



# Meeting Agenda

The Provincetown Board of Selectmen will hold an open meeting to go into Executive Session on Monday, May 23, 2016, at 5:30 p.m. followed by a public meeting starting at 6:00 p.m., in the Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

Motion by the Board of Selectmen to vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1,2,3,4,6,7, & 8 for the purposes of:

**Clauses 1, 2, 3, 4, 6, 7, & 8** – To consider the release of approved Executive Session Minutes:

January 13, 2014; February 24, 2014; March 31, 2014; April 28, 2014; May 27, 2014; June 9, 2014; June 26, 2014; August 29, 2014; September 5, 2014; September 10, 2014; September 12, 2014; September 19, 2014; October 23, 2014; November 10, 2014; January 8, 2015; January 14, 2015; March 4, 2015; March 23, 2015; April 2, 2015; April 27, 2015; May 11, 2015; May 13, 2015; May 22, 2015; May 26, 2015; June 8, 2015; June 18, 2015; June 22, 2015; July 13, 2015; July 15, 2015; July 20, 2015; July 27, 2015; August 10, 2015 (5 p.m.); August 10, 2015 (6 p.m.); August 24, 2015; September 14, 2015; September 21, 2015; October 5, 2015; October 13, 2015; November 9, 2015, and November 23, 2015.

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

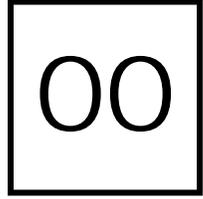
- A. Treasurer's Transfer – Library Gift Fund – pay an invoice from Justine Ives for creation of original artwork for the Moby Dick Reading Marathon, in the amount of \$1,000.
- B. Treasurer's Transfer – Library Gift Fund – pay an invoice from Ellen Battaglini for transcription services, in the amount of \$87.50.
- C. Treasurer's Transfer – Library Gift Fund – pay to 1544 Recorded Books, Inc., for audiobook purchases, in the amount of \$371.19.
- D. Reappointments of Selectman Erik Yingling as a Trustee of the OPEB Trust Fund for a term of one year ending May 27, 2017, and of Provincetown resident Douglas Cliggott as a Trustee of the OPEB Trust Fund for a term of two years ending May 27, 2018.
- E. Appoint Jeffrey Gould as a Regular member to the Zoning Board of Appeals, with a term to expire on December 31, 2016. He is currently an Alternate member on the Zoning Board of Appeals.
- F. Parade Permit submitted by Bill Sykes, 13 River Street, Plymouth, MA 02360, on behalf of the National MS Society-Greater New England Chapter, for the 33<sup>rd</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser, to be held on Sunday, June 26, 2016, from 8:00 a.m. to 2:00 p.m. (4:00 p.m., if it runs longer).
- G. Parade Permit submitted by Barry Cook, 96-98 Bradford Street, Provincetown, MA 02657, on behalf of the AIDS Support Group of Cape Cod, for the 8<sup>th</sup> Annual ASGCC 5K Run/Walk, to be held on Sunday, July 17, 2016, from 8:00 a.m. to 9:30 a.m.
- H. Parade Permit submitted by Krystal Magata, 4899 Belfort Road, Suite 300, Jacksonville, FL 32256, on behalf of the Wounded Warrior Project, for the 5<sup>th</sup> Annual Wounded Warriors' Soldiers Ride, to be held on Friday, September 23, 2016, from 8:00 a.m. to 11:30 a.m.
- I. Parade Permit submitted by Melanie Braverman, 633 Commercial Street, Unit #2, Provincetown, MA 02657, on behalf of the Alzheimer's Family Support Center of Cape Cod, for the Alzheimer's Benefit Walk, to be held on Sunday, October 16, 2016, from 10:00 a.m. to 2:00 p.m.
- J. Approve drafted letter to John Lebeaux, Commissioner of the Mass. Dept. of Agricultural Resources requesting a review and upgrade of the public notification, monitoring, and control of toxic chemical spraying throughout Cape Cod towns.
- K. Approve drafted letter to Senator Daniel A. Wolf requesting his support for the Year-Round Market Rate Rental Housing Trust Fund for the Town of Provincetown.

