or failing to comply with such request.

Upon the appointment of a shellfish constable or deputy shellfish constable under this section, the appointing authority shall forthwith notify the director of the division of marine fisheries and the director of the division of law enforcement.

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Provincetown Shellfish Committee  
260 Commercial Street  
Provincetown, MA 02657

RECEIVED

NOV 09 2014

TOWN MGR OFFICE

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Mr. David Gardner, Acting Town Manager  
Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657

November 9, 2014

Dear Mr. Gardner,

At our regular meeting of the Provincetown Shellfish Committee on November 4, 2014 the Committee voted unanimously to request that the Town of Provincetown continue to employ Mr. Tony Jackett as our Shellfish Warden on a part time basis. We strongly feel that Mr. Jackett's knowledge of the Provincetown's recreational and commercial shell fishing areas proves him to be invaluable asset to the town. In addition, Mr. Jackett is a state certified shellfish warden.

The Shellfish Committee would like to request that a part time deputy be hired to assist Mr. Jackett and be available on the recreation shell fishing days during the resident season to sell licenses and monitor the area. This way we will retain Mr. Jackett's expertise and have our recreational shellfish area supervised.

We look forward to hearing of your decision. If you wish to discuss this request further please do not hesitate to contact the committee.

Sincerely,

**Loretta A Santos**

Digitally signed by Loretta A Santos  
DN: cn=Loretta A Santos, o, ou,  
email=pamet50@comcast.net, c=US  
Date: 2014.11.09 12:42:09 -05'00'

Loretta Santos, Chairman Provincetown Shellfish Committee

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# OFFICE OF THE HARBORMASTER

## MACMILLAN PIER

### Shellfish Constable Position Executive Summary- DRAFT

The Town & PPPC may have an opportunity to update and reorient the Shellfish Constable position. This department has traditionally been held by one person for years at a time, working alone out of his truck without an office, phone, supervisor or assistants. The following excerpt from *History of Molluscan Fishery Regulations and the Shellfish Officer Service* published in Marine Fisheries Review by Henry Lind (now retired Eastham HM/Shellfish Constable) speaks to the position.

*Constables (also termed wardens), whose salaries were paid by the local towns, enforced regulations, which was centered on restricting harvest to certain seasons, preventing seed from being taken and personal daily limits on harvests. In 1933, The Massachusetts Legislature turned over shellfisheries management to individual towns. Local constables (wardens) enforced the rules. In the 1970's, the Massachusetts Shellfish Officers Associations was formed, and officially incorporated in 2000, to help the constables deal with increasing environmental problems in estuaries where fishermen harvest mollusks. The constables' stewardship of the mulluscan resources and the estuarine environments and promotion of the fisheries has become increasingly complex.*

Chapter 130, section 98 allows the town to appoint a Shellfish Constable, sets forth the training and experience requirements, requires a three-year appointment cycle and allows for deputies to assist. They shall, subject to the appointing authority, initiate, promote and manage shellfisheries and shall make or cause to be made such studies as may be necessary to enhance the value of such shellfisheries. They shall enforce all statutes, ordinances, by-laws, rules and regulations relative to shellfish in such city or town. They shall, for the enforcement of sections thirty-one, thirty-seven, forty-one, forty-three and forty-four, have the authority granted to natural resource officers, subject to written rules and regulations of the commissioner.

Shellfish management is handled in a variety of ways across the Cape. MA Division of Marine Fisheries (DMF) provides resources and guidance to towns including water and shellfish testing for pathogens. Some town departments are sole operator (Provincetown), while others are incorporated into harbormaster offices (Orleans, Eastham, Yarmouth, now Truro) or larger natural resources depts. (Dennis, Chatham). Several towns operate upweller or grow-out systems for shellfish stock (Orleans, Chatham, Dennis and Falmouth). They take seed stock grown in trays with pump-driven seawater until the stock is past predation stage when the product is sold for grow-out. In some cases these systems are used to address nitrogen loading in the water body or to trigger spawning. These systems enhance commercial and recreational stock and can generate revenue.

The training requirements are a course proscribed by the Mass. Shellfish Officers Assoc., and held periodically at Mass. Maritime. The 80-hour, two week \$395 course is a

Shellfish Constable Position Executive Summary DRAFT  
September 2014

comprehensive examination of the biology, natural history, and harvesting methods of various shellfish as well as their predators. It encompasses law enforcement training, boat handling, first responder measures, pollution monitoring and on the red tide phenomenon.

Provincetown (& Truro) Shellfish Constable Tony Jackett manages 5 shellfish resource areas in Provincetown; east end, west end both in front of and behind the Long (Steven's) Point Dike, Hatches Harbor, the assigned aquaculture sites and the closed inner harbor. The recreational shellfishing season runs November to March. Harvest totals and water/mollusk quality are monitored and reported to DMF and the Town year round.

During Jackett's tenure, he has worked with DMF, growers, seed and brood stock providers, grantors, stakeholders, AmeriCorp, other volunteers, and the Center for Coastal Studies to improve and increase recreational and commercial opportunities in both Truro and Provincetown. That dual-position leverage has facilitated a first ever pilot project; a 25 acre aquaculture development area (ADA) in the adjacent waters.

This project is testing the latest in grower production standards, ecosystem protection and public health for commercial harvest of clams and oysters. DPW and this office have supported and assisted his efforts for seeding, shellfish relay and with equipment on the pier and highway garage. At this point, Tony has taken the position as far as it can go on the tailgate of a truck. In order to improve on the work and increase productivity, the Shellfish Department needs additional resources and personnel.

We expect our areas of dual town cooperation in the shellfisheries to continue. We have also begun to expand our mutual aid programs between the Truro and Provincetown Harbormaster Offices as Tony takes up his new combined position.

The 296 budget is about \$57,000 with most of that in A budget for the department head and the \$7900 B budget; mostly \$4500 for shellfish stock. This position is staff liaison to Shellfish Committee. A majority of the field work is done when the recreational areas are open in the off-season with spring and fall relays.

Consider expanding the role of the Shellfish Constable Department within the Harbormasters Office. HM Assistants would be cross trained as deputies and vice versa. This would provide additional monitoring and managing of the resource areas and greater focus on aquaculture facility development (permanent upwellers) on MacMillan Pier along with increased flexibility for all harbor functions.

Increasing shellfish production and outreach for students and commercial fishers through facility improvements centered on MacMillan Pier enhances economic development overall with educational activities in the off-season. This model already exists in Chatham, Dennis, Falmouth and Orleans. The HM department already holds some of the certifications and trainings needed to enforce shellfish regulations. Additional education is warranted and welcome. The larger staff mix allows for greater flexibility and capability for both departments at a lower per employee cost than currently expended. Staff seeks direction whether to continue to cost out and develop this approach or any another.

*Respectfully submitted, Rex.*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

6C

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## MONTHLY POLICE REPORT FOR NOVEMBER 2014

Requested by: Acting Police Chief Jim Golden

Action sought: Discussion and Approval

### Proposed Motion(s)

**Discussion Dependent.**

### Additional Information

Police Report will be forthcoming.

### Board Action

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

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

7A

## SELECTMEN'S CALENDAR FOR 2015

Requested by: Acting Town Manager David Gardner

Action sought: Discussion

### Proposed Motion(s)

**Discussion Dependent.**

### Additional Information

See attached Calendar for 2015

### Board Action

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

## Selectmen's Meeting Calendar 2015

|                               |         |  |
|-------------------------------|---------|--|
| <b>Thursday, January 1</b>    |         | <b>New Year's Day</b>                  |
| Tuesday, January 6            | 4:30pm  | Sewer Team/Budget Meeting              |
| Wednesday, January 7          | 4:30pm  | Budget Meeting                         |
| Monday, January 12            | 6:00 pm | Regular Meeting                        |
| Tuesday, January 13           | 4:30pm  | Budget Meeting                         |
| Wednesday, January 14         | 4:30pm  | Budget Meeting                         |
| <b>Monday, January 19</b>     |         | <b>Martin Luther King Day</b>          |
| Monday, January 26            | 6:00pm  | Regular Meeting                        |
| Monday, February 9            | 6:00pm  | Regular Meeting                        |
| <b>Monday, February 16</b>    |         | <b>Presidents' Day</b>                 |
| Monday, February 23           | 6:00pm  | Regular Meeting                        |
| Monday, February 26           | 6:00pm  | Special Meeting (Approve articles)     |
| Friday, March 6               | 11:00am | Special Meeting (Approve publication)  |
| Monday, March 9               | 6:00pm  | Regular Meeting                        |
| Tuesday, March 10             | 5:00pm  | Traffic Hearing                        |
| Monday, March 16 (or earlier) | 6:00pm  | Joint Meeting with FinCom re:articles  |
| Monday, March 23              | 6:00pm  | Regular Meeting                        |
| Monday, April 6               | 5:00pm  | Town Meeting                           |
| Tuesday, April 7              | 5:00pm  | Town Meeting                           |
| Wednesday, April 8            | 5:00pm  | Town Meeting                           |
| Thursday, April 9             | 5:00pm  | Town Meeting                           |
| Monday, April 13              | 6:00pm  | Regular Meeting                        |
| <b>Monday, April 20</b>       |         | <b>Patriot's Day</b>                   |
| Monday, April 27              | 6:00pm  | Regular Meeting                        |
| Monday, May 11                | 6:00pm  | Regular Meeting                        |
| <b>Monday, May 26</b>         |         | <b>Memorial Day</b>                    |
| Tuesday, May 27               | 6:00pm  | Regular Meeting                        |
| Monday, June 8                | 6:00pm  | Regular Meeting                        |
| Monday, June 22               | 6:00pm  | Regular Meeting                        |
| <b>Friday, July 3</b>         |         | <b>July 4<sup>th</sup> Celebration</b> |
| Monday, July 13               | 6:00pm  | Regular Meeting                        |
| Monday, July 27               | 6:00pm  | Regular Meeting                        |
| Monday, August 10             | 6:00pm  | Regular Meeting                        |
| Monday, August 24             | 6:00pm  | Regular Meeting                        |
| <b>Monday, September 7</b>    |         | <b>Labor Day</b>                       |
| Monday, September 14          | 6:00pm  | Regular Meeting                        |
| Monday, September 28          | 6:00pm  | Regular Meeting                        |
| <b>Monday, October 12</b>     |         | <b>Columbus Day</b>                    |
| Tuesday, October 13           | 6:00pm  | Regular Meeting                        |
| Monday, October 26            | 6:00pm  | Special Town Meeting?                  |
| Monday, November 9            | 6:00pm  | Regular Meeting                        |
| <b>Wednesday, November 11</b> |         | <b>Veteran's Day</b>                   |
| Monday, November 23           | 6:00pm  | Regular Meeting                        |
| <b>Thursday, November 26</b>  |         | <b>Thanksgiving Day</b>                |
| <b>Friday, November 27</b>    |         | <b>Day after Thanksgiving</b>          |
| Monday, December 14           | 6:00pm  | Regular Meeting                        |
| <b>Thursday, December 24</b>  |         | <b>Christmas Eve Day</b>               |
| <b>Friday, December 25</b>    |         | <b>Christmas Day</b>                   |



