



# Meeting Agenda

The Provincetown Board of Selectmen will hold a public meeting on Monday, March 16, 2015 at 6:00 p.m., in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657

1. PUBLIC HEARING: Joint meeting with Finance Committee regarding Proposed FY2016 Operating Budget.
2. Discussion regarding the Modified CPA Article 16, in the Annual Warrant.
3. OTHER: Other matters that may legally come before the board not known at the time of posting.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, March 16, 2015

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## JOINT MEETING WITH FinCom FY 2016 Budget

Requested by: Board of Selectmen

Action Sought: Discussion

### Proposed Motion(s)

#### *General Discussion of FY 2016 Operating Budget.*

- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY16 Town Manager budget, dept. 123 in the amount of \$328,662*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY16 Police Dept., dept. 210 in the amount of \$2,400,000*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY16 Community Development, dept. 241 in the amount of \$113,320*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY16 Library, dept. 610 in the amount of \$281,994*

### Additional Information

See Attached

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



Town of Provincetown

# Public Hearing

Board of Selectmen

Finance Committee

Proposed FY 2016 Operating Budget

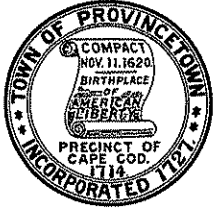
In accordance with §9-1-6 of the Provincetown Charter, the Board of Selectmen and the Finance Committee will hold a Joint Public Hearing on **Monday, March 16, 2015 at 6:00 pm** in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA to hear comments from the public on the Town's proposed Fiscal Year 2016 operating budget.

Copies of the budget are available for inspection in the office of Town Manager/Board of Selectmen at Town Hall. Comments may be submitted in writing to that office no later than Tuesday, March 3, 2015, or in person at the hearing.

*Thomas Donegan, Chair, Board of Selectmen*

*Michael Canizales, Chair, Finance Committee*

Posted: Town Hall, <http://www.provincetown-ma.gov> 2/13/15 9:10 am dj  
Published: Provincetown Banner: February 26, 2015 and March 5, 2015



## Finance Committee

# Memo

**To:** Board of Selectmen

**From:** Mike Canizales

**CC:** Town Moderator  
Finance Committee  
Acting Town Manager  
Finance Director

**Date:** March 4, 2015

**Re:** FY 2016 Operating Budget Recommendations

**ATT:** FY 2016 Operating Budget Summary

Dear Provincetown Selectmen:

The Finance Committee believes the town needs to curtail the growth of personnel costs and the connected liabilities for OPEB and retirement costs. When presented with vacant positions the Committee opted to not fund certain positions to reduce the growth of personnel costs.

Attached you will find a summary of the FY 2016 operating budget with our recommendations.

**Division I, General Government - increased \$20,000**

<b>\$1,102,644</b>	<b>BOS Recommendation</b>
<b>\$1,122,644</b>	<b>Finance Committee Recommendation</b>

**123 Town Manager (increase \$20,000)**

Committee voted to reduce starting salary for new Town Manager from \$140,000 to \$120,000. Committee also voted to increase line A-5, Other Compensation line from \$9,000 to \$49,000 so the Selectmen were not restricted when searching for a new Town Manager.

Division II, FINANCE – increased \$31,813

**\$9,731,389**      **BOS Recommendation**  
**\$9,763,202**      **Finance Committee Recommendation**

**131 Finance Committee (increase \$31,813)**

The Committee increased their reserve fund to \$125,000. There has been a history of increased need for the reserve fund. Any number of items may require a reserve fund transfer including the possibility of the School needing extra funds if additional students attend Nauset Regional High School and/or if the Selectmen required additional funds to hire a new town manager. Based on past history the Committee felt they should have the resources in the reserve fund should they need to act.

