



Meeting Agenda

The Provincetown Board of Selectmen will hold a public meeting on Tuesday, January 5, 2016, at 6:00 p.m., in the Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

1. Letter to CCNS regarding the Shorebird Management Plan. Votes may be taken.
2. Town Manager's FY2017 Budget Message and Revenue Expenditure Overview.
3. Overall FY2017 Budget Review Inclusive of the following:

A. Consent Budget Review and Approval (Votes may be taken):

Please know the following budgets were reviewed on consent last year and have not been invited to attend at this time as there are no substantive changes:

131 Finance Committee	265 Board of Health
157 Land Bank	294 Harbor Committee
174 Housing Office	296 Shellfish Constable
181 Building Committee	432 Recycling and Renewable Energy
254 Licensing	543 Veterans Services
260 Conservation Commission	545 Disability Commission
261 Planning Board	550 Animal Welfare Committee
262 Zoning Board of Appeals	560 Bicycle Committee
263 Historical Commission	672 Art Commission
264 Historic District Commission	673 Cultural Council

B. Division II Budget Review (Votes may be taken):

Finance

- o 141 Board of Assessors – *Principal Assessor*

C. Enterprise Funds (Votes may be taken): *Director, Director of Operations and Water Superintendent*

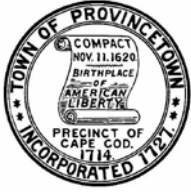
- o 6001 Water Enterprise Fund
- o 6002 Wastewater Enterprise Fund
- o Enterprise Fund Capital Improvement Program

D. Division IV Budget Review (Votes may be taken):

Public Works – *Director, Deputy Director and Director of Operations*

- o 192 Buildings & Grounds
- o 421 Administration
- o 422 Highway
- o 423 DPW Snow & Ice
- o 431 DPW Solid Waste
- o 439 DPW Solid Waste Disposal
- o Public Works Capital Improvement Program

4. **Other** - Other matters that may legally come before the board not reasonably anticipated by the Chair 48 hours before the meeting. Votes may be taken.



Provincetown Board of Selectmen
AGENDA ACTION REQUEST
Tuesday, January 05, 2016

1

CAPE COD NATIONAL SEASHORE

Drafted Letter regarding the Shorebird Management Plan

Requested by: Board of Selectmen

Action Sought: Discussion & Approval

Proposed Motion(s)

MOVE that the Board of Selectmen approve letter [Version A] [Version B], to CCNS Superintendent George Price regarding the Shorebird Management Plan [as submitted] [as revised].

Additional Information

See attached drafted letters: Version A & Version B.

Board Action

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

DRAFT-A (12.30.15)

[Provincetown letterhead]

January ____, 2015

George Price, Superintendent
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet MA 02667

Re: Comment on “Shorebird Management Plan / Environmental Assessment”
(November 2015)

To the Superintendent:

The Provincetown Board of Selectmen unanimously endorses these comments regarding the Cape Cod National Seashore’s “Shorebird Management Plan / Environmental Assessment” (“the Plan”) dated November 2015.

For the reasons stated in this letter, the Board of Selectmen favors Alternative A of the Plan, the “no action” option, in which Cape Cod National Seashore (“CCNS”) will “continue current procedures for managing and protecting shorebirds” (the Plan, pp. 23-33). The Board opposes Alternatives B, C and D.

1. The Board of Selectmen is philosophically opposed to the killing of wildlife for the ostensible purpose of benefiting other wildlife. Therefore, the Board is opposed to Alternative B (which CCNS has identified as its preferred alternative) and C, both of which include “lethal predator selective removal of avian and mammal predators through an integrated predator selective removal program” (the Plan, pp. 35-44).

2. The Board of Selectmen is opposed to the introduction and use of any poison into the environment to kill wildlife as contemplated in Alternatives B and C of the Plan. In doing so, we note that the Plan itself does not provide a 100% guarantee of safety in the use of poison. It states, for example, that the birds to be poisoned under Alternatives B and C “usually die in 12-72 hours” and that there is “almost no toxicity to mammals” (the Plan, p. 42). This carefully chosen wording does not provide an absolute assurance that use of highly toxic chemical poison is safe for all but the intended victims. Even if the Plan purported to provide a 100% guarantee in this regard (which it does not), the Board is opposed to the introduction and use of any poison into the environment as a philosophical and practical matter. In taking this position, we are mindful of and informed by many historical events in which poisons, thought to be safe, in future years have resulted in chronic health problems, lethal disease, and negative environmental alterations.