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

7B

## TOWN MANAGER FOLLOW-UP

Requested by: Acting Town Manager, David Gardner

Action Sought: Discussion

### Proposed Motions

*Discussion dependent.*

### Additional Information

### Board Action

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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

7C

## OTHER

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

### Proposed Motion(s)

Discussion dependent - Votes may be taken.

### Additional Information

### Board Action

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



Provincetown Board of Selectmen

**AGENDA ACTION REQUEST**

Monday, December 08, 2014

8

## MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Requested by: BOS Secretary

Action Sought: Approval

### Proposed Motion(s)

***Move that the Board of Selectmen approve the minutes of:***

- August 18, 2014 (Special Meeting) [ ] as printed [ ] with changes so noted***
- August 25, 2014 (Regular Meeting) [ ] as printed [ ] with changes so noted***
- September 22, 2014 (Joint Meeting- VSB) [ ] as printed [ ] with changes so noted***
- October 2, 2014 (Secretary Interview) [ ] as printed [ ] with changes so noted***
- October 6, 2014 (Special Meeting) [ ] as printed [ ] with changes so noted***

### Additional Information

See Attached Minutes

### Board Action

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

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
SPECIAL MEETING MINUTES  
MONDAY, AUGUST 18, 2014 4:30 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Donegan convened the meeting at 4:30 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, Finance Director Dan Hoort

Recorder: Dan Hoort

**1. PUBLIC STATEMENTS**

**Mike Canizales** – He was here again to request that rather than immediately reappoint the current Ad Hoc committee that the Selectmen take the time with staff to research a bunch of issues that have come up in terms of how the committee started and potential partisan politics that are playing a heavy hand. He doesn't have all the information, but has enough information that makes him very nervous. He's highlighting what he found so hopefully the Selectmen will push the pause button. He feels he is being distracted by this issue rather than working on finance committee issues. He referenced the Candace Nagle e-mails received through a Vincent Currier public records request. His opinion was that the ad hoc committee did not get its start by a request from the committee chair, but rather by a push from Ms. Nagle. He feels changes to the appointment of the finance committee has everything to do with people not liking Mary Jo and the need to change her powers. This is a once in a generation activity, it's not something we need to do in a year. He would like the Selectmen to bring up who is on the committee after the fall town meeting.

**Mark Hatch** – Read an e-mail that proposes the creation of a charter review committee. E-mail identified as sent from Candace Nagle to Sharon Lynn. From his perspective when he reads something like that it causes him to pause. He feels the whole process is suspect. He feels if we are dealing with something as important as this town's charter it should be above all suspicion. Everything that is done on that committee should be open and transparent and everybody should participate. There shouldn't be a pile of e-mails that is only circulated among four people. He does not feel this is the most pressing problem in the room.

**John Paul Bianci** – He is a resident at 83 Bradford Street. He is here to discuss the charter and the effect on part-time residents. It has been said it is unconstitutional to vote in two places. This is correct in national, state and local elections, however, it has no effect on their ability to participate and vote on

boards and committees. He had a conversation with a gentleman from Secretary of State William Galvin's office. There is no law that prohibits participation on committees and boards. He also spoke with a person in the attorney general's office who concurred with the Secretary of State's office. Another issue that concerns us is the ability to speak at town meetings. He read a regulation that limits non-resident's participation at town meeting. In our opinion this is discriminatory against part-time owners. Being banned from speaking at town meeting regarding issues that directly affects them flies in the face of freedom of the speech. They are proposing a limited number of property owners be allowed to speak at town meeting by simply providing the town moderator with their names. They would like the right to sign petitions, not initiate them. They are part of this town, no one is seeking to take power or change the way this town is run. A committee of four from their organization reviewed the charter and made some recommendations. He would like to publicly thank Mr. Richter and Mr. Donegan for their explanations at one of their meetings.

Public statements were then closed

## 2. SELECTMENS STATEMENTS

Erik Yingling – nothing other than to wish everyone a happy Carnival

Cheryl Andrews – She volunteered to be on the preliminary screening committee for hiring a new BOS secretary. The more she looked at the job description and some of the changes to the job that have occurred over the last five to ten years the more it seemed to her that maybe we jumped the gun by advertising the position without the five of us discussing it. The deadline is intended to close before our (screening committee) first meeting. The expectations of that position have been evolving over the last five to ten years. She would hate to see the BOS make a decision without considering the issues, the job description, who the person reports to, the parameters of the position, is it a 40 hours a week position. She doesn't have all the information and it's a critical position. She assumes we will get some temporary help and doesn't want to slow it down, but maybe we should take an extra two or three weeks to discuss these things. If we need a separate meeting she will be there. She'd rather see the Selectmen talk before the screening committee goes ahead with interviews.

She did a draft for Seashore Pointe. It's not on the agenda so it will come up at a future meeting. She was surprised to learn that employees who were in the AFSCME union when the transfer was made are still in the AFSCME union. There is a scheduled union vote tomorrow. She drafted a letter from the BOS that is ready to go.

She will hold her comments on ad hoc review until we get to item four.

**David Gardner** spoke to say the job description was included in their last packet, but was not discussed. The search committee wasn't scheduled to meet prior to the applications because he didn't think there was a need to do so, but the committee is certainly welcome to meet and he encourages them to do so. The job description is important, he doesn't know if there are a lot of changes, but we should be able to get it on next Monday's agenda.

**Selectman Donegan** mentioned that we changed the reporting structure last year so that the job is a direct report to the town manager for daily supervision. Both the BOS and town manager would do reviews jointly. He also stated it would be on Monday's agenda.

**David Gardner** stated it was a non-union, exempt , position.

**Bobby Anthony** – He referenced what was going on in Missouri. Being an ex-police officer twelve years ago when a uniform change was discussed he stated it would not happen on his watch. In the meantime the federal government had a lot of surplus equipment that local departments now have and don't know how to use. He feels this country would do well to limit the size of their arsenals and fill their communities with community policing, community involvement. It starts off small and gathers momentum.

There has been controversy regarding the arson case. There is a lot of stuff that is going on. He is requesting an update from the acting police chief and town manager.

**Selectman Donegan** said he would add it to the agenda on Monday.

**Raphael Richter** – nothing other than to wish everyone a happy Carnival

**Tom Donegan** – **None**

3. **JOINT MEETING WITH THE TOWN MANAGER SEARCH COMMITTEE**

Postponed.

4. **CHARTER REVISIONS PROCES/DISCUSSION**

Ad Hoc Charter Revision Chair **Julia Perry** was present and met with the Board.

**Selectman Donegan** updated status. A week from today we will look at reappointment. He asked the BOS if they wanted another work session or if they wanted to wait until chapters five through ten were brought forward. He recommends the BOS have another work session to provide the committee with the BOS input.

**Selectman Andrews** asked about sunset date for re-appointment. It is August 31<sup>st</sup>. Selectman Andrews was bothered that the members weren't appointed by the BOS. She feels you need quality in the beginning to get quality at the end. She would like everyone interested in being reappointed to fill out an application with the town clerk. She believes the truth will set us free, get all the e-mails out and town meeting will do the right thing. She wants us to be professional in our approach and be certain all appointments are legal.

**Julia Perry** asked to be allowed to give her understanding of charter review because it is different from what the BOS heard today. She was elected to charter enforcement in 2012. Shortly thereafter the Charter Enforcement Chair (CEC) chair brought up the idea of charter review. In June or July of 2012 the chair brought the recommendation forward to the BOS, but nothing happened. A year later they made the same recommendation. At that point the BOS met with the CEC in a joint meeting. At that meeting the BOS agreed that two members of the CEC would serve on the review committee. Ms. Perry and Ann Maguire were put on the committee, they were not given an agenda or a list of what they should look at, it was an open assignment to look at the charter. She was elected chair with her experience with the charter. They broke up the chapter and assigned subcommittees to review certain segments. It is news to her that she was considered ex-officio.

**Selectman Donegan** asked the BOS if they want another work session.

**Ms. Perry** stated the review committee would encourage that. They would like additional input on Chapter 6, should committees be listed in charter or bylaws. Selectmen Yingling and Richter agree that another work session is a good idea. Ms. Perry stated that perhaps it's more important to work on 7 – 10, leave chapter 6 for another time.