Division III, PUBLIC SAFETY – Decreased \$150,616

**\$5,012,419**      **BOS Recommendation**  
**\$4,861,803**      **Finance Committee Recommendation**

**210 Police Department (decrease \$82,097)**

Finance Committee voted to reduce starting salary for police chief from \$125,000 to \$110,000 and to further ask the Acting Police Chief to reduce his budget by an additional \$67,097

**241 Community Development (decrease \$68,519)**

After a long discussion the Committee felt it was important to have the town debate whether the Community Development department was appropriately resourced to meet the community's needs.

Division IV, PUBLIC WORKS – No Change

**\$3,314,835**      **BOS Recommendation**  
**\$3,314,835**      **Finance Committee Recommendation**

Division V, PUBLIC SERVICES – Decreased \$34,000

**\$956,121**      **BOS Recommendation**  
**\$922,121**      **Finance Committee Recommendation**

**610 Library (decrease \$34,000)**

The Committee voted to reduce the Personnel budget for the Library by \$34,000.

Division VI, PUBLIC SCHOOLS – No Change

**\$3,813,887**      **BOS Recommendation**  
**\$3,813,887**      **Finance Committee Recommendation**

We look forward to our Joint Public Hearing on March 16<sup>th</sup>, at 6:00 pm.

With warm regards,

Mike Canizales, Chair, Finance Committee

## FY 2016 Budget Request Summary

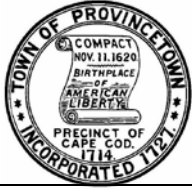
<u>Budget</u>	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2016	FY 2016	%
	Actual	Actual	Budget	Department	Town Mgr	Finance Cte	Selectmen	15 to '16
<b>I. GENERAL GOVERNMENT</b>								
<b>113 Elections &amp; Town Meetings</b>								
Expenses	\$12,086	\$8,554	\$14,036	\$12,369	\$12,369	\$12,369	\$12,369	-11.9%
<b>122 Board of Selectmen</b>								
Personnel	51,846	43,245	52,940	53,884	53,884	53,884	53,884	
Expenses	5,428	35,998	10,500	8,000	8,000	8,000	8,000	
sub-total	57,274	79,243	63,440	61,884	61,884	61,884	61,884	-2.5%
<b>123 Town Manager</b>								
Personnel	290,123	262,898	290,884	296,070	296,070	316,067	316,067	