3. The Plan limits killings to fifty for each of the first two years, but thereafter the number may be “evaluated... and the number of animals may be adjusted up or down as needed....” (the Plan, p. 40) The Board of Selectmen, as noted herein, is opposed to the killing of any wildlife for the purposes contemplated in the Plan. As a consequence,

the Board objects to the Plan's discretion to raise the number of annual killings without limit.

4. Because the Board objects to the killing of any wildlife for the purposes contemplated in the Plan, we also object to the Plan's specific identification of these forms of wildlife as eligible for killing: crows, coyotes, red foxes, gulls, raccoons, skunks, feral cats (the Plan, p. 39), northern harrier, common grackle, falcons, owls and "[o]ther predators [that] may emerge in the national seashore dynamic ecosystem that cannot be predicted, but would be treated through integrated predator management adaptively" (the Plan, p. 202). The Board is similarly opposed to the philosophies and propositions detailed in Appendix E ("Predator Species Background") of the Plan (pp. 189-203).

5. The Board acknowledges and supports a long-standing traditional way of life enjoyed by residents of Provincetown and adjacent communities: the human-dog relationship in which both species enjoy time and experiences outdoors together. The Board notes that the Plan makes an incorrect assertion that "Provincetown allows leashed pets in specific areas" (the Plan, p. 87), when in fact Provincetown has designated permitted off-leash areas that are available throughout the year (provincetown-ma.gov/DocumentCenter/View/845). We recognize that there is a difference of philosophy and opinion between CCNS (which only allows leashed dogs under certain conditions) and Provincetown and its residents (which allows off-leash activities as designated). There has been an ongoing debate about the legality and/or appropriateness of dogs off-leash in CCS areas such as the Provincelands, the marsh walk leading to Hatches Harbor, and other beaches adjacent to Provincetown, especially since, as mandated by state and federal law and the CCNS enabling legislation, each hunter is allowed to have several dogs off-leash during hunting season. We need not address this aspect of the discussion for the purposes of our comments on the Plan. We do, however, object to the parts of the Plan that contemplate the banning of all dogs, even those on-leash, for a lengthy season that may be "extended to October 15 for... Hatches Harbor (including the marsh and spit), and the northern tip of Herring Cove" (the Plan, p. 39 (Alternative B) and p. 43 (Alternative C)). The Plan asserts that "[a] study on Cape Cod found that piping plovers were disturbed by pets at an average of 46 meters (151 feet) versus disturbance from humans at an average of 23 meters (75 feet)." The Board is skeptical of this claim as a basis for the contemplated radical social re-engineering of a long-valued traditional way of life for Provincetown's residents.

6. Finally, the Board rejects Alternative D, titled "Maximum Shorebird Habitat Protection" (which CCNS also does not favor). Although this Alternative "includes nonlethal methods to manage predator impacts but does not include any lethal methods of managing predator impacts", it also includes closures from March 15 to October 15 of "all historic shorebird-use-areas and other priority habitats, entire sections of beaches (from bluff toe to waterline), and access points where breeding, feeding, or sheltering activities are observed" except for "the six national seashore life-guarded beaches and their associated parking lots." This Alternative would significantly and adversely impact many cherished and long-practiced traditional ways of life that CCNS is bound by law to protect.

* * *

In closing, we believe it is always important to remind CCNS (and ourselves) of the “Introduction” section of the legislation that created Cape Cod National Seashore, as approved by Congress and signed into law by President Kennedy:

The purpose of this bill is to provide for the establishment of a Cape Cod National Seashore so that lower Cape Cod may be preserved in substantially its present condition for the benefit of all the people of the United States of present and future generations.

Lower Cape Cod cannot be considered solely as a geographical area with certain physical characteristics. The lower cape must also be viewed as a way of life – a culture – which though conditioned by its environment finds its essence in the people who have lived and are living there. This bill seeks to preserve the way of life which these people have established and maintained on the cape.