1. Public Hearings - Votes may be taken on the following items: None.
2. Public Statements - Three (3) 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: None.
5. Appointments - Votes may be taken on the following items: None.
6. Requests - Votes may be taken on the following items:
  - A. Approve letter containing terms and conditions of engagement with CliftonLarsonAllen LLP for audit and non-audit services, for a three-year period beginning July 1, 2016, and ending on June 30, 2019 – Finance Director Dan Hoort.
  - B. Parade Permit submitted by John Livingstone & Ron Robillard, 522 Commercial Street, Provincetown, MA 02657, on behalf of the Provincetown Coastal Rowing Regatta, to close Kendell Lane (a public way) for six (6) hours on Saturday, June 4, 2016, from 7:00 a.m. to 1:00 p.m.
  - C. Police Report for the Month of April 2016 – Police Chief Jim Golden.
  - D. Review and Approve Selectmen's Policy Statement 2016-05-23 – Town of Provincetown Buy Recycled Policy – Asst. Town Manager David Gardner.
  - E. Revocation of Approvals for lack of performance of the Harborfront Shuttle – Asst. Town Manager David Gardner.
  - F. Revocation of Approvals for lack of performance of the Free Town Maps – Asst. Town Manager David Gardner.
  - G. Approve Proclamation for Blanche Winter proclaiming Thursday, June 9, 2016, as Blanche Winter Day in celebration as the new recipient of the "Boston Post Cane" – Requested by COA Director Chris Hottle
  - H. Approve Proclamation for Barbara Rushmore proclaiming Thursday, June 16, 2016, as Barbara Rushmore Day in honor of her being named the Council on Aging's Senior Citizen of the Year for 2016 – Requested by COA Director Chris Hottle.
  - I. Approve Proclamation for the Provincetown Center for Coastal Studies proclaiming June 11, 2016, as Center for Coastal Studies Day, in celebration of their 40<sup>th</sup> Anniversary – Requested by William A. Bonn, Chairman of the Center for Coastal Studies Board of Directors.
7. Town Manager / Assistant Town Manager - Votes may be taken on the following items:
  - A. Discussion to establish a Steering Committee re: the National Marine Sanctuary Visitor Center in Provincetown (2016 STM Article 4).
  - B. Review and status update of progress on FY2016 Town-wide goals, and approval of FY2017 Town-side goal setting process.
  - C. Discussion of Board of Selectmen agenda and round table topics.
  - D. Town Manager's Report – Administrative Updates.
  - E. Discussion and planning for a potential joint meeting and staff collaboration visit in Nantucket, to discuss matters of mutual concern.
  - F. Others – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting. Votes may be taken.
8. Minutes – Approve minutes of previous meetings. Votes may be taken.
9. Closing Statements/Administrative Updates - Closing comments from the Selectmen. Discussion dependent; motions may be made; votes may be taken.
  - A. *Thank you letter to Amy Germain who resigned from the Zoning Board of Appeals on May 9, 2016.*
  - B. *Letter to Representative Theodore C. Speliotis regarding H.3742-Funding for Year-Round Rental Housing from Board Chairman Raphael Richter and Town Manager David B. Panagore.*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016



## BOS EXECUTIVE SESSION MOTION

MGL c30A, Sec. 21(a), Clauses 1, 2, 3, 4, 6, 7, & 8

Requested by: BOS Secretary

Action Sought: Discussion/Release

Proposed Motion(s)

**MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1, 2, 3, 4, 6, 7, & 8 for the purposes of:**

**Clauses 1, 2, 3, 4, 6, 7, & 8** – To consider the release of approved Executive Session Minutes.

January 13, 2014; February 24, 2014; March 31, 2014; April 28, 2014; May 27, 2014; June 9, 2014; June 26, 2014; August 29, 2014; September 5, 2014; September 10, 2014; September 12, 2014; September 19, 2014; October 23, 2014; November 10, 2014; January 8, 2015; January 14, 2015; March 4, 2015; March 23, 2015; April 2, 2015; April 27, 2015; May 11, 2015; May 13, 2015; May 22, 2015; May 26, 2015; June 8, 2015; June 18, 2015; June 22, 2015; July 13, 2015; July 15, 2015; July 20, 2015; July 27, 2015; August 10, 2015 (5 p.m.); August 10, 2015 (6 p.m.); August 24, 2015; September 14, 2015; September 21, 2015; October 5, 2015; October 13, 2015; November 9, 2015, and November 23, 2015.

and not to convene in open session thereafter.

**Roll Call Vote:**

**Raphael Richter:**

**Erik Yingling:**

**Tom Donegan:**

**Cheryl Andrews:**

**Robert Anthony:**

**Additional Information**

All of the Executive Session minutes listed have been approved by the Board of Selectmen.

**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, May 23, 2016

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.**

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

- A. *Treasurer's Transfer – Library Gift Fund – pay an invoice from Justine Ives for creation of original artwork for the Moby Dick Reading Marathon, in the amount of \$1,000.*
- B. *Treasurer's Transfer – Library Gift Fund – pay an invoice from Ellen Battaglini for transcription services, in the amount of \$87.50.*
- C. *Treasurer's Transfer – Library Gift Fund – pay to 1544 Recorded Books, Inc., for audiobook purchases, in the amount of \$371.19.*
- D. *Reappointments of Selectman Erik Yingling as a Trustee of the OPEB Trust Fund for a term of one year ending May 27, 2017, and of Provincetown resident Douglas Cliggott as a Trustee of the OPEB Trust Fund for a term of two years ending May 27, 2018.*
- E. *Appoint Jeffrey Gould as a Regular member to the Zoning Board of Appeals, with a term to expire on December 31, 2016. He is currently an Alternate member on the Zoning Board of Appeals.*
- F. *Parade Permit submitted by Bill Sykes, 13 River Street, Plymouth, MA 02360, on behalf of the National MS Society-Greater New England Chapter, for the 33<sup>rd</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser, to be held on Sunday, June 26, 2016, from 8:00 a.m. to 2:00 p.m. (4:00 p.m., if it runs longer).*
- G. *Parade Permit submitted by Barry Cook, 96-98 Bradford Street, Provincetown, MA 02657, on behalf of the AIDS Support Group of Cape Cod, for the 8<sup>th</sup> Annual ASGCC 5K Run/Walk, to be held on Sunday, July 17, 2016, from 8:00 a.m. to 9:30 a.m.*
- H. *Parade Permit submitted by Krystal Magata, 4899 Belfort Road, Suite 300, Jacksonville, FL 32256, on behalf of the Wounded Warrior Project, for the 5<sup>th</sup> Annual Wounded Warriors' Soldiers Ride, to be held on Friday, September 23, 2016, from 8:00 a.m. to 11:30 a.m.*
- I. *Parade Permit submitted by Melanie Braverman, 633 Commercial Street, Unit #2, Provincetown, MA 02657, on behalf of the Alzheimer's Family Support Center of Cape Cod, for the Alzheimer's Benefit Walk, to be held on Sunday, October 16, 2016, from 10:00 a.m. to 2:00 p.m.*
- J. *Approve drafted letter to John Lebeaux, Commissioner of the Mass. Dept. of Agricultural Resources requesting a review and upgrade of the public notification, monitoring, and control of toxic chemical spraying throughout Cape Cod towns.*
- K. *Approve drafted letter to Senator Daniel A. Wolf requesting his support for the Year-Round Market Rate Rental Housing Trust Fund for the Town of Provincetown.*