Expenses	10,891	18,335	16,195	12,595	12,595	12,595	12,595	
sub-total	301,014	281,233	307,079	308,665	308,665	328,662	328,662	7.0%
<b>151 Legal Services</b>								
Expenses	208,359	249,880	251,000	240,000	230,000	230,000	230,000	-8.4%
<b>156 Administration</b>								
Expenses	57,372	64,924	59,590	59,590	59,590	59,590	59,590	0.0%
<b>157 Land Bank</b>								
Maintenance	12,450	13,050	13,800	15,000	15,000	15,000	15,000	
Affordable Hsg	41,500	43,500	46,000	50,000	50,000	50,000	50,000	
Debt Service	76,025	73,775	71,525	67,038	67,038	67,038	67,038	
sub-total	129,975	130,325	131,325	132,038	132,038	132,038	132,038	0.5%
<b>161 Town Clerk</b>								
Personnel	97,513	106,104	108,262	113,575	113,575	113,575	113,575	
Expenses	2,725	4,445	4,445	4,845	4,845	4,845	4,845	
sub-total	100,238	110,549	112,707	118,420	118,420	118,420	118,420	5.1%
<b>169 Licensing</b>								
Personnel	36,776	42,498	43,348	45,036	45,036	45,036	45,036	
Expenses	0		300	300	300	300	300	
sub-total	36,776	42,498	43,648	45,336	45,336	45,336	45,336	3.9%
<b>171 Conservation Commission</b>								
Personnel	6,000	6,319	6,000	17,515	17,515	17,515	17,515	
Expenses	1,710	1,913	2,090	3,090	3,090	3,090	3,090	
	7,710	8,232	8,090	20,605	20,605	20,605	20,605	154.7%
<b>175 Planning Board</b>								
Expenses	1,380	588	1,940	4,340	4,340	4,340	4,340	123.7%
<b>176 Zoning Board of Appeals</b>								
Expenses	2,083	2,700	2,700	2,700	2,700	2,700	2,700	0.0%
<b>179 Historical Commission</b>								
Expenses	414	500	500	500	500	500	500	0.0%
<b>180 Historic District Comm</b>								
Expenses	1,764	350	2,250	2,250	2,250	2,250	2,250	0.0%
<b>181 Building Committee</b>								
Expenses	200	0	5,500	5,500	5,500	5,500	5,500	0.0%
<b>482 Airport Commission</b>								
Expenses	92,641	97,361	98,450	98,450	98,450	98,450	98,450	0.0%
<b>499 Provincetown Television</b>								
Expenses	124,000	0	0			0		
<b>I. General Government</b>	<b>\$1,133,286</b>	<b>\$1,076,938</b>	<b>\$1,102,255</b>	<b>\$1,112,647</b>	<b>\$1,102,647</b>	<b>\$1,122,644</b>	<b>\$1,122,644</b>	<b>1.8%</b>