**Selectman Donegan** said it sounds like we have an agreement to have a work session. As to re-appointment, traditionally individuals don't appear before BOS for re-appointment. The size of the committee was determined by the number of applicants. Is there an ability to get technical and mechanical changes to the charter without the side issues? Don't want to throw baby out with bathwater. He will plan to include motions for reappointment in the next BOS packet.

**Ms. Perry** asked if the BOS would like the committee to separate clean-up issues versus big issues?

**Selectman Donegan** asked them to look at controversial vs non-controversial. The DOR wants town to look at non-controversial stuff. Selectman Andrews stated the previous BOS asked staff if they needed to create committee first. It didn't happen in that manner. Selectman Donegan stated that decisions of an appointed body or elected body should probably wait until after town meeting.

**Ms. Perry** asked the BOS for direction, what do you want to go to town meeting? Residency issue? If needed the CEC has a date selected for the required public hearing.

**Selectman Donegan** stated that acting town manager David Garner has preliminary draft of residency requirement change. Selectman Donegan and Ms. Perry will agree to a date for work group. Ms. Perry will send out documents in advance. Selectman Donegan suggested that Ms. Perry talk to Mr. Canizales about his public statement and respond. Selectman Donegan hopes the appetite for addressing the controversial stuff is sated.

**Selectman Andrews** recalls a goal at one time where the BOS intended to reduce the number of committees.

## **5. SEPTEMBER MEETING SCHEDULE DISCUSSION**

**Selectman Donegan** stated he would like to have shorter, fewer meetings than in August. Schedule looks dense. He will try to put together preliminary agendas for relative to September, but some things must carry forward to October and November. Not ideal, but as a group we would like to limit meetings to four hours. Please remind him of any items you really want in September.

**Selectman Andrews** asked if the meetings would be Mondays only or other days?

**Selectman Donegan** stated that most likely only Monday meetings. Regularly scheduled Monday meetings would contain public statements, public hearings, alternate Monday meetings would not include those items, but would be more of a BOS work session.

**6. OTHER – none.**

## **7. EXECUTIVE SESSION - VOTE TO GO INTO EXECUTIVE SESSION - M.GL. C30A SEC 21 (A) CLAUSE 1, 2, 3, 6**

The Board motioned to enter into executive session at approximately 5:34 pm and then voted as follows:

**MOTION: MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A Section 21 (1) (A) Clause 1,2,3,6 and 8 for the purpose of:**

**A. Clause 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Discussion of threatened litigation with respect to dredging at MacMillan Pier. The chair so declared.**

**B. Clause 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. The chair so declared.**

**C. Clause 1, 2, 3, 6, and 8 – To consider the approval and release of Executive Session Minutes for 2014; and not to reconvene in open session thereafter.**

**Motion by Tom Donegan   Seconded by Cheryl Andrews**

**Roll Call Vote:**

**Cheryl Andrews yes**

**Robert Anthony: yes**

**Raphael Richter: yes**

**Erik Yingling: yes**

**Tom Donegan: yes**

**Yea 5 Nay 0   Motion passes**

**The Board adjourned the open session went into Executive Session at 5:34 pm.**

**Minutes transcribed by: Dan Hoort**

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY, AUGUST 25, 2014 6:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Donegan convened the meeting at 6:00 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, Finance Director Dan Hoort

Recorder: Dan Hoort

Meeting called to order at 6:00pm

**Selectman Donegan** opened the meeting with a public statement regarding the spate of accidents on Route 6. The three outer cape towns will look at what to do about the situation. The towns will be meeting with the state to determine what can be done to make it safer. Nothing will probably happen until after the state election when new administration's transportation department is installed. Our condolences to the families of those who have been killed in the last few years. We've had way too many Med-flights over the last few summers. Everyone be safe and know that your town government is working with the state to make it safer.

Selectman Donegan stated without objection he will waive the reading of the consent agenda. Without objection the consent agenda is approved.

Consent Agenda:

A) Parade Application Permit submitted by Melanie Braverman on behalf of the Alzheimer's Family

Support Center to be held Saturday, October 25, 2014 starting 12:00 pm am and ending at 2:00 pm

B) Airport Commission contract with Jacobs Engineering for floodlight replacement. Airport Manager

Butch Lisenby

C) Airport Commission grant in the amount of \$260,100 from the Federal Aviation Administration (FAA) for the Floodlighting Project for the Provincetown Municipal Airport. Airport Manager Butch Lisenby

D) Treasurer's Transfer – Special Purpose Private Trust Gift Fund – \$2000 to pay out two \$1000 scholarships

E) Auditorium Request for Beer and Wine Service – Provincetown Cares 7th Annual Women's Health Care Benefit Performance and Live Auction, October 17 and 18, 2014.

1. **PUBLIC HEARINGS**

None.

2. **PUBLIC STATEMENTS**

**Selectman Donegan** opened the public statement portion of the meeting.

**Julia Perry**, chair of the Ad Hoc Committee read a statement (attached) on behalf of Charter Review Ad Hoc Committee. The Committee recommends the election of a Charter Review Commission as provided by the law. No current member of the Committee is seeking re-appointment to the Charter Review Committee when their appointments expire on August 31st.

**Jim King** – He is here because two months ago he was in front of the Selectmen regarding the proliferation of kayaks as an issue in town. Swimmers could not use the beaches because of the kayaks and boats. He submitted a possible solution and has not heard anything. If we do not address the issue now, no department will budget for a solution. His recommendation was to limit the number of boats on the beach at each town landing. We should come up with a number now and departments can budget monies for building the racks.

**Mark Juaira**. He is a member of the Charter Enforcement Committee, but is speaking on his own behalf. The charter requires three positions to maintain residence in town. A time ago Chair Donegan mentioned a waiver was provided to an employee. The Charter does not provide for a waiver. If you are aware of a violation of the residency requirement and you do nothing about it you are in violation of the charter. Additionally the charter states that the Town Manager must be a resident of the town within six months of their employment. The BOS passed a motion to seek a change in the residency requirement in the charter. It has been stated on a number of occasions that the minimum time for a charter change to move through the state legislature is one and one half years. He wishes to declare for the public record that upon the hiring of the town manager more than one citizen is prepared to file an inquiry as to the town manager's residency. This statement is made now so that it is known it is not a reflection on the new town manager. Regardless of who is hired if the inquiry determines a violation of the residency requirement a charter violation complaint will be filed.

**Selectman Donegan** read the goal regarding changes to the tax rate so everyone would know what is being talked about and stated no decision has been made on implementation. The Finance Committee will be doing some modeling with staff and the Board of Assessors will make a recommendation for late October.

Goal:

Explore different approaches to taxing property to promote year-round businesses and housing. Have a comprehensive discussion of possible changes in tax policy to support a year-round community, including small business exemption, year round residential exemption and taxing short term rentals.

A five year Fiscal Policy Plan and a five year Capital Improvement Plan are essential tools needed for future forecasting and planning and are included in the Charter. However, from time to time it is important to take a longer view and for fiscal year 2015, we will work with staff to develop a 10 year Financial Plan that projects revenue and expenses to determine what, if any, changes in expense, revenue or development trends are required.

**Allen Roth** – His husband and dog spend most of the summer here in town on Conwell St. and as much as they can during the rest of the year. He is here to discuss traffic control. He couldn't attend July meeting on Ryder and Bradford stop sign. He's been frustrated as he has watched meetings on-line. He's been both

elected and an appointed official so he understands demands. Selectmen should base make decisions on the basis of facts and broad public interest, not on hyperbole and myths. He wonders on what basis decisions are made here. Perhaps before we try to speed up traffic on Bradford we should enforce the existing speed limits. Conwell is very dangerous. Much more so than Shank Painter. A safety study made recommendations on Conwell in May 1999, but the study was ignored. Please take a pause and re-think your priorities.

Regarding the split tax rate, it seems the majority of the Board has made a decision to do something within the next three months without even having the information. Please take a pause and look at if fixing one problem will just lead to others.

**Austin Knight** – He refrained from speaking because he wanted to see how the Selectmen would do. He's not happy with what he's seen. The conversation about Bradford stop signs was an emotional issue rather than a factual issue. He is concerned about splitting the community. Mr. Richter should step down when conversation is about stop signs. You made a statement that stop signs impeded your cabs. That's the purpose of a stop sign. We have 100s of cars coming to town, there will be backups. Regarding the goals, he's disappointed, especially you Mr. Anthony who wrote a letter years ago saying we needed a new police station. You should be leading the charge to get the police station as part of the goals.

Now we are pitting one group against another without getting the facts. The renters will pay higher rents. 80% of owners are 2<sup>nd</sup> homeowners. What really is that number? How will that affect everyone? There are currently other ways to seek tax relief.

He believes that when an ad hoc committee is under attack from another committee chair the Selectmen either agree with the comments or do not have the guts to say it's wrong.

**Jane Guy** – She has been coming to Provincetown with her wife since 1975. They can feel open and free. After working and saving they bought their condo in 2000 as part of their retirement plans and became part-time residents and part of the community. They used a local lawyer and realtor when they bought their condo. They donate money and items to local churches and other local organizations. They support local businesses like the grocery store, Cumberland farms, Farland, etc. They have used plumbers and electricians. Since the year 2000 the renovation of town hall, sewer implementation and the paving of Commercial Street were completed with help from part-time resident taxes. They would like to be considered as partners with the full time community and would like to have the opportunity to serve on committees and speak at town meeting.