### 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>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00A

## TREASURER'S TRANSFERS

### Library Gift Fund

Requested by: John O'Buck, Treasurer (5/5/16)

Action Sought: **Approval**

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift (#1107) to pay \$1000.00 for the attached invoice from Justine Ives.**

#### Additional Information

This Motion will allow the Town Treasurer to transfer money from the Library Gift Fund – (#1107) to pay for the commissioned artwork for the Moby Dick Reading Marathon at the Public library . The Library Gift Fund will have a balance of \$66,123.51 in the expendable account after this invoice is paid.

#### 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: May 23, 2016  
To: Provincetown Treasurer  
From: Board of Selectmen

As Commissioners of the Library Gift Fund – (#1107), permission is hereby granted to you, the Treasurer of the Town of Provincetown, to approve the use of the Library Gift Fund (#1107), for the payment of the \$1000.00 for the commissioned artwork for the Moby Dick Reading Marathon at the Public Library.

The Honorable Board of Selectmen:

\_\_\_\_\_  
Raphael Richter, Chairman

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

\_\_\_\_\_  
Thomas Donegan, Selectman

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

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

**Town of Provincetown, Massachusetts**  
**Provincetown Public Library**  
**356 Commercial Street**  
**Provincetown MA 02657**  
**20-Apr-16**

**Attention: Town Treasurer**  
**Voucher to Pay 2016**

**To: Justine Ives**  
 PO Box 517  
 Truro, MA 02666

Charge Acct	Item	Inv # - Acct #	Total
11070200-520000	Justine Ives was commissioned by the Board of Library Trustees and Library Director to create the original promotional artwork for the 2016 Moby-Dick Reading Marathon at the Provincetown Public Library	See Attached	\$1,000.00
<b>Total:</b>			<b>\$1,000.00</b>

*m c*  
 \_\_\_\_\_  
 Signature of Library Director

5-2-16  
 \_\_\_\_\_  
 Date

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

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



Provincetown  
Public Library

INVOICE

Invoice Title: Justine Ives Moby-Dick Artwork

To: Provincetown Public Library  
356 Commercial Street  
Provincetown, MA. 02657

From: Justine Ives  
PO Box 517  
Truro, MA 02666

Description	Date	Unit Price	Total
Justine Ives was commissioned by the Board of Library Trustees and Library Director to create the original promotional artwork for the 2016 Moby-Dick Reading Marathon at the Provincetown Public Library	April 20, 2016	\$ 1,000	\$ 1,000.0
		Total	\$ 1,000

Contact:  
Matt Clark  
Library Director  
Provincetown Public Library  
508-816-6373  
mpclark@provincetown-ma.gov

Thank you for your work with the Provincetown Public Library!



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00B

## TREASURER'S TRANSFERS

### Library Gift Fund

Requested by: John O'Buck, Treasurer (5/5/16)

Action Sought: **Approval**

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift (#1107) to pay \$87.50 for the attached invoice from Ellen Battaglini.**

#### Additional Information

This Motion will allow the Town Treasurer to transfer money from the Library Gift Fund – (#1107) to pay for the transcription of Library Board of Trustee Meeting dated 04/20/2016 . The Library Gift Fund will have a balance of \$66,036.01 in the expendable account after this invoice is paid.

#### 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: May 23, 2016  
To: Provincetown Treasurer  
From: Board of Selectmen

As Commissioners of the Library Gift Fund – (#1107), permission is hereby granted to you, the Treasurer of the Town of Provincetown, to approve the use of the Library Gift Fund (#1107), for the payment of the \$87.50 for the transcription of the Library Board of Trustee Meeting dated 04/20/2016.

The Honorable Board of Selectmen:

\_\_\_\_\_  
Raphael Richter, Chairman

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

\_\_\_\_\_  
Thomas Donegan, Selectman

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

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



**BOARD OF LIBRARY TRUSTEES INVOICE:**

Ellen C. Battaglini

Work: 508.487.7030

Cell: 508.246.0668

Meeting Date: 04/20/16

Meeting time: 1 hour and 10 minutes

\$87.50



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00C

## TREASURER'S TRANSFERS

### Library Gift Fund

Requested by: John O'Buck, Treasurer (May 17, 2016)

Action Sought: **Approval**

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift (#1107) to pay \$371.19 for the attached invoice from 1544 Recorded Books, INC.**

#### Additional Information

This Motion will allow the Town Treasurer to transfer money from the Library Gift Fund – (#1107) to pay for audiobook purchases . The Library Gift Fund will have a balance of \$65,664.82 in the expendable account after this invoice is paid.