Budget	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2016	FY 2016	%
<b>II. FINANCE</b>								
<b>131 Finance Committee</b>								
Expenses	\$5,631	\$58,688	\$4,325	\$4,325	\$4,325	\$4,325	\$4,325	
Reserve Fund	0	0	101,943	105,001	105,001	125,000	93,187	
sub-total	5,631	58,688	106,268	109,326	109,326	129,325	97,512	-8.2%
<b>135 Town Accountant</b>								
Personnel	169,640	170,180	188,038	189,134	189,134	189,134	189,134	
Expenses	42,654	51,930	49,375	49,375	49,375	49,375	49,375	
sub-total	212,294	222,110	237,413	238,509	238,509	238,509	238,509	0.5%
<b>136 Information Systems Department</b>								
Personnel	158,056	173,140	176,603	184,855	184,855	184,855	184,855	
Expenses	275,340	268,000	308,500	327,100	327,100	320,600	320,600	
sub-total	433,396	441,140	485,103	511,955	511,955	505,455	505,455	4.2%
<b>141 Board of Assessors</b>								
Personnel	171,940	179,372	180,347	185,831	185,831	185,831	185,831	
Expenses	39,779	27,394	57,260	59,285	59,285	59,285	59,285	
sub-total	211,719	206,766	237,607	245,116	245,116	245,116	245,116	3.2%
<b>145 Treasurer/Collector</b>								
Personnel	162,293	172,133	163,539	160,794	160,794	160,794	160,794	
Expenses	24,814	29,962	37,120	38,500	38,500	38,500	38,500	
sub-total	187,107	202,095	200,659	199,294	199,294	199,294	199,294	-0.7%
<b>710 Debt Service</b>								
Expenses	1,934,395	2,034,842	\$2,256,114	2,063,551	2,063,551	2,063,551	2,063,551	-8.5%
<b>820 Tax Title</b>								
Expenses	11,899	8,802	20,000	19,000	19,000	19,000	19,000	-5.0%
<b>910 Retirement/Benefits/Insurance</b>								
Expenses	4,891,959	5,088,934	6,035,521	6,609,527	6,362,952	6,362,952	6,362,952	5.4%
<b>II. Finance</b>	<b>\$7,888,400</b>	<b>\$8,263,377</b>	<b>\$9,578,685</b>	<b>\$9,996,278</b>	<b>\$9,749,703</b>	<b>\$9,763,202</b>	<b>\$9,731,389</b>	<b>1.6%</b>
<b>III. PUBLIC SAFETY</b>								
<b>210 Police</b>								
Personnel	\$2,092,591	2,187,537	2,147,775	2,406,222	2,406,222	2,256,095	2,338,192	
Expenses	145,743	161,626	153,600	145,905	143,905	143,905	143,905	
sub-total	2,238,334	2,349,163	2,301,375	2,552,127	2,550,127	2,400,000	2,482,097	7.9%
<b>220 Fire</b>								
Personnel	359,919	392,541	446,363	501,920	501,920	501,920	501,920	
Expenses	227,153	180,089	206,190	208,943	208,943	208,943	208,943	
sub-total	587,072	572,630	652,553	710,863	710,863	710,863	710,863	8.9%
<b>231 Ambulance Service</b>								
Expenses	721,371	\$769,364	\$791,022	\$810,796	\$810,796	\$810,796	\$810,796	2.5%
<b>240 Inspections</b>								
Personnel	161,635	173,433	173,015	195,631	195,631	195,631	195,631	
Expenses	7,235	3,126	5,960	6,460	6,460	6,460	6,460	
sub-total	168,870	176,559	178,975	202,091	202,091	202,091	202,091	12.9%