**Nancy Madden** – We have lived in Provincetown for 56 years first in a rental unit and then a house we bought. We appreciate the hard work the community and all you do to give us this experience every summer. We pay 70 to 80% of the taxes. We were stunned to hear we were going to be asked to pay 20% more in taxes. She will find it very difficult to shoulder a larger tax bill. What is the rationale? Is the purpose to make the town more affordable for people who work in town? How many people who work in town live in town? Isn't there a better way to provide affordable housing? How can you increase taxes without allowing us to vote on the increase and how the money is spent? It's taxation without representation. Please

think carefully about the unintended consequences of your actions which could burden an already struggling aging population and businesses.

**Mary Ann Boswell** – She owns a summer only cottage. She requests the BOS work to build community among the entire community. Every summer they call Provincetown home. Charging different fees to different residents is unfair, hurtful and alienating. She urges the BOS not to do this. It's very emotional, it's not just about math.

**Carol Carr** – There seems to be a pull and tug in Provincetown. She has been involved in volunteer activities as are many part-time residents, they welcome us. We buy locally to support the town. We support the efforts in this town to keep all the businesses running well. We love this town. She appeared before the BOS before to say trash pickup discriminates one neighbor against another neighbor because people in 7 units or more have to pay for trash pickup. There seems to be several organizations who welcome us, then there are government officials who think we are here to write checks. We want to work hand in hand with everyone here whether they are part-timers or full-timers. We love this town.

**Susan Rand Brown** – When she first saw Community First campaign signs she thought back to when she first came here. Parents bought their dream house on Commercial. Our neighbors, community first. Both parents were buried in Provincetown cemetery, their home. My town – community first. My daughters come to town every summer along with grandchildren. Family has fourth generation of Provincetown part-time residences. People may not be able to declare Provincetown their official residence, but consider it their home sweet home. Raising taxes will create a personal hardship and division. Treating her like a stranger is offensive and hurtful. Where did the community go?

**Bill Safari** – We have been coming here since early 1980s and was able to buy property in 1999. We contribute to many local charities including dog park and a variety of other things. We use local tradesmen for renovations. We buy and support the people and businesses in Provincetown. We already pay more for parking. We come here, we bought here because we love it. Please reconsider your thoughts on the tax situation.

**Donald Vaughn** – He owns various properties in town including one he rents to a year-rounder. The renter's two year lease comes up in September. The rent does not pay what it costs to maintain the property. If the tax rate on the property goes up it puts him in a bind. He may not be able to give a two year lease if taxes will increase.

**Lousie Vendon** – She is a private resident who came 22 here years ago, 4 years ago as a full time resident. The incomes of the year-round residents have not kept pace with the cost to maintain the town. All of us share the goal of maintaining the town's buildings, creating jobs and maintaining middle class housing. Twelve communities offer the residential exemption. She is about to join Finance Committee and along with Mark Hatch will review the considerations about proposing the residential exemption. No decision has been made, it's simply a proposal that is being looked at.

**Drew Sacks** – Twelve towns have major commercial businesses that help pay the tax bill. Keep in mind that part-time residents pay the same amount in taxes that residents do, but only use a third of the services, a third of the resources.

**Mike Canizales** – It's a great idea to look at this. Nobody has started to form an opinion on whether it's good or not. Next Tuesday at 10am will be the first time we have looked at this. We don't even know if the math makes sense. To say we discriminate against anyone because we want to look at it is histrionic and offensive. It is our job to look at all the expenses and all the revenue. There is no harm in evaluation. Don't be afraid of the process. We should not be arguing that it is discrimination. It's not taxation without representation. Everywhere in the country it is one residence, one vote. It appears that every letter received takes advantage of the residential exemption in their home town, but now is against it here. Evaluate it on the facts, make it on the facts not emotional blackmail.

**Tom Burke** – He vacations regularly with his partner for 20 years and purchased about 10 years ago. He voiced their concerns about a residential exemption. The BOS and Town Manager need to look at the economic impact and implications of the residential exemption. Part-time residents pay a large portion of taxes, but utilize a limited amount of services. There is no economic justification for the discrimination against part-time residents. He respectfully asks you not endanger the basis of the trust we have placed in you to manage our town with such an ill-considered proposal.

**George Nader** – He hasn't heard anything about income. It seems absurd to lower taxes regardless of income. He's from NYC where he gets certain exemptions based on their criteria, senior, veterans, schools, etc. Why should people worth a lot of money get an exemption? It doesn't make sense to have a blanket exemption.

**Kathleen Cote** – She is a property owner since 1986. It was reasonably affordable when they purchased. She can't believe the issue is even being looked at. It's hard to believe it's on the table as high priority. That's why you are hearing the emotion. We believe it is wrong for the community, wrong for part-time homeowners and for full-time residents as well. The only recourse is to rethink whether Provincetown can be our permanent residence.

**John Cubasack** – He is a part-time resident. To call public discourse histrionics is inappropriate, particularly when it comes from someone who will be evaluating it. I've heard no rationale as to why full-time residents should get a discount. The numbers have no relationship to the rationale. The bread and butter is what is driving this discussion.

**Pat Kirby** – She has owned since 1998. She is a proponent of affordable housing, of funding not-for-profit organizations, but is not in favor of supporting neighbors paying less. She believes the exemption should be based on the ability to pay. We are not here full-time, we do not use all the services.

**Richard Olson** – He is a full time resident for 35 years. He doesn't need to wait to see any math to tell him this divisiveness is in any way a good idea for our community, both year-rounders and part-timers. Casting those who vote vs those who can't vote would be a very bad divisive mistake.

**David Brody** – He accepts that the exemption is under consideration. A policy issue should be considered. It's very complicated and there is much misinformation out there. The Town is facing substantial tax increases which is driving this and other options. Budget issues are created in capital item spending that we don't even have a say in. If the full time residents can't afford to pay for the future expenses he would suggest the town is living beyond its means. Enacting the residential exemption is a treacherous slope.

3. **SELECTMAN STATEMENTS**

**Selectman Andrews** thanked the speakers during public statements. The way Selectmen make good decisions is based on people attending meetings, making telephone calls or speaking to me on the street.

She shares to same love of town as the previous speakers, she feels the same way, it's why she does what she does. She also sees concern from speakers. She has had discomfort also. One letter stated we don't really understand what the problem is you're trying to fix, please tell us and let us help you fix it.

Thank you to everyone who volunteered and worked so hard on Carnival including the police and DPW staff.

Thank you to Harbormaster's Office, the U.S. Coast Guard and everyone else who helped with the burning boat.

She is concerned to see trash not locked up and animal proofed. Please try and make sure your trash is animal proofed.

**Cheryl Andrews moved to send a letter of thanks to all those who volunteered on charter ad hoc review for their service. 2<sup>nd</sup> by Eric Yingling. Motion passed 5-0-0**

She is going to work hard to put some of her thoughts on paper so people know her thoughts. This year for the first time she felt we needed to talk about it. But, she has not made up mind on the exemption. If she thinks it's the right thing for the town she will work hard to explain why she thinks it's the right thing.

**Selectman Anthony** – He concurs with Cheryl on dual tax, he hasn't made up his mind, he hasn't seen the numbers.

Conwell Street has always been an issue, speeding, not enough light, etc. Hopefully the traffic study will address this issue and we can give some relief to Conwell Street because it is very narrow.

Thanks to the charter ad hoc review committee for dedicated service and working so hard over the last year. Thanks for being so diligent.

**Selectman Richter** – Thank you to those who came out and spoke tonight. He wants to emphasize that he has not made a decision on the residential exemption. As a new Selectman he vowed to look at new revenue sources in his campaign. He hopes no one in the room thinks a decision has been made. We will come to right decision for the community for both residents and non-residents. To not discuss it would be a disservice and a mistake.

Selectmen are the commissioners of the roadways. The fact that he has a company that uses the roadways gives him insight. The stop sign was put in without a study, hopefully the study will give us some solutions. Thanks to everyone for speaking.

**Selectman Yingling**- Thanks to all who spoke. He likes excess feedback as opposed to an empty room. We are a long way from any decision on the tax rate. We are trying to level the playing field. We have very high unemployment with a booming economy for 4 months and desolation in the winter. He and many others have multiple jobs in order to afford to live here. It's our obligation to look at it, we need to go through the process. What are the consequences to year-round renters, etc.? We are going through the process to make a truly informed decision. There are a thousand points of light with the tax rate.

Thank you to ad hoc charter review committee for all their work.

Conwell Street comes up every few months. One of the issues is there is a state owned and a town owned portion of the road.

Regarding trash pickup he made a request of Mr. Gardner that we re-visit this. Mr. Gardner stated it's a Board of Health regulation and asked if he wanted to meet with them? Selectman Yingling stated that he would just like the Board to discuss it. He would like to learn more about it.

**Selectman Donegan** discussed Conwell Street. One of the issues is that GPS compounds the problem by pointing all visitors to Conwell Street. We need to include Conwell Street on the Route 6 state road public study. Walking on Conwell Street is a disaster and unsafe.

Thanks to everyone who was involved in Carnival including the police who maintained the calm.

Regarding the tax question. Facts are our friend. His expectation is that his taxes will go up just as 2<sup>nd</sup> homeowners. There is a progressive nature to it. Everything is open to discussion, the math is not as scary as it might seem. It's been a commitment of the town for years. The Department of Revenue recommended this to get off the watch list. It's his job to analyze this. If we don't have people who live in this town anymore we won't have a volunteer fire department. The tradesmen used for home renovations won't be here any longer. He has met with the 2<sup>nd</sup> homeowners on five occasions. When he has the specifics everyone will have them. 2<sup>nd</sup> homeowners have a voice, please continue to use it, especially during the public hearing process.