#### 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: May 23, 2016  
To: Provincetown Treasurer  
From: Board of Selectmen

As Commissioners of the Library Gift Fund – (#1107), permission is hereby granted to you, the Treasurer of the Town of Provincetown, to approve the use of the Library Gift Fund (#1107), for the payment of the \$371.19 for the audiobook purchases.

The Honorable Board of Selectmen:

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Raphael Richter, Chairman

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Erik Yingling, Vice Chair

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Cheryl Andrews, Selectman

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Tom Donegan, Selectman

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Robert Anthony, Selectman

Town of Provincetown, Massachusetts  
 Provincetown Public Library  
 356 Commercial Street  
 Provincetown MA 02657

6-May-16

Voucher to Pay FY 2016

To: 1544 Recorded Books, INC C#259454  
 PO Box 64900  
 Baltimore, MD 21264-4900

Charge Acct	Item	Inv # - Acct #	Total
11070200-500070	Special account for audiobook purchases		
	Invoice 75319550 dated 4/13/16		\$99.00
	Invoice 75319861 dated 4/13/16		\$99.00
	Invoice 75321506 dated 4/15/16		\$28.79
	Invoice 75322401 dated 4/18/16		\$62.20
	Invoice 75324008 dated 4/21/16		\$82.20
	<i>This voucher goes to the Treasurer</i>		
		<b>Total:</b>	<b>\$371.19</b>

mc  
 \_\_\_\_\_  
 Signature of Library Director

5-6-16  
 \_\_\_\_\_  
 Date

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

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

# RECORDED BOOKS, INC

270 Skipjack Road  
Prince Frederick, MD 20678  
1-800-638-1304 TIN: 464533122  
www.recordedbooks.com

Order # 75307660  
Invoice # 75319550  
Date 4/13/16

PO #  
Ship Via UPS/Ground  
Promo Code: CD6H

## Invoice

**Bill to:**  
**Account # : 259454**  
PROVINCETOWN-PUBLIC-LIBRARY  
356 Commercial St  
Provincetown, MA 02657

**Ship to:**  
**Account # : 259454**  
PROVINCETOWN-PUBLIC-LIBRARY  
356 Commercial St  
Provincetown, MA 02657

Item #	Title	ISBN	Business Term	Media Type	List Price (Unit)	Your Price (Unit)	Qty	Disc %	Net
C04017	Off the Grid	9781501905568	Purchase	CD	\$123.75	\$123.75	1	20.0	\$99.00

email order from Nancy Gilbert

Adult CD6 - HOLD FOR PO

There are remaining items from original order # 75307660 that will be delivered at a later date.

Release of Order No 75307660

Bill To : 259454

Inv No : 75319550

REMIT PAYMENT ALONG WITH A  
COPY OF THIS INVOICE TO:

CORRESPONDENCE &  
RETURNS TO:

Recorded Books, INC  
PO Box 64900  
Baltimore, MD 21264-4900

Recorded Books, INC  
270 Skipjack Road  
Prince Frederick, MD 20678

Payments terms are Net 30 Days

Subtotal	\$99.00
Processing/Marc Fees	\$0.00
Postage	\$0.00
Tax/GST	\$0.00
<b>Invoice Total</b>	<b>\$99.00</b>
Payment Received	\$0.00
<b>Amount Due</b>	<b>\$99.00</b>

Recorded Books also offers the option to receive PDF invoices through email. if you would like to receive your invoices in this manner, please contact us at [customerservice@recordedbooks.com](mailto:customerservice@recordedbooks.com) or Call 1-877-732-2898.

# RECORDED BOOKS, INC

270 Skipjack Road  
Prince Frederick, MD 20678  
1-800-638-1304 TIN: 464533122  
www.recordedbooks.com

Order # 75307660  
Invoice # 75319861  
Date 4/13/16

PO #  
Ship Via UPS/Ground  
Promo Code: CD6H

## Invoice

**Bill to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

**Ship to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

Item #	Title	ISBN	Business Term	Media Type	List Price (Unit)	Your Price (Unit)	Qty	Disc %	Net
C04011	Treachery at Lancaster Gate	9781501905681	Purchase	CD	\$123.75	\$123.75	1	20.0	\$99.00

email order from Nancy Gilbert

Adult CD6 - HOLD FOR PO

There are remaining items from original order # 75307660 that will be delivered at a later date.