<u>Budget</u>	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2016	FY 2016	%
<b>241 Community Development</b>								
Personnel	100,923	141,080	169,008	173,519	173,519	105,000	173,519	
Expenses	15,714	15,165	22,195	25,195	8,320	8,320	8,320	
sub-total	116,637	156,245	191,203	198,714	181,839	113,320	181,839	<b>-4.9%</b>
<b>291 Emergency Management</b>								
Expenses	6,330	10,741	9,910	19,410	19,410	8,910	8,910	<b>-10.1%</b>
<b>294 Harbor Committee</b>								
Expenses	0	0	700	700	700	700	700	<b>0.0%</b>
<b>295 Harbormaster</b>								
Personnel								
Expenses	115,378	118,263	118,263	195,000	195,000	118,263	225,910	
sub-total	115,378	118,263	118,263	195,000	195,000	118,263	225,910	<b>91.0%</b>
<b>296 Shellfish</b>								
Personnel	49,183	48,678	48,678	40,184	40,184	40,184	40,184	
Expenses	6,701	6,247	7,900	7,900	7,900	7,900	7,900	
sub-total	55,884	54,925	56,578	48,084	48,084	48,084	48,084	<b>-15.0%</b>
<b>299 Parking</b>								
Personnel	332,855	330,019	351,025	349,976	349,976	349,976	349,976	
Expenses	74,313	88,944	87,300	98,800	98,800	98,800	98,800	
sub-total	407,168	418,963	438,325	448,776	448,776	448,776	448,776	<b>2.4%</b>
<b>III. Public Safety</b>	<b>\$4,417,044</b>	<b>\$4,626,853</b>	<b>\$4,738,904</b>	<b>\$5,186,561</b>	<b>\$5,167,686</b>	<b>\$4,861,803</b>	<b>\$5,120,066</b>	<b>8.0%</b>
<b>IV. PUBLIC WORKS</b>								
<b>192 Buildings &amp; Grounds</b>								
Personnel	\$607,198	\$645,140	\$694,959	\$699,421	\$699,421	\$699,421	\$699,421	
Expenses	452,512	518,868	634,906	641,985	641,985	641,985	641,985	
sub-total	1,059,710	1,164,008	1,329,865	1,341,406	1,341,406	1,341,406	1,341,406	
	43,658	43,508	43,808	43,808	43,808	43,808	43,808	
	1,103,368	1,207,516	1,373,673	1,385,214	1,385,214	1,385,214	1,385,214	<b>0.8%</b>
<b>421 Administration</b>								
Personnel	132,496	118,032	122,800	\$127,758	\$127,758	\$127,758	\$127,758	
Expenses	272,249	293,323	207,750	212,800	212,800	212,800	212,800	
sub-total	404,745	411,355	330,550	340,558	340,558	340,558	340,558	<b>3.0%</b>
<b>422 Highway</b>								
Personnel	432,571	430,471	456,448	\$465,682	\$465,682	\$465,682	\$465,682	
Expenses	199,279	170,519	119,800	118,300	118,300	118,300	118,300	
sub-total	631,850	600,990	576,248	583,982	583,982	583,982	583,982	<b>1.3%</b>
<b>423 Snow &amp; Ice</b>								
Personnel	37,734	45,946	27,000	\$27,000	\$27,000	\$27,000	\$27,000	
Expenses	123,605	193,413	140,700	140,700	140,700	140,700	140,700	
sub-total	161,339	239,359	167,700	167,700	167,700	167,700	167,700	<b>0.0%</b>
<b>431 Solid Waste/Recycling</b>								
Personnel	440,254	417,085	440,217	\$455,081	\$455,081	\$455,081	\$455,081	
Expenses	129,637	129,943	130,950	133,550	133,550	133,550	133,550	
sub-total	569,891	547,028	571,167	588,631	588,631	588,631	588,631	<b>3.1%</b>
<b>432 Recycling Committee</b>								
Expenses	0	2,937	2,750	2,750	2,750	2,750	2,750	<b>0.0%</b>
<b>439 Waste Disposal/Other</b>								
Expenses	143,645	129,518	206,000	246,000	246,000	246,000	246,000	<b>19.4%</b>
<b>IV. Public Works</b>	<b>\$3,014,838</b>	<b>\$3,138,703</b>	<b>\$3,228,088</b>	<b>\$3,314,835</b>	<b>\$3,314,835</b>	<b>\$3,314,835</b>	<b>\$3,314,835</b>	<b>2.7%</b>