#### 4. **Joint Meeting with Town Manager Search Committee**

**Chair Louise Vendon** attended as did members **Richard Olson** and **Donald Vaughn**. The committee did not have a quorum present. Chair Louise Vendon read a written statement. The Committee is bringing three candidates forward by a vote of 8-1. The residency requirement, the reduced salary and the competing towns with vacancies limited the number of candidates. The Committee recommends Roy Witherow, Richard Reinhard and Michelle Jarusiewicz.

**Consultant Mark Morse** – was present. He sent the Selectmen a memo last week on how to proceed with the last three candidates. He suggests each candidate spend time with one or two selectmen at a time. It's important for each candidate to spend time with department heads. The timeline is probably the latter part of September for face-to-face meetings. Both out of state candidates knew a lot about the town. The Selectmen must feel comfortable working with their choice, it's critical that you have a comfort factor and feel you are able to work with them. Mr. Morse will continue to do background checks where all facts will be verified. It should be completed within two weeks.

**Selectman Donegan** thought candidates could meet with department heads and individual Selectmen on one day and the five Selectmen as a group would meet with and interview each candidate the following day.

**Selectman Yingling** asked what do we need to do next?

**Mr. Morse** stated Selectmen need to determine the timeline and should review the resumes and determine if there are other questions they would like to ask. Selectmen need to have a general discussion regarding salary, etc.

**Selectman Andrews** asked for clarification of when the Selectmen will receive the background information of the candidates.

**Mr. Morse** stated the Selectmen will receive the information within the next two weeks. The next step is for the Selectmen to set dates for interviews.

**Selectman Anthony** asked when Mr. Morse will be done? What is the next step?

**Mr. Morse** said within a week, two weeks at the most.

**Selectman Yingling** asked if we should start scheduling interviews now.

**Selectman Donegan** stated the Selectmen need to have background information first. Selectman Donegan stated we should have all data by September 11<sup>th</sup>. The Selectmen could possibly interview candidates on September 23<sup>rd</sup> and 24<sup>th</sup>. The department heads could meet with candidates on Tuesday, The Selectmen joint interviews would be on Wednesday. Each candidate interview on Wednesday should be approximately one hour.

**Selectman Andrews** stated that seven years ago we received 38 applications. It's important that we put this in context. Anytime we go through this process the candidate pool will shrink, it's going to get worse, not better. She felt it was time to dissolve the committee.

**Louise Vendon** stated the committee's work is not quite finished as the minutes are not final. They do not have all the executive session minutes written and aren't sure of the process. She does not feel all minutes should be released. Selectman Donegan and Ms. Vendon will talk to Michelle at Kopelman & Paige to understand executive session minutes protocol.

**Selectman Donegan** thanked the search committee for their work and pointed out this was the first time we had a 2<sup>nd</sup> homeowner sit on a board or committee. Those Selectmen with questions may contact Mr. Morse via e-mail.

## 5. **Appointments**

### A. **Provincetown Public Pier Corp.**

**Selectman Andrews moved the Provincetown Board of Selectmen appoint Herbert Hintze as a regular member of the Provincetown Public Pier Corporation with a term to expire June 29, 2019. 2<sup>nd</sup> by Raphael Richter. Motion passed 5-0-0**

## **B. Ad Hoc Charter Review Committee Reappointments:**

**Selectman Donegan** stated that we have two choices ahead of us regarding the charter review. The election for charter review committee has to happen during a regular town election. A petition signed by 15% of town voters must be submitted 60 days prior to election. The revised charter would then be voted on as a ballot question. A 2<sup>nd</sup> process is to request applicants and appoint a new set of committee members. He has a concern that the process could take up to two years. The Selectmen could propose some charter changes at the fall town meeting.

**Selectman Andrews** stated that if there is a benefit to the town to appointing new ad hoc committee members she needs to understand it.

**Selectman Donegan** stated some of the housekeeping issues could be cleaned up by a new ad hoc committee.

**Selectman Yingling** felt like the path outlined by Julia Perry is the path to take. He hasn't heard anyone give a reason the charter needs to be changed.

**Selectman Richter** does not see any rush and thinks it would be great to have elected positions. The citizen petition is good. It's not broken in its current position.

## **6. Requests**

### **A. Letter to Seashore Point Board of Directors**

**Selectman Donegan** questioned if the letter to Seashore Point is now moot as the union has already voted.

**Selectman Andrews** stated she doesn't know how the Tuesday vote went, but thinks we should still send the letter. There will always be a future contract.

**Selectman Yingling** agrees that we should still send the letter.

**Selectman Donegan** questioned what we are asking for.

**Selectman Andrews** said the letter requests information. The Selectmen have never met with Seashore Point Board of Directors, if a meeting comes out of it that's good.

**Selectman Andrews moved that the Selectmen send the drafted letter to Seashore Point, 2<sup>nd</sup> by Selectman Anthony. Motion passed 5-0-0**

## **7. Town Manager**

### **A - Job Description for the BOS Secretary**

**Selectman Andrews** wants the Selectmen to verify the job description is what we want.

**Selectman Donegan** stated the Selectmen changed the job description last time including the reporting structure. The day to day responsibility is to town manager. The hiring and firing responsibility still rests with the Selectmen.

**Selectman Andrews** thinks it feels awkward if employee has too many bosses.

**Selectman Yingling** said we changed reporting structure of harbormaster and that seemed to work. It doesn't work for an employee to be supervised by a volunteer board.

**Selectman Richter** asked if town meeting voted against the BOS Secretary reporting to the town manager?

**Selectman Donegan** said it was more the point of an independent employee not shared with Town Manager. His recommendation is that the BOS secretary continue to report to town manager for day-to-day responsibility.

**Selectman Anthony** stated the BOS secretary can't serve two masters.

**Selectman Donegan** stated that is for the BOS chair and town manager to work out.

**Selectman Richter** said he is comfortable with the language in the job description.

**Selectman Donegan** asked about the hours of position and questioned if this is an exempt position?

**Acting town manager Gardner** said it is disruptive for person to have comp time and not be in office. This person is expected to work some night meetings. We do not have comp time for exempt employees per our personnel rules.

**Selectman Donegan** stated we will keep the job exempt as a non-union salaried position.

**B- Draft of the proposed articles for the October 27<sup>th</sup> special town meeting.**

**Selectman Donegan** stated we need to get a sense of where we are.

**Acting town manager Gardner** stated this is to give the Selectmen a heads-up on what we are working on, the warrant opens on September 8<sup>th</sup>. Staff will be drafting articles for the Selectmen to approve at their September 22<sup>nd</sup> meeting. Mr. Gardner won't be present between September 8th and 22<sup>nd</sup> so he wanted the Selectmen to see what was in the works.

**Selectman Yingling** asked about the status of the Hall property.

**Acting town manager Gardner** said the seller is seeking her own appraisal. He recommends we go forward with article at town meeting.

**Selectman Andrews** asked about balance in CPA and Land Bank Funds.

**Finance Director Hoort** stated there is approximately \$1,000,000 in the Land Bank fund and approximately \$50,000 in the CPA fund for open space. The CPA fund is ongoing, the Land Bank expires in 2020.

**Selectman Andrews** asked about the state match for the CPA fund.

**Finance Director Hoort** said we received \$321,000 in FY 2014 and approximately the same is expected in FY 2015.

**Selectman Donegan** said the change of delivery times is something to think about.

**Selectman Anthony** said if we say 12 noon they will be there until 1pm. People don't realize that we are the last stop.

**Acting town manager Gardner** said he doesn't recommend we have regulations that say one thing and then selectively enforce. The bylaw says 11am and the Selectmen voted to allow until noon.

**Selectman Donegan moved the Provincetown Police Department come forward with a recommendation after soliciting input from the community. 2<sup>nd</sup> by Selectman Anthony. Motion passed 5-0-0**

**Acting town manager Gardner** asked the Selectmen if they wanted to discuss the residency requirement. He added the 15 mile radius to residency requirement. We've read waiver language from Charter Review Ad Hoc Committee.

**Selectman Andrews** stated she is not in favor of waiver, it's unfair to people when you hire them.

**Acting town manager Gardner** stated that we could bring forward an article to remove the residency requirement, this 15 mile radius provides an alternative.

**Selectman Andrews** suggested we publish something more restrictive, let town meeting amend to less restrictive if they opt to do so.

**Selectman Donegan** said he thought the DPW director may not belong at all in the residency requirement. The town manager, police chief and fire chief may be up for discussion.

**Selectman Andrews** asked if we will we draft this and have public hearing?

**Acting town manager Gardner** said a public hearing is an option if you want.

**Selectman Andrews** preference is to eliminate all residency requirements. She would like an agenda item to discuss it. Not a personal preference, but in this day of housing shortages we need to do it to be flexible. All towns on the Cape are in the same boat.

**Selectman Donegan** asked if we know where the first bottleneck is that doesn't allow an alternative route into town?

**Selectman Andrews** said the town can run without someone being here. We had a serious fire when the fire chief was in Florida. We have staff to cover in absences.

**Selectman Richter** said the change has to have teeth to attract the best candidates. He now agrees with Selectman Andrews that we just need to remove the residency requirement.

**Selectman Anthony** prefers that fire chief and police chief live in town, but it may not be realistic. Civil service gives a 15 mile radius.

**Selectman Yingling** said he doesn't want town manager living in Hyannis, we need some sort of restriction.

**Selectman Donegan** thinks a radius is important for employees to share the experiences of our town and is in favor of a radius. We need to write it the most restrictive to give town meeting voters the option of making less restrictive.

**Acting town manager Gardner** pointed out the addition of plastic bag restriction bylaw in the proposed warrant. The committee will meet on Wednesday to finalize it. The Zoning Board is also working on articles, which may or may not come forward.