Release of Order No 75307660

<b>Bill To : 259454</b>		<b>Inv No : 75319861</b>	
REMIT PAYMENT ALONG WITH A COPY OF THIS INVOICE TO:	CORRESPONDENCE & RETURNS TO:	Recorded Books, INC PO Box 64900 Baltimore, MD 21264-4900	Recorded Books, INC 270 Skipjack Road Prince Frederick, MD 20678
<b>Payments terms are Net 30 Days</b>			

Subtotal	\$99.00
Processing/Marc Fees	\$0.00
Postage	\$0.00
Tax/GST	\$0.00
<b>Invoice Total</b>	<b>\$99.00</b>
Payment Received	\$0.00
<b>Amount Due</b>	<b>\$99.00</b>

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# RECORDED BOOKS, INC

270 Skipjack Road  
Prince Frederick, MD 20678  
1-800-638-1304 TIN: 464533122  
www.recordedbooks.com

Order # 75307661  
Invoice # 75321506  
Date 4/15/16

PO #  
Ship Via UPS/Ground

## Invoice

**Bill to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

**Ship to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

Item #	Title	ISBN	Business Term	Media Type	List Price (Unit)	Your Price (Unit)	Qty	Disc %	Net
DD16198	The Life-Changing Magic of Tidying Up	9781494508944	Purchase	CD	\$35.99	\$35.99	1	20.0	\$28.79

email order from Nancy Gilbert \*\*

Release of Order No 75307661

<b>Bill To : 259454</b>	<b>Inv No : 75321506</b>
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REMIT PAYMENT ALONG WITH A COPY OF THIS INVOICE TO:	CORRESPONDENCE & RETURNS TO:
Recorded Books, INC PO Box 64900 Baltimore, MD 21264-4900	Recorded Books, INC 270 Skipjack Road Prince Frederick, MD 20678
<b>Payments terms are Net 30 Days</b>	

Subtotal	\$28.79
Processing/Marc Fees	\$0.00
Postage	\$0.00
Tax/GST	\$0.00
<b>Invoice Total</b>	<b>\$28.79</b>
Payment Received	\$0.00
<b>Amount Due</b>	<b>\$28.79</b>

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# RECORDED BOOKS, INC

270 Skipjack Road  
Prince Frederick, MD 20678  
1-800-638-1304 TIN: 464533122  
www.recordedbooks.com

Order # 75307660  
Invoice # 75322401  
Date 4/18/16

PO #  
Ship Via UPS/Ground  
Promo Code: CD6H

## Invoice

**Bill to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

**Ship to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

Item #	Title	ISBN	Business Term	Media Type	List Price (Unit)	Your Price (Unit)	Qty	Disc %	Net
C04165	The Waters of Eternal Youth	9781501908422	Purchase	CD	\$77.75	\$77.75	1	20.0	\$62.20

email order from Nancy Gilbert

Adult CD6 - HOLD FOR PO

There are remaining items from original order # 75307660 that will be delivered at a later date.

Release of Order No 75307660

**Bill To : 259454**

**Inv No : 75322401**

REMIT PAYMENT ALONG WITH A  
COPY OF THIS INVOICE TO:

CORRESPONDENCE &  
RETURNS TO:

Recorded Books, INC  
PO Box 64900  
Baltimore, MD 21264-4900

Recorded Books, INC  
270 Skipjack Road  
Prince Frederick, MD 20678

**Payments terms are Net 30 Days**

Subtotal	\$62.20
Processing/Marc Fees	\$0.00
Postage	\$0.00
Tax/GST	\$0.00

**Invoice Total \$62.20**

Payment Received \$0.00

**Amount Due \$62.20**

Recorded Books also offers the option to receive PDF invoices through email. if you would like to receive your invoices in this manner, please contact us at [customerservice@recordedbooks.com](mailto:customerservice@recordedbooks.com) or Call 1-877-732-2898.

# RECORDED BOOKS, INC

270 Skipjack Road  
Prince Frederick, MD 20678  
1-800-638-1304 TIN: 464533122  
www.recordedbooks.com

## Invoice

Order # 75307660  
Invoice # 75324008  
Date 4/21/16

PO #  
Ship Via UPS/Ground  
Promo Code: CD6H

**Bill to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

**Ship to:**  
**Account # : 259454**  
PROVINCETOWN PUBLIC LIBRARY  
356 Commercial St  
Provincetown, MA 02657

Item #	Title	ISBN	Business Term	Media Type	List Price (Unit)	Your Price (Unit)	Qty	Disc %	Net
C03304	The Murder of Mary Russell	9781490623566	Purchase	CD	\$102.75	\$102.75	1	20.0	\$82.20

email order from Nancy Gilbert

Adult CD6 - HOLD FOR PO

There are remaining items from original order # 75307660 that will be delivered at a later date.

Release of Order No 75307660

**Bill To : 259454**

**Inv No : 75324008**

REMIT PAYMENT ALONG WITH A  
COPY OF THIS INVOICE TO:

CORRESPONDENCE &  
RETURNS TO:

Recorded Books, INC  
PO Box 64900  
Baltimore, MD 21264-4900

Recorded Books, INC  
270 Skipjack Road  
Prince Frederick, MD 20678

**Payments terms are Net 30 Days**

Subtotal	\$82.20
Processing/Marc Fees	\$0.00
Postage	\$0.00
Tax/GST	\$0.00
<b>Invoice Total</b>	<b>\$82.20</b>
Payment Received	\$0.00
<b>Amount Due</b>	<b>\$82.20</b>

Recorded Books also offers the option to receive PDF invoices through email. if you would like to receive your invoices in this manner, please contact us at [customerservice@recordedbooks.com](mailto:customerservice@recordedbooks.com) or Call 1-877-732-2898.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