Budget	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2016	FY 2016	%
<b>V. PUBLIC SERVICES</b>								
<b>511 Health Inspector/Agent</b>								
Personnel	\$91,232	\$87,401	\$99,134	\$104,729	\$104,729	\$104,729	\$104,729	
Expenses	3,989	7,763	7,450	7,850	7,850	7,850	7,850	
sub-total	95,221	95,164	106,584	112,579	112,579	112,579	112,579	5.6%
<b>512 Public Health/Nurse</b>								
Personnel	19,851	18,954	\$20,363	\$20,579	\$20,579	\$20,579	\$20,579	
Expenses	26,171	23,623	26,100	28,100	28,100	28,100	28,100	
sub-total	46,022	42,577	46,463	48,679	48,679	48,679	48,679	4.8%
<b>513 Board of Health</b>								
Expenses	1,088	925	1,610	1,610	1,610	1,610	1,610	0.0%
<b>541 Council on Aging</b>								
Personnel	188,369	186,479	\$202,036	\$205,782	\$205,782	\$205,782	\$205,782	
Expenses	10,636	11,206	26,250	25,800	25,800	25,800	25,800	
sub-total	199,005	197,685	228,286	231,582	231,582	231,582	231,582	1.4%
<b>543 Veterans Services</b>								
Expenses	31,487	27,580	42,825	42,262	42,262	42,262	42,262	
sub-total	31,487	27,580	42,825	42,262	42,262	42,262	42,262	-1.3%
<b>545 Disability Commission</b>								
Expenses	5,060	4,857	5,000	5,000	5,000	5,000	5,000	0.0%
<b>550 Animal Welfare Committee</b>								
Expenses	0		1,540	1,540	1,540	1,540	1,540	0.0%
<b>560 Bicycle Committee</b>								
Expenses	1,467	2,295	7,863	8,000	8,000	8,000	8,000	1.7%
<b>610 Library</b>								
Personnel	208,462	227,358	227,760	\$234,494	\$234,494	\$200,494	\$234,494	
Expenses	78,964	83,855	81,209	81,500	81,500	81,500	81,500	
sub-total	287,426	311,213	308,969	315,994	315,994	281,994	315,994	2.3%
<b>630 Recreation Department</b>								
Personnel	132,720	141,706	\$146,574	\$152,675	\$152,675	\$152,675	\$152,675	
Expenses	19,743	21,108	21,450	21,450	21,450	21,450	21,450	
sub-total	152,463	162,814	168,024	174,125	174,125	174,125	174,125	3.6%
<b>672 Art Commission</b>								
Expenses	6,308	8,989	8,649	8,250	8,250	8,250	8,250	-4.6%
<b>673 Cultural Council</b>								
Expenses	200	194	6,500	6,500	6,500	6,500	6,500	0.0%
<b>V. Public Services</b>	<b>\$825,747</b>	<b>\$854,293</b>	<b>\$932,313</b>	<b>\$956,121</b>	<b>\$956,121</b>	<b>\$922,121</b>	<b>\$956,121</b>	<b>2.6%</b>
<b>VI. PUBLIC SCHOOLS</b>								
<b>300 Provincetown Public Schools</b>								
Pre K - 8th Grade	\$2,864,964	\$2,817,917	\$2,811,291	\$2,939,083	\$2,939,083	\$2,939,083	\$2,939,083	4.5%
High School	\$401,931	\$567,536	\$779,007	\$769,919	\$769,919	\$769,919	\$769,919	-1.2%
<b>VI. Public Schools</b>	<b>\$3,266,895</b>	<b>\$3,385,454</b>	<b>\$3,590,298</b>	<b>\$3,709,002</b>	<b>\$3,709,002</b>	<b>\$3,709,002</b>	<b>\$3,709,002</b>	<b>3.3%</b>
<b>OPERATING BUDGET SUMMARY</b>								
I. General Government	\$1,133,286	\$1,076,938	\$1,102,255	\$1,112,647	\$1,102,647	\$1,122,644	\$1,122,644	1.8%
II. Finance	7,888,400	8,263,377	9,578,685	9,996,278	9,749,703	9,763,202	9,731,389	1.6%
III. Public Safety	4,417,044	4,626,853	4,738,904	5,186,561	5,167,686	4,861,803	5,120,066	8.0%
IV. Public Works	3,014,838	3,138,703	3,228,088	3,314,835	3,314,835	3,314,835	3,314,835	2.7%
V. Public Services	825,747	854,293	932,313	956,121	956,121	922,121	956,121	2.6%
Subtotal, I-V	17,279,315	17,960,164	19,580,245	20,566,442	20,290,992	19,984,605	20,245,055	3.4%
VI. Public Schools	3,266,895	3,385,454	3,590,298	3,709,002	3,709,002	3,709,002	3,709,002	3.3%
<b>Total, I-VI</b>	<b>20,546,209</b>	<b>21,345,618</b>	<b>23,170,543</b>	<b>24,275,444</b>	<b>23,999,994</b>	<b>23,693,607</b>	<b>23,954,057</b>	<b>3.4%</b>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, March 16, 2015