### **C - Town Wide Goals follow-up**

**Selectman Donegan** brought up the follow-up on town-wide goals. One of the items is the expansion of the room tax to all short term rentals.

**Selectman Andrews** said a great deal of commercial activity is going on throughout the Cape and Massachusetts where they are running a business. Maybe we need to have conversation with the Licensing Board and the Board of Health. Do we change the definition of short term rentals? It would bring a lot of attention if we did and maybe that's not a bad thing. Most people agree it is fair, but just hung up in legislative process. People look at their properties as investments with rental income. Let's flex our muscle and look at changing our definitions.

**Selectman Yingling** thinks it's very clever, it would make the state respond to us and he would like to see the town pursue it.

**Selectman Donegan** asked if we need to meet in executive session to discuss possible legal fees.

**Acting town manager Gardner** said there is not a pending lawsuit so executive session may be premature. Several steps are needed before we need to discuss legal. The collection of revenue and compliance becomes a Department of Revenue (DOR) problem.

**Finance director Hoort** said it would require the DOR to do collections for us and he doesn't know how willing they would be to enforce it.

**Selectman Donegan** said we need to determine rationale and perhaps get other communities involved. A discussion with Kopelman & Paige should also occur. The Board of Health would have to change the licensing. Perhaps we can have Dan talk to the DOR representative and hear their thoughts. We need to know what we are facing. Next step is the legal rationale and having Dan talk to the DOR.

Selectman Donegan asked that the Selectmen turn to the goals. The trolley, farmers market, pier food concessions and street banners have been identified as issues. Each needs to be developed in a 'piecemeal process'. Staff should come to Selectmen with recommendations. Selectman Donegan brought up community policing which seems to be fairly straight forward.

**Selectman Yingling** mentioned the police chief wanted liaison from Selectmen. He volunteered to be the liaison.

**Selectman Anthony** has been talking to the police chief and was convinced to volunteer.

**Selectman Donegan moved to appoint Robert Anthony as the community policing liaison. 2<sup>nd</sup> by Selectman Andrews. Motion passed 5-0-0**

**Selectman Donegan** mentioned the training with Wellfleet.

**Selectman Anthony** mentioned the chief is talking with Roger Williams University for joint training with Wellfleet.

**Selectman Donegan** mentioned Civic Engagement and said the Selectmen need to set up a joint meeting with the committee.

**Selectman Donegan** said the town manager will hire police chief. Selectmen will go forward when town manager is hired. Next goal discussed was how to increase town meeting attendance. Eastham is planning to buy electronic voting and renting it out to other towns. Selectman Richter will look into what Eastham is doing.

**Selectman Donegan** will talk to town counsel about the consent agenda approach. Selectman Donegan mentioned alternative seating and questioned how many non-bench seats do we have?

**Selectman Richter** stated that the Selectmen should go further, can we look at what different scenarios could we come up with in terms of seating?

**Acting town manager Gardner** said the first step is to talk to the Historic Commission.

**Selectman Andrews** said we should talk to them.

**Selectman Donegan** agreed, we need a chair system that functions. Let's talk about what are our options.

Selectman Donegan stated we need to increase publicity of town meeting. This is more a function for us and the Selectmen need to schedule a winter work session.

Selectman Donegan brought up economic development, we need to initiate an update of the Local Comprehensive Plan. The DART proposal is the first step, it happens in a few weeks followed by public hearings. The process has started.

Town planner McPherson gave an update on the DART process.

Selectman Donegan brought up the parking and traffic study.

Acting town manager Gardner will contact the Cape Cod Commission to check on their availability and potential involvement.

Regarding the goal on bike trails acting town manager Gardner said the process is moving along, we need to have a designer in place and then need to work on Mass DEP permit. The DEP permit may be the biggest hurdle.

Selectman Donegan said this will be a follow-up item for the fall.

Selectman Donegan brought up the economic development of the harbor and said it's actually a joint meeting with the Pier Corporation and the Harbor Committee.

Selectman Andrews volunteered to be liaison to Pier Corp and Harbor Committee.

**Selectman Donegan moved that Selectman Andrews be appointed as the liaison to the Provincetown Public Pier Corporation and the Harbor Committee. 2<sup>nd</sup> by Selectman Richter. Motion passed 5-0-0**

Selectman Donegan asked if anyone has written a CIP request for beach kayak storage units.

Finance director Hoort said no CIP request has come forward.

Selectman Andrews volunteered to talk to Harbormaster Rex McKinsey.

Selectman Donegan brought up bicycle master plan. The bike committee and master plan group will work on this.

Acting town manager Gardner will check on progress and timeline. He expects sometime this fall.

Selectman Donegan would also like to talk to the committee to see if brochure is money well spent.

Selectman Donegan brought up the 2020 celebration. A joint meeting is coming up on September 22<sup>nd</sup>.

Selectman Andrews has a good friend involved in Bourne centennial celebration. She has been collecting information and is going to their final meeting on Tuesday with Tourism Director Tony Fuccillo to collect additional information.

## 8. Minutes Approval

None

## 9. Closing Statements

**Selectman Richter** distributed the final draft of the parking survey. He would like feedback from the Selectmen before he says OK. Please e-mail any comments to him so it may be sent to the printer on Tuesday.

**Selectman Andrews** expressed her thanks to acting town manager Gardner. She appreciates the speedy response when she has a question.

**Selectman Anthony** appreciates the two police chief memos regarding the two incidents. He would like the police chief to include the sanitized version in his next report.

**Selectman Yingling** – no statement

**Selectman Donegan** – no statement

The meeting was adjourned at 10:01pm

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
JOINT MEETING WITH VSB  
MONDAY, September 22, 2014 5:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Donegan convened the meeting at 5:00 PM, noting the following:

Board of Selectmen attending: Tom Donegan, Erik Yingling, Robert Anthony, Cheryl Andrews and Raphael Richter.

**Cathy Nagorski, Chairman of the VSB called their board to order at 5:02**

Visitor's Services Board (VSB) attending: Cathy Nagorski, Rick Murray, Mick Rudd and Marian Peck.

**Other attendees: Acting Town Manager David Gardner, Finance Director Dan Hoort, Tourism Director Tony Fucillo, Assistant Tourism Director Radu Luca**

Recorder: Dan Hoort

**Agenda Item 1. Joint meeting with the Visitor Services Board.**

**Mr. Fucillo mentioned a visit made with Selectman Andrews to the Cape Cod Canal 100<sup>th</sup> anniversary celebration committee to see how they structured the committee. What they found is that they utilized an existing 501 group that they could work with as an arm of that organization. Mr. Fucillo discussed the structure the VSB recommends for committee for the Provincetown 2020 campaign. They recommend utilizing an existing 501c non-profit group. Events and merchandising sales may be used to raise money. The structure of the committee would be to include someone in development to fundraise.**

**The first order of business would be to establish a mission. The VSB suggests reaching out to existing non-profits and identify which existing Provincetown 501 non-profit will represent the 2020 efforts. We need to establish a legacy the Town of Provincetown will leave behind following the commemoration.**

**STEPS:**

- **Hire a Managing Director – part time 2017, 2018 full time 2019,2020 4 year budget \$75k**
- **The Provincetown 2020 Steering Committee will be an advisory board to the Provincetown Board of Selectmen and will be appointed by the Provincetown Board of Selectmen.**
- **The Steering Committee will be treated as other town boards.**
- **Seven of the members (one from each category) of the Provincetown 2020 Steering Committee will report back to the Board of Selectmen as needed. However, the appointed committee will expand to support all the needs for the 2020 commemoration.**
- **The committee members will all be volunteer and sworn in by the town clerk.**
- **All meetings will be subject to and conducted under the Open Meeting Law and the determination of the Division of Open Government.**

- The steering committee will nominate and vote for a Chair, Vice Chair and Secretary. The three officers will be on the back bank account and will be the only individuals with authorization to sign checks. Meetings will have a regular monthly schedule to allow for members and residents to plan ahead. Provincetown 2020 Steering Committee meetings will be posted at least 48 hours in advance.

Mr. Fucillo read a motion that he had prepared to move this forward if the Selectmen agreed.

Mr. Murray asked if the Cape Cod Chamber was only arm to get state funding Mr. Fucillo responded yes, they are our Regional Tourism Council.

Mr. Murray said we need to include the airport and transportation aspect of this. Regarding merchandising he hopes we get more creative than t-shirt sales for fundraising.

Ms. Nagorski said we've had a couple of meetings on this and she's excited to see it jell gel and begin to take shape and to see a real plan laid out and moving forward.

Mr. Murray said we have voted to allot \$15,000 in VSB funds for the next five years for this start of the process. That vote was last year. This is for marketing.

Selectman Andrews said she had two comments, she started to zone in on the Cape Cod Canal celebration because if you can make digging a hole from one side of the cape to the other...*exciting* ..then boy..we should be able to have a very good party in 2020. Unlike a lot of events towns throw, we are commemorating a historical event. She was blown away by the Cape Cod Canal's web site and their celebration was very creative. Their 1<sup>st</sup> step was the town stepping up. Get people to the table and start the dialogue. From where she was coming from the material Mr Fucillo has just presented it is a little more developed than she expected to see. One group should not dominate the planning, including the town. It should be a team effort, a collaborative. The committee itself may decide how it wants to organize itself. Each organization should come to the table and they decide to do what they do best. The town should be hands off; the committee should feel empowered to take charge of it. She was just going to name a bunch of groups and ask them to show up in November. The gift committee may be premature.

Mr. Murray said we had this discussion last December with the previous Board of Selectmen. Are we are in agreement to appoint a steering committee?

Selectman Andrews: Yes.