OOD

## OPEB Trust Agreement

### Reappointment of Two Trustees

Requested by: Director of Finance, Dan Hoot

Action Sought: Approval

#### Proposed Motion(s)

**Move that the Board of Selectmen appoint Selectman Erik Yingling, as a Trustee of the OPEB Trust Fund for a term of one year effective May 27, 2016, and expiring May 27, 2017.**

**Move that the Board of Selectmen appoint Provincetown resident Douglas Cliggott as a Trustee of the OPEB Trust Fund for a term of two years effective May 27, 2016, and expiring May 27, 2018.**

#### Additional Information

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

#### Board Action

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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

OOE

## BOARD OF SELECTMEN APPOINTMENT

Requested by: Town Clerk Doug Johnstone

Action Sought: **Approval**

### Proposed Motion(s)

**Move that the Board of Selectmen vote to appoint Jeffrey Gould as a Regular Member to the Zoning Board of Appeals with a term to expire December 31, 2016.**

### Additional Information

See attached application. Jeffrey is currently serving as an Alternate member on the ZBA and will replace Amy Germain who resigned as a Regular member effective May 9, 2016.

### Board Action

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



# TOWN OF PROVINCETOWN

## Application for Town Board Membership

Name: Jeffrey GOULD  
Please type or print

Resident Address: 24 CAPT. Bertie Way Provincetown, MA 02657

Mailing Address (if different): Unit U

Telephone #: 5084870460 Work # (781) 385 9501

Email address: gouldlaw89@yahoo.com

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

- I am currently an alternate member of the
- Zoning Board but with the resignation of Amy
- Germain the ZBA voted to recommend me for full  
member.

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

See resume.

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

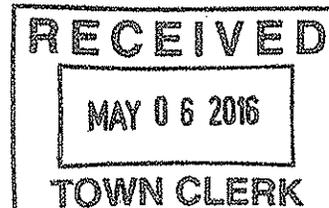
Jeff Gould 5/7/16  
Signature of Applicant Date

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

Town Clerk Certification: Applicant is a registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>D. Johnston</u> Name of Town Clerk	This application will remain on file in the Town Clerk's Office for 364 days from the date received. Application Termination Date: <u>5/6/17</u>
---	---

Date Received by Board of Selectmen

Date Received by Town Clerk



# JEFFREY R. GOULD

24 Captain Bertie Way, Unit U  
Provincetown, MA 02657

C: 781.385.9501  
H: 508.487.0460  
gouldlaw89@yahoo.com

---

## IN-HOUSE COUNSEL • LITIGATION • ENVIRONMENTAL & LAND USE LAW

Diverse experience advising individual and corporate clients on an array of legal matters, including land use planning and development, zoning, eminent domain, environmental law, wetlands regulation and water quality permitting. Apply strategic planning, interpersonal communication, research, and negotiation skills to achieve goals. Foster rapport with clients, business partners, and opposing counsel to accomplish successful results. Professional strengths include:

- Contract Negotiation & Document Drafting
- Risk Management & Property Protection
- Executive Leadership Advisement
- Client Cultivation & Management
- Civil Litigation & Administrative Proceedings
- Federal & State Regulatory Compliance
- Policy & Procedure Development
- Legal Operations Management

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## EXPERIENCE & ACHIEVEMENTS

### Attorney & President

Jeffrey R. Gould, Professional Corporation

August 2014 - Present

Direct a boutique environmental and land use law practice concentrating in real estate development, zoning, regulatory permitting, municipal and administrative law, affordable housing and general civil litigation.

### General Counsel & Senior Vice President

The Saint Consulting Group, Inc.

April 2005 - July 2014

Directed legal and regulatory affairs for a land use political consulting firm; supervised legal department and administered operating budget. Planned and executed programs and strategies to mitigate risk and facilitate corporate success. Consulted with senior leadership to develop best practices and standard operating procedures. Evaluated and maintained compliance with all federal and state laws. Prepared patent, trademark, and copyright protection documents. Oversaw outside counsel in the management of hundreds of land use and environmental litigation projects in 44 states.

- Secured development permits in industries that include aggregates and quarries, commercial real estate, energy, entertainment and gaming, healthcare, infrastructure and transportation, mining, residential, waste and recycling.
- Applied for and obtained patent protection for Method of Developing A Market Threat Map, a market area competitive evaluation that is mapped to reflect collected data and analysis; obtained trademark protection for company name, logo, and the Saint Index, an annual land use and development survey; and obtained copyright protection for NIMBY Wars: The Politics of Land Use, a published book.
- Negotiated and drafted municipal bylaws and regulations, client and vendor contracts, and employment related documents.
- Devised and implemented a litigation tracking system that reduced litigation operating expenditures and improved the quality of outside counsel litigation.
- Developed mandatory legal and compliance seminars and technical training programs for project managers; taught courses on land use and environmental law, hydrology, traffic, and storm water management issues.

### Attorney

Jeffrey R. Gould, P.C.

January 1996 - March 2005

Built a private law practice specializing in land use and environmental litigation. Leveraged state and federal trial, arbitration, municipal hearing, and agency proceeding expertise to resolve matters under the Zoning Act, Clean Water Act, Clean Air Act, and Wetlands Protection Act. Conducted more than 100 trials related to contracts, permitting, zoning, wetland protection, and hazardous waste matters in the courts and before administrative agencies.