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## ANNUAL WARRANT

### Discussion re: Modified CPA Article 16

Requested by: Board of Selectmen

Action Sought: Discussion

#### Proposed Motion(s)

**Discussion dependent – votes may be taken.**

#### Additional Information

See attached.

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

**Article 16. Adoption of Modified Community Preservation Act.** To see if the Town will vote to amend its acceptance of the Community Preservation Act, G.L. c.44B, §§3-7, by accepting the so-called Modified Community Preservation Act, Section 298 of Chapter 149 of the Acts of 2004, as amended, which acceptance will terminate the Town's participation in the Land Bank Program at the end of the current fiscal year, and, beginning on July 1, 2015, result in collection of a single surcharge of 3% on the real estate tax levy on real property for CPA purposes (rather than 3% for CPA purposes and 3% for Land Bank purposes), of which the full amount will be eligible for CPA state matching funds, and transfer of the Land Bank balance by operation of law to the Community Preservation Fund, which funds would be available for expenditure for all CPA purposes, including open space, historic resources and affordable housing; provided, however, that acceptance of the Modified Community Preservation Act must also be approved by the voters at an election;

And, further, as may be necessary, to authorize the Board of Selectmen to petition the General Court for special legislation as set forth below for such purposes, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT RELATIVE TO THE CAPE COD LAND OPEN SPACE PROGRAM  
IN THE TOWN OF PROVINCETOWN

SECTION 1. Notwithstanding Section 4A of Chapter 4 or Sections 3 and 16 of Chapter 44B of the General Laws, or any other general or special law to the contrary, the Town of Provincetown shall be deemed to have amended its acceptance of Sections 3 through 7 inclusive of Chapter 44B of the General Laws, otherwise known as the Community Preservation Act (the "Act"), by adopting the so-called Modified Community Preservation Act (the "Modified Act"), Section 298 of Chapter 149 of the Acts of 2004, as amended by Sections 129 through 133 of Chapter 352 of the Acts of 2004, as provided herein, and further that adoption of such Modified Act shall terminate participation by the Town in the Cape Cod Land Open Space Program (the "Land Bank Program"), established pursuant to Chapter 293 of the Acts of 1998), expressly subject to the conditions set forth in said Modified Act. In Provincetown, adoption of the Modified Act shall result in collection of a single surcharge of 3% on the real estate tax levy on real property, and existing funds in the Community Preservation Fund shall remain with said fund and be subject to appropriation by Town Meeting as authorized by the Act and the Modified Act. Except as expressly provided herein, all other provisions of the Modified Act shall apply to the Town of Provincetown.

SECTION 2. The question of adoption of the provisions of the Modified Act shall be placed on the ballot at an Annual or Special Election held in the Town of Provincetown in the form of the following question:

"Shall the Town of Provincetown adopt the so-called "Modified Community Preservation Act", Section 298 of Chapter 149 of the Acts of 2004, as amended, a summary of which appears below?"

Below the question shall appear the following summary:

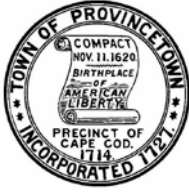
Acceptance of the so-called "Modified Community Preservation Act", Section 298 of Chapter 149 of the Acts of 2004, as amended, will effectively replace the Cape Cod Open Space Land Acquisition Program, known as the "Land Bank Program", and the standard version of the Community Preservation Act previously accepted by the Town. Beginning in the fiscal year starting July 1, 2015, the total amount of the surcharge on real property collected under the Modified Community Preservation Act will be 3% (rather than 3% surcharge collected under the standard Community Preservation Act and the 3% surcharge collected under the Land Bank Program), and the Town will be eligible for state matching funds up to the full amount of the surcharge. Beginning in fiscal year 2020, the Town may alter the amount of the surcharge, application of any exemptions to the Community Preservation Act, or revoke the surcharge altogether, in accordance with the provisions of General Laws Chapter 44B. If the Town adopts the Modified Community Preservation Act, funds in the Land Bank account will be placed in the Community Preservation Fund and may be utilized in accordance with the Community Preservation Act. The Town has a Community Preservation Committee that will continue to make recommendations to Town Meeting concerning expenditures from the Community Preservation Fund.

If a majority of the voters voting on said question vote in the affirmative, the provisions of Section 1 of this act shall be effective in the Town of Provincetown, but not otherwise."

SECTION 3. If this act is not in effect on or before March 31, 2015, any vote taken at the 2015 Annual Town Meeting or Annual Town Election in said Town to amend its acceptance of the Act by adopting the Modified Act, as provided in Sections 1 and 2 of this act, and any actions taken in reliance thereon and pursuant thereto shall be ratified, validated and confirmed as if this act had been in effect prior thereto.

SECTION 4. This act shall take effect upon passage; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, March 16, 2015

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## 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>