Mr. Murray said we've wasted ten months, he doesn't want us to waste another two to four months.

Selectman Richter said he was pleased to see the detail that you (Mr. Fucillo) put into it and happy to see we are getting committee going right away. He tends to agree with Cheryl to not get too specific on how the Committee organizes itself and let the Committee do its work. You have my support for what you put together and we need to get started right away. You said it was \$15,000 that the VSB has contributed? He hopes as we go forward we think big and not be limited.

Selectman Yingling said it feels like we are starting to jell gel here, it's a good infrastructure we are putting in place. He is trying to envision the hierarchy and asked about the one staff person to be hired, is he the one doing the fundraising?

Mr. Fucillo said the person would be the only staff member and will be administrative.

Selectman Yingling said we can't expect volunteers to do all the fundraising. We need to clarify the staff role.

Mr. Fucillo said the steering committee will do that.

Selectman Yingling said we need to work on job description for person. He wants it to be very clear as to who does what.

Acting town manger Gardner said the steering committee is hiring the individual, it's their funding and the committee will be the staff person's boss. Selectmen Yingling said he's happy with what has been brought forward and hopes the Monument will be on board as well.

Mr. Fucillo said the monument has not been consulted at this point, but he believes they will be part of it.

Mr. Murray said that once the Selectmen create the steering committee it will be time to reach out to the possible organizations for participation.

Selectman Anthony appreciates the work to date by Mr. Fucillo. He would rather have more information than less information, his main concern is when do we start, he's totally in support of it.

Selectman Donegan stated that relative to the staff we don't have the resources to commit to the work needed, he sees the staff person hired being able to do project management and a little marketing and it may change as the date gets closer.

Mr. Fucillo stated we will fund the position through a grant from the State of Massachusetts and it will be a position in the 501 organization.  
Selectman Donegan said we need to make sure to get it right.

Mr. Gardner stated we envisioned there would be town funds involved. He questioned how the steering committee would be formed, who would appoint members? Will the BOS appoint members?

Selectman Andrews said someone has to do the appointing. Her research was to determine the answer as to what was the first step, how did the first meeting happen? The idea would be once the steering committee has its first meeting the town is only one member of the group. The committee needs to be fluid and the committee itself will form an identity. We have the gravitas to call these people together, but long term... it won't be a government committee.

Mr. Gardner asked who calls the first meeting.

Selectman Andrews stated a member of the Selectmen would call the first meeting.

Selectman Yingling said it feels better if it is more fluid. He doesn't want it to be too large.

Selectman Anthony stated someone has to be the lead here; someone needs to reach out to whoever we want on this committee. There has to be some

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structure to it. We need to make a basic determination as to how this committee gets formed.

Selectman Donegan agreed and stated he is worried about it not jelling gelling and being hijacked in one direction or another.

Mr. Murray thinks the Selectmen should appoint a steering committee, maybe 12 to 15 members.

Selectman Andrews said it's time to share a motion

Selectman Andrews moved that the Provincetown Board of Selectmen create the Provincetown 2020 steering committee forthwith and request the following organizations to appoint..maybe the word should be choose or send representatives:

Town of Provincetown, Provincetown School Committee, Provincetown Pilgrim Monument and Provincetown Museum, Provincetown Chamber of Commerce, Provincetown Business Guild, Provincetown Historical Celebrations, Inc., Cape Cod National Seashore, Provincetown Public Pier Corp., Provincetown Art Association and Museum, Provincetown Part-time Residents Taxpayers Association, Provincetown Community Compact, Inc., United States Coast Guard.

Note:

The written motion had a date of November 14<sup>th</sup> at 10am, the motion as read did not include a time or date.

Selectman Andrews commented that her motion was 12 organizations. It does not include the churches that she thinks should be included for historical reasons. The point is that the motion is not meant to be exclusive, but that is 12 major groups that are going to be part of this that we'd like to get to sit down this fall with each other and talk about how best they want to organize themselves. To the extent at some point that the steering committee ceases to exist, that is fine with her, it's not meant to be a government entity. The idea is that we create the steering committee and it morphs into something else, what that something else gets called is up to the committee. The list is not meant to be exclusive or inclusive.

2<sup>nd</sup> by Selectman Richter

Selectman Donegan says it theoretically seems like a good idea, but he would like to see a one year review.

Selectman Andrews said we are a member of this committee. If we see trouble we will have to correct it. The secret of the committee's success is that the town can't be heavy handed in telling the committee how to organize.

Selectman Yingling asked about the date, why November 14th?

Selectman Andrews said we have to pick a day, she randomly picked the date. It gives all the organizations time to talk prior to the meeting.

Mr. Gardner asked if Selectman Andrews intended that date to be a full Board of Selectmen meeting.

Selectman Andrews responded no.

Selectman Anthony asked for clarification. On that date, which may not even be that date, are we going to establish the steering committee?

Selectman Andrews stated that's what we are doing today.

Mr. Gardner stated that date would be when the first members begin to show up and form themselves. Any organization that wants to participate may send individuals to the meeting and that group will form their committee. At some point the fundraising aspect of this will develop, it won't develop tonight. Whether that is a gift fund or a 501, the 501 would form itself through their articles of incorporation.

Selectman Andrews said unless we use one that already exists.

Mr. Gardner said to address your concern about the fact that you have a group of people out there spending money, the group will monitor that.

Selectman Donegan stated he intends to vote no because he doesn't feel it has enough structure in the beginning, he hopes he is wrong.

Selectman Yingling said he will abstain because of hiring concerns.

Selectman Andrews said the Cape Cod Canal committee was very successful set up in exactly this manner. She suggested the Selectman study the Cape Cod Canal group.

Motion passed 3-1 (TD) -1 (EY) (TD / EY)

**Agenda Item 2. Request for the establishment of a Gift Fund to collect funds for 2020 events**

The Selectmen briefly discussed the advantages of a town gift fund vs donations to a 501(c)(3) organization. The tax benefits are identical.

Selectman Richter moved that the Board of Selectmen vote, pursuant to MGL Chapter 44, section 53A, to establish a gift fund account to receive donations for the Town of Provincetown 2020 celebration, the proceeds of which shall be used without further appropriation under the supervision of the Town Manager and the Board of Selectmen to prepare for the celebration and commemoration of the 400th Anniversary of the First Landing of the Mayflower Pilgrims and the Signing of the Mayflower Compact.

2<sup>nd</sup> by Selectman Yingling. Motion passed 5-0-0

**Agenda Item 3. Update on the BAS Relief.**

Mr. Fucillo stated CPC funds are available for hiring an engineer and that is moving forward. We need to get the monuments brought up to date to make it look beautiful.

Mr. Gardner stated the overall conceptual park design was included in the original Community Preservation award.

Selectman Donegan would like to see it more user friendly by addressing the plant barrier.

Mr. Gardner said there are those who would like to look at the entire park a little more holistically.

Mr. Fucillo said the first step is to identify what needs to be done and then put out an REP, no action is need tonight.

Selectman Anthony questioned who owned what portion of the property. Mr. Fucillo responded with his understanding of who owns which portions of the property.

Mr. Murray asked for Selectman Donegan's reasons as to why he voted no. Selectman Donegan stated he doesn't want to create another meeting in November that does nothing for six months and doesn't move the process forward.

Mr. Murray stated he didn't think we had all the right people at the previous meeting. We need to have up to \$600,000 to \$ 1.2 Million to do this right. This could be a really great collaborative process and the early earlier we start the better the result. We need to get going on the fundraising.

Mr Murray moved to adjourn the VSB meeting.

BOS adjourned by unanimous consent at 5:58pm

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
BOARD OF SELECTMEN SECRETARY INTERVIEW  
MEETING MINUTES  
THURSDAY, OCTOBER 2, 2014 6:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Donegan convened the meeting at 6:07 PM, noting the following:  
Board of Selectmen attending: Tom Donegan, Erik Yingling, Robert Anthony and Cheryl Andrews.

Excused Absent: Raphael Richter.

Other attendees: Acting Town Manager David Gardner, Finance Director Dan Hoort

Recorder: Dan Hoort

**Selectman Andrews** welcomed Mr. McCulla and explained the process of the preliminary screening committee and the Selectmen interview process.

**1. Interview Board of Selectmen Secretary Candidate Jeremy McCulla**

**Selectman Andrews** asked Mr. McCulla to introduce himself.  
He lives in Boston and hopefully is moving to Provincetown in the near future and he currently manages a high end retail store.

Selectman Andrews stated that this position reports and works with many people. How do you set your priorities and how you deal with folks coming at you from multiple angles.  
Mr. McCulla stated some things come up along the way that may take precedence over your priorities, it's important to be flexible and be able to roll with the punches.

Selectman Andrews asked about his skills, there is a significant typing aspect and record keeping aspect to this job.  
Mr. McCulla stated he has not taken minutes before, but I feel I would be able to do it with no issue

**Selectman Donegan** stated part of the job is the flexible schedule. There are evening meetings that we try to complete by 11, but we try to stop by 10 at the latest. Town meeting may run a late as well. How comfortable are you with that, you think you are going to get home at 9pm and your day runs late.

**Mr. McCulla** stated it's part of his business right now, you never know what's going to come up. It's part of what he does, the schedule is not set.

**Selectman Donegan** asked how do you organize your day?

**Mr. McCulla** stated his outlook calendar is his best friend. Anything I need to get done I highlight with my outlook calendar.

**Selectman Yingling** asked how familiar is he with what we do and Provincetown in general?

**Mr. McCulla** I've been coming here since I was a senior in college. He hasn't participated in town government, but he has researched it and know how it works.

**Selectman Yingling** noted he has a lot of retail store experience and asked if he has worked in a secretarial position before?