---

**Attorney**

**Bowditch & Dewey**

July 1992 – December 1995

Maintained a caseload of complex business, land use, and regulatory matters. Drafted discovery requests, motions, and briefs. Conducted depositions, motion hearings, and trials in state and federal courts. Advised municipalities and private parties in court and before administrative agencies regarding zoning, environmental, eminent domain, septic system regulations, subdivision control, land use planning and regulation matters.

- Successfully negotiated and obtained a settlement on behalf of the Town of Southborough with the Massachusetts Water Resource Authority for safe construction of an underground water tunnel that would augment Boston's water supply; secured financial remuneration, reparations and mitigation provisions for the town.

**Attorney**

**Tyler & Reynolds, Professional Corporation**

June 1989 – June 1992

Served as counsel to various municipalities and counties. Maintained an active caseload of complex business issues, land use disputes, wetland protection, tort, and general civil litigation cases. Drafted discovery requests, motions, and briefs. Conducted depositions, motion hearings, and trials in state and federal courts. Attended town meetings and advised municipal officers, boards, and committees.

- Successfully negotiated and obtained a multi-million dollar settlement and new municipal water treatment facility for the Town of Reading in threatened litigation against General Electric Company for contaminating town well fields.
  - Represented and advised Microwave Engineering Corporation and the publicly traded Compugraphic in all corporate matters.
  - Represented municipal planning boards, zoning boards, and conservation commissions in environmental litigation and enforcement proceedings pursuant to the Zoning Act and the Wetlands Protection Act.
- 

**EDUCATION**

SUFFOLK UNIVERSITY LAW SCHOOL, Boston, MA  
*Juris Doctorate, cum laude*

COLLEGE OF THE HOLY CROSS, Worcester, MA  
*Bachelor of Arts in Political Science, cum laude*

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**CREDENTIALS & PROFESSIONAL DEVELOPMENT**

***Bar Admissions:***

*Commonwealth of Massachusetts | State of New York, Supreme Court, Appellate Division | U.S. Supreme Court  
U.S. District Court, Massachusetts*

***Memberships & Affiliations:***

*Provincetown Zoning Board of Appeals, Member, 2015-Present  
Urban Land Institute, Member, 2008-2014  
Association of Management Consulting Firms, Public Affairs Committee, 2008-2014  
International Council of Shopping Centers, Associate Member, 2006-2014  
Massachusetts Bar Association, Litigation Committee Member, 1990-2010*

***Guest Lecturer:***

*Massachusetts Institute of Technology's Masters' Degree program in Real Estate Development, Spring 2013*

**Publications:**

*"Protecting Market Share: The Boundaries of Competitive Engagement"* by Jeffrey Gould  
*Law360: A Lexis Nexis Law Journal*, February 3, 2014

*Published as a four-part monthly series beginning February 3, 2014, the article describes how recent court rulings upholding the rights of citizens to petition their government provides companies with highly effective strategies to prevent competitors from gaining a foothold even when the underlying motive is protecting market share and eliminating unwanted competition.*

*"State SLAPP Law Applies in US District Court"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, January 2011

*"Massachusetts Court Weakens Protections from SLAPP Lawsuits"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, October 2010

*"When Lobby Laws Clash With Land Use Laws"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, April 2010

*"Electioneering Communications Law: Necessary Restraint on Campaign Finance or Chilling of Free Speech"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, March 2010

*"Conflicts of Interest in the Zoning Process: When is it a Disqualifying Event"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, February 2010

*"SLAPP: Does Public's Role in Planning Process Need Protection in Canada"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, January 2009

*"Legal Rights to Protect Citizens From Getting SLAPPED by Developers' Lawsuits"* by Jeffrey Gould  
*The Saint Report: A Forum for Land Use Politics - News, Commentary & Analysis*, March 2008

7

### Zoning Board of Appeals

	<b>First</b>	<b>Last</b>	<b>Position</b>	<b>Term End</b>	
1	Jeffrey	Haley	Regular	12/31/18	
2	David	Nicolau, Chair	Regular	12/31/18	
3	AG 5/9/16		Regular	12/31/16	⊕
4	Robert	Littlefield	Regular	12/31/17	
5	Joseph	Vasta	Regular	12/31/18	
6	PP 12/31/15		Alternate	12/31/18	
7	Jeffrey	Gould	Alternate	12/31/18	
8	Rob	Anderson	Alternate	12/31/17	
9	Bryan	Armstrong	Alternate	12/31/17	
10	JV 3/22/13		Alternate	12/31/16	

## Doug Johnstone

---

**From:** amygermain@aol.com  
**Sent:** Monday, May 09, 2016 1:55 PM  
**To:** Doug Johnstone  
**Subject:** ZBA Resignation

Hi Doug,

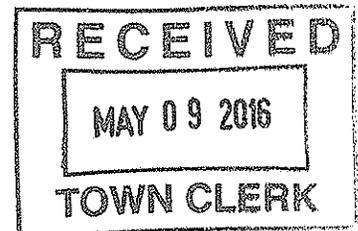
I notified David Nicolau last week that I need to resign my position on the ZBA. As much as I want to attend meetings, my health seems to have different ideas for my evening hours.

Do I need to let anyone else know?

And can you please have the Parking Department remove me from the Board List so that I can purchase my parking permit.