We are, as always, grateful for the existence of the Cape Cod National Seashore, and we remain committed to working together with CCNS as two governmental entities in order to achieve the full purpose and intent of the enabling legislation.

Sincerely,

Thomas Donegan, Chair
Provincetown Board of Selectmen

cc: National Park Service Planning, Environment and Public Comment (PEPC)
website – parkplanning.nps.gov/CACO
Mary Jo Avellar, Provincetown Representative to Cape Cod National Seashore
Advisory Commission
Truro Board of Selectmen
Wellfleet Board of Selectmen
Eastham Board of Selectmen
Orleans Board of Selectmen
Chatham Board of Selectmen

[Provincetown letterhead]

January ____, 2015

George Price, Superintendent
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet MA 02667

Re: Comment on “Shorebird Management Plan / Environmental Assessment”
(November 2015)

To the Superintendent:

The Provincetown Board of Selectmen unanimously endorses these comments regarding the Cape Cod National Seashore’s “Shorebird Management Plan / Environmental Assessment” (“the Plan”) dated November 2015.

For the reasons stated in this letter, the Board of Selectmen favors Alternative A of the Plan, the “no action” option, in which Cape Cod National Seashore (“CCNS”) will “continue current procedures for managing and protecting shorebirds” (the Plan, pp. 23-33). The Board opposes Alternatives B, C and D.

1. The Board of Selectmen is philosophically opposed to the killing of wildlife for the ostensible purpose of benefiting other wildlife. Therefore, the Board is opposed to Alternative B (which CCNS has identified as its preferred alternative) and C, both of which include “lethal predator selective removal of avian and mammal predators through an integrated predator selective removal program” (the Plan, pp. 35-44).

2. The Board of Selectmen is opposed to the introduction and use of any poison into the environment to kill wildlife as contemplated in Alternatives B and C of the Plan. In doing so, we note that the Plan itself does not provide a 100% guarantee of safety in the use of poison. It states, for example, that the birds to be poisoned under Alternatives B and C “usually die in 12-72 hours” and that there is “almost no toxicity to mammals” (the Plan, p. 42). This carefully chosen wording does not provide an absolute assurance that use of highly toxic chemical poison is safe for all but the intended victims. Even if the Plan purported to provide a 100% guarantee in this regard (which it does not), the Board is opposed to the introduction and use of any poison into the environment as a philosophical and practical matter. In taking this position, we are mindful of and informed by many historical events in which poisons, thought to be safe, in future years have resulted in chronic health problems, lethal disease, and negative environmental alterations.

3. The Plan limits killings to fifty for each of the first two years, but thereafter the number may be “evaluated... and the number of animals may be adjusted up or down as needed....” (the Plan, p. 40) The Board of Selectmen, as noted herein, is opposed to the killing of any wildlife for the purposes contemplated in the Plan. As a consequence,

the Board objects to the Plan's discretion to raise the number of annual killings without limit.

4. Because the Board objects to the killing of any wildlife for the purposes contemplated in the Plan, we also object to the Plan's specific identification of these forms of wildlife as eligible for killing: crows, coyotes, red foxes, gulls, raccoons, skunks, feral cats (the Plan, p. 39), northern harrier, common grackle, falcons, owls and "[o]ther predators [that] may emerge in the national seashore dynamic ecosystem that cannot be predicted, but would be treated through integrated predator management adaptively" (the Plan, p. 202). The Board is similarly opposed to the philosophies and propositions detailed in Appendix E ("Predator Species Background") of the Plan (pp. 189-203).