**Mr. McCulla** state he has worked in volunteer positions where I've done secretarial duties, but he has not worked as a paid secretary.

**Selectman Yingling** asked which organization?

**Mr. McCulla** said MassEquality

**Selectman Yingling** noted he will mostly work with the chair, but asked how does he handle working with multiple bosses?

**Mr. McCulla** said he reports to a number of people in his current job, it's important to keep the line of communication open with everyone

**Selectman Anthony** asked if he has worked in jobs where confidentiality is required?

**Mr. McCulla** stated his current job the financial aspect is confidential as is the human resources side.

**Selectman Anthony** noted that in this job, a lot of it is customer service. How do you deal with someone who wants to make a complaint?

**Mr. McCulla** said a lot of the times people just want to know you are listening and understand their issue. If I can resolve it on my own, perfect. If not I will direct them to the person who can handle their issue

**Selectman Andrews** asked what about this specific position makes you a perfect fit for you?

**Mr. McCulla** said if you ask any of my friends they will say I'm an NPR junkie and love government. This would be the perfect mix between his career and his passion for government and Provincetown and policy.

**Selectman Donegan** asked if Mr. McCulla has housing arranged?

**Mr. McCulla** said yes he does.

**Selectman Donegan** noted that one of the problems with town government is that calls may go all over the place until they get to us and by the time they get to us they are upset.

**Mr. McCulla** said you need to let them know you understand their situation and you will do your best to handle it. Everyone wants to feel their issue is important.

**Selectman Yingling** said you mentioned you are an NPR junkie, do you follow what happens in tow, do you read the paper and how did you hear about the job?

**Mr. McCulla** said he heard about the position on Facebook. He has watched the videos of the meetings.

**Selectman Anthony** asked if he has you worked with the public before. What do you like and dislike about it.

**Mr. McCulla** my current job is working with the public and I enjoy it very much. You are able to communicate with the public and get to know people on an individual basis. If I didn't like working with the public I would be in a different career. I can't think of anything that I don't like in working with the public.

**Selectman Donegan** asked if the screening committee went over the benefits and the salary.

**Mr. McCulla** said they did not discuss it.

**Selectman Donegan** described the salary and benefits. It is a forty hour work week with comp time for night meetings. There is fair amount of detail in the position.

**Acting town manager Gardner** described the paid time-off during the year.

**Selectman Yingling** asked Mr. McCulla if he had any questions for the Selectmen?

**Mr. McCulla** asked what are the next steps in the process?

**Selectman Donegan** stated the Selectmen will deliberate and then offer the position to one of the two candidates.

**Selectman Donegan** thanked Mr. McCulla for coming today.  
Mr. McCulla left the room.

**Selectmen Donegan** asked if others feel deliberation is covered on the agenda?

**Selectman Andrews** stated she would hate to put it off, but thinks it might be better for the agenda for Monday night.

**Selectman Donegan** stated he would put it on Monday's agenda.

## 2. Other

**Acting town manager Gardner** reminded the Selectmen that for the MMA conference, for which they are registered, we need to reserve hotel rooms for the Selectmen. Mr. Gardner asked the Selectmen which days would they plan to be there and to let him know.

Acting Town manager Gardner stated the only other thing is to schedule a site visit to the Winslow property on Monday.

The Selectman decided a Saturday morning visit would work better for their schedules and Mr. Gardner said he will call to arrange a visit. Selectmen Andrews and Anthony will join Selectman Donegan on Saturday morning instead of the Monday visit.

Acting town manager Gardner mentioned that we have the Community and Government Service Award plaque and we're trying to decide where to hang it. It was decided the plaque will be hung next to the door inside the Judge Welsh Room.

**3. Executive Session**

**Move that the Board of Selectmen vote to go into Executive Session - pursuant to M.G.L. c30A Sec 21 (a) Clause 2 – to conduct strategy sessions in preparation for contract negotiations with non-union personnel (prospective new Town Manager) and not to convene in public session thereafter.**

**Motion by: Erik Yingling, Seconded by Cheryl Andrews. The Chairman declared that conducting the session in public would have a detrimental effect on the Town's negotiating position.**

**Roll Call Vote:**

**Selectman Andrews yes**

**Tom Donegan yes**

**Erik Yingling yes**

**Robert Anthony yes**

**Motion Passed: 4-0-0**

**The Open Session adjourned and the Board went into executive session at 6:28pm**

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
SPECIAL MEETING MINUTES  
MONDAY, October 6, 2014 5:00pm  
TOWN HALL – JUDGE WELSH ROOM**

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

Other attendees: Acting Town Manager David Gardner, Finance Director Dan Hoort

Recorder: Dan Hoort

**Agenda Item 1. Consent Agenda**

Without objection the Board of Selectmen approve the Consent Agenda as printed.

1. **MOVE that the Board of Selectmen vote to submit a grant application to the Executive Office of Energy & Environmental Affairs through the Massachusetts Office of Coastal Zone Management for the development of a town-wide Vulnerability Assessment.**
2. **MOVE that the Board of Selectmen vote to approve a proclamation to recognize Thursday, October 30, 2014 as Tour Guide Appreciation Day in the Town of Provincetown**
3. **MOVE that the Board of Selectmen vote, as Commissioners of the Town of Provincetown Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$995.00 from the Library Gift Fund to pay for the attached invoice(s).**
4. **MOVE that the Board of Selectmen vote to certify the Provincetown Sergeant's Promotional list pursuant to Article XXV of the current collective bargaining agreement.**

Selectman Donegan congratulated Selectman Richter on his recent marriage and wished him all the best.

**Agenda Item 2 10 Year Financial Forecast Plan**

Finance Director Hoort gave a presentation on the 10 year financial forecast. There are things we know, some things we have a pretty good idea of and some things we have to make our best educated estimate.

- Debt exclusions are based on actual existing borrowing.
- Cherry Sheets are based on history and recently have become more positive as the state's economy has improved.
- Estimated local aid is restricted by the Department of Revenue on the tax recap.
- There is a delayed effect of debt exclusions. The article is approved and the funds are usually borrowed approximately two years later.

Staff is looking at the budget and categorizing expenses into variable versus fixed expenses.

**No motions were made.**

**Agenda Item 3**

**BOS Calendar**

**Board agreed not to meet between Dec 22 and Jan 5, 2015 unless we have an emergency. Tues/Wed will be good for budget meetings in January. 4:30pm**

Selectmen discussed timing of traffic hearing.

Selectman Andrews said **t that maybe we could have a Fall Traffic Hearing instead of the Spring Traffic Hearing.**

Selectman Richter said the spring 2014 traffic hearing was very difficult.

Selectman Donegan asked if the Traffic Hearing generates proposals.

Acting town manager Gardner said yes, people bring them forward when they hear there will be a hearing. If the Selectmen do not have a spring traffic hearing they will most likely hear about it.

Selectman Donegan asked the calendar be updated to include the meetings and public hearings leading up to town meeting.

Mr. Gardner asked if schedule should be updated/changed due to religious holidays.

September 14, 2015 conflicts with Rosh Hashanah. We'll look at moving that meeting to the 16th.

Mr. Gardner reminded the Selectmen to get hotel registrations in for the MMA conference on January 22, 23 & 24, 2015.

**Agenda Item 4A Approval of the 2020 Steering Committee Draft Invite Letter  
Steering Committee**

**Selectmen unanimously voted by unanimous consent to approve the draft invite letter as submitted.**

**Agenda Item 4B Board of Selectmen Secretary**

**Selectman Andrews moved to offer the position of Selectmen's Secretary to Loretta Dougherty.**

**2<sup>nd</sup> by Selectmen Anthony. Motion passed 3-0-2**

Selectman Yingling was concerned about the length of time Ms. Dougherty planned to work for the town.

Selectman Anthony saw an enthusiasm there that was palpable. That's what swung him in favor of Ms. Dougherty.

Selectman Richter was not here for the interview so he will be abstaining.

Selectman Anthony was impressed with her resume during the interview and thought she was very personable.

Selectman Yingling reminded the Selectmen that there is an actual cost to the town if someone leaves in six months.

Selectman Donegan thought Jeremy McCulla was outstanding and he hopes he applies for other customer service jobs in town. He will support the motion for Ms. Dougherty.

**Motion passed 3-0-2 (EY/RR)**

**Selectman Donegan moved to thank Elisabeth Verde for stepping up to help during this transition.**

**2<sup>nd</sup> by Selectman Richter. Motion passed 5-0-0**

#### **Agenda Item 5 Executive Session**

**Raphael Richter moved that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A Section 21 (a) Clause 2 for the purpose of: Clause 2- To conduct strategy sessions in preparation for contract negotiations with non-union personnel, (potential new town manager); and Clause 6 - To consider the purchase, exchange, lease or value of real estate, as the chair so declares that an open meeting may have a detrimental effect on the negotiating position of the public body. and not to convene in open session thereafter. The chair did declare.**

**2<sup>nd</sup> by Selectman Donegan**

**Roll Call Vote:**

**Cheryl Andrews: yes**

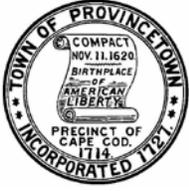
**Raphael Richter: yes**

**Tom Donegan: yes**

**Erik Yingling: yes**

**Bobby Anthony: yes**

**Meeting adjourned The Board went into executive session at 7:29 pm**



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, December 08, 2014

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## CLOSING SELECTMENS STATEMENTS

### Administrative Updates

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

#### Proposed Motion(s)

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

**Robert Anthony**

**Raphael Richter**

**Erik Yingling**

**Cheryl Andrews**

**Tom Donegan**

#### Additional Information

#### Board Action

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

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