5. ~~The Board acknowledges and supports a long-standing traditional way of life enjoyed by residents of Provincetown and adjacent communities: the human-dog relationship in which both species enjoy time and experiences outdoors together. The Board notes that the Plan makes an incorrect assertion that "Provincetown allows leashed pets in specific areas" (the Plan, p. 87), when in fact Provincetown has designated permitted off-leash areas that are available throughout the year (provincetown-ma.gov/DocumentCenter/View/845). We recognize that there is a difference of philosophy and opinion between CCNS (which only allows leashed dogs under certain conditions) and Provincetown and its residents (which allows off-leash activities as designated). There has been an ongoing debate about the legality and/or appropriateness of dogs off-leash in CCS areas such as the Provincelands, the marsh walk leading to Hatches Harbor, and other beaches adjacent to Provincetown, especially since, as mandated by state and federal law and the CCNS enabling legislation, each hunter is allowed to have several dogs off-leash during hunting season. We need not address this aspect of the discussion for the purposes of our comments on the Plan. We do, however, object to the parts of the Plan that contemplate the banning of all dogs, even those on-leash, for a lengthy season that may be "extended to October 15 for... Hatches Harbor (including the marsh and spit), and the northern tip of Herring Cove" (the Plan, p. 39 (Alternative B) and p. 43 (Alternative C)). The Plan asserts that "[a] study on Cape Cod found that piping plovers were disturbed by pets at an average of 46 meters (151 feet) versus disturbance from humans at an average of 23 meters (75 feet)." The Board is skeptical of this claim as a basis for the contemplated radical social re-engineering of a long-valued traditional way of life for Provincetown's residents.~~

6. ~~Finally, the Board rejects Alternative D, titled "Maximum Shorebird Habitat Protection" (which CCNS also does not favor). Although this Alternative "includes nonlethal methods to manage predator impacts but does not include any lethal methods of managing predator impacts", it also includes closures from March 15 to October 15 of "all historic shorebird-use areas and other priority habitats, entire sections of beaches (from bluff toe to waterline), and access points where breeding, feeding, or sheltering activities are observed" except for "the six national seashore life-guarded beaches and their associated parking lots." This Alternative would significantly and adversely impact many cherished and long-practiced traditional ways of life that CCNS is bound by law to protect.~~

* * *

In closing, we believe it is always important to remind CCNS (and ourselves) of the “Introduction” section of the legislation that created Cape Cod National Seashore, as approved by Congress and signed into law by President Kennedy:

“The purpose of this bill is to provide for the establishment of a Cape Cod National Seashore so that lower Cape Cod may be preserved in substantially its present condition for the benefit of all the people of the United States of present and future generations.

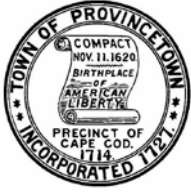
“Lower Cape Cod cannot be considered solely as a geographical area with certain physical characteristics. The lower cape must also be viewed as a way of life – a culture – which though conditioned by its environment finds its essence in the people who have lived and are living there. This bill seeks to preserve the way of life which these people have established and maintained on the cape.”

We are, as always, grateful for the existence of the Cape Cod National Seashore, and we remain committed to working together with CCNS as two governmental entities in order to achieve the full purpose and intent of the enabling legislation.

Sincerely,

Thomas Donegan, Chair
Provincetown Board of Selectmen

cc: National Park Service Planning, Environment and Public Comment (PEPC)
website – parkplanning.nps.gov/CACO
Mary Jo Avellar, Provincetown Representative to Cape Cod National Seashore
Advisory Commission
Truro Board of Selectmen
Wellfleet Board of Selectmen
Eastham Board of Selectmen
Orleans Board of Selectmen
Chatham Board of Selectmen



Provincetown Board of Selectmen
AGENDA ACTION REQUEST
Tuesday, January 05, 2016

2

TOWN MANAGER

FY2017 Budget Message & Revenue Expenditure Overview

Requested by: Town Manager David Panagore

Action Sought: Discussion

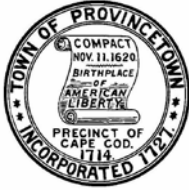
Proposed Motion(s)

Discussion dependent. Votes may be taken.

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
Tuesday, January 05, 2016

3

FY2017 BUDGET REVIEW

Overall FY2017 Budget Review

Requested by: Town Manager David Panagore

Action Sought: Discussion/Approval

Proposed Motion(s)

Discussion dependent. Votes may be taken.

Additional Information

Budget books have been distributed and the budget may also be found on the Provincetown website at: <http://www.provincetown-ma.gov/DocumentCenter/View/5689>.

Board Action

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