Thank you so much,

Amy



RECEIVED  
BOS - ~~Vernon~~ ~~SD~~  
MAY 10 2016  
CC: BOS/TM/ATM

## Loretta Dougherty

---

**From:** Doug Johnstone  
**Sent:** Monday, May 09, 2016 3:39 PM  
**To:** David Panagore  
**Cc:** Loretta Dougherty; Gloria McPherson  
**Subject:** Jeff Gould Application to ZBA  
**Attachments:** zb.xls; Gould Application.pdf

FYI – Current Zoning Board of Appeals alternate member Jeff Gould is requesting to move to the regular member vacancy created by the recent resignation of member Amy Germain. The Selectmen have the authority to appoint this regular member vacancy should they choose to do so. Please consider adding his application of the Selectmen's consideration at their next available meeting.

Jeff's application is attached, along with a current ZBA roster for reference, if needed.

Thank you.  
dj

**TOWN OF PROVINCETOWN  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
May 5, 2016**

**Members Present:** David M. Nicolau (left at 7:16 P.M.), Robert Littlefield, Joe Vasta, Jeffrey Haley, Bryan Armstrong (arrived at 6:52 P.M.) and Jeffrey Gould.

**Members Absent:** Amy Germain (excused) and Rob Anderson (unexcused).

**Others Present:** Gloria McPherson (Town Planner) and Ellen C. Battaglini (Recording Secretary).

**WORK SESSION**

Chair David M. Nicolau called the Work Session to order at 6:30 P.M.

**PENDING DECISIONS:**

**FY16-32**      **176 Race Point Road (Seashore Zone), Provincetown Airport Commission –**  
David M. Nicolau, Jeffrey Haley, Robert Anderson and Jeffrey Gould sat on the case. The decision was not ready.

**FY 16-41**      **29 Tremont Street (Residential 1 Zone), Peter Epstein –**  
David M. Nicolau, Robert Littlefield, Jeffrey Haley and Jeffrey Gould sat on the case. Robert Littlefield read the decision. *Jeffrey Gould moved to approve the language as written, Jeffrey Haley seconded and it was so voted, 3-0-2 (David M. Nicolau and Joe Vasta abstaining).*

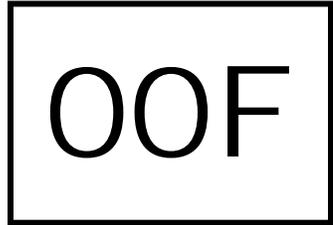
**FY16-29**      **338 Commercial Street (Town Commercial Center Zone), BHC, LLC -**  
Robert Littlefield, Joe Vasta, Bryan Armstrong and Jeffrey Gould sat on the case. Robert Littlefield read the decision. *Joe Vasta moved to approve the language as written, Jeffrey Gould seconded and it was so voted, 3-0-2 (David M. Nicolau and Jeffrey Haley abstaining).*

\* ( The Board signed decisions. Mr. Nicolau announced that Amy Germain would be resigning from the Board. *Robert Littlefield moved to recommend to the Board of Selectmen that Jeffrey Gould be appointed a regular member of the Zoning Board of Appeals, Jeffrey Haley seconded and it was so voted, 5-0.*

Chair David M. Nicolau adjourned the Work Session at 6:44 P.M.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016



## PARADE PERMIT REQUEST

### 33<sup>rd</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 MS Society – Greater New England Chapter, 101A First Avenue, Suite 6, Waltham, MA 02451, for the 33<sup>rd</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser, to be held on Sunday, June 26, 2016 from 8:00 a.m. to 2:00 p.m. or 4:00 p.m., if it runs longer.

#### Additional Information

See attached application and route information.

#### Board Action

<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  
[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: Chief of Police James F. Golden   
Subject: Staff Report 33<sup>rd</sup> Annual Cape Cod Gateway MS Bike Ride Fundraiser  
Date: May 09, 2016

---

Please know that I have reviewed the parade application for the annual National MS Society Ride Fundraiser on Sunday June 26, 2016. They estimate about 1800-2100 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 six (6) police officers from approximately 9:00am to 3:00pm would cost them approximately \$2160.

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?

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

RECEIVED  
BOS - ~~Vermont~~

APR 11 2016

CC: BOS/TM/ATM

# 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:** National MS Society - Greater New England Chapter  
**Address:** 101A First Ave Suite 6 **Phone:** \_\_\_\_\_  
**City/Town:** Waltham **State:** MA **Zip Code:** 02451  
**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 (o) 508 954 9037 (c)  
**Email:** bill@promoterline.com

Will charges or fees be collected?  Yes  No

**Name & Purpose of Parade:** The MS Cape Cod Getaway

**Date of Parade:** 6/26/16 **Rain Date (if any):** \_\_\_\_\_

**Schedule:** **Start Time:** 8AM **Finish Time:** 2PM

**Number of Marchers:** NA **Number of Vehicles:** NA

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:** Bill Sykes  
Digitally signed by Bill Sykes  
DN: cn=Bill Sykes, o=usa,  
email=bill@promoterline.com, c=US  
Date: 2012.10.07 06:50:23 -0400

**Date:** 10/7/16

**Application received by:** [Signature]  
(Secretary to Board of Selectmen)

**Date:** 4.11.2016

**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

Date 05-09-2016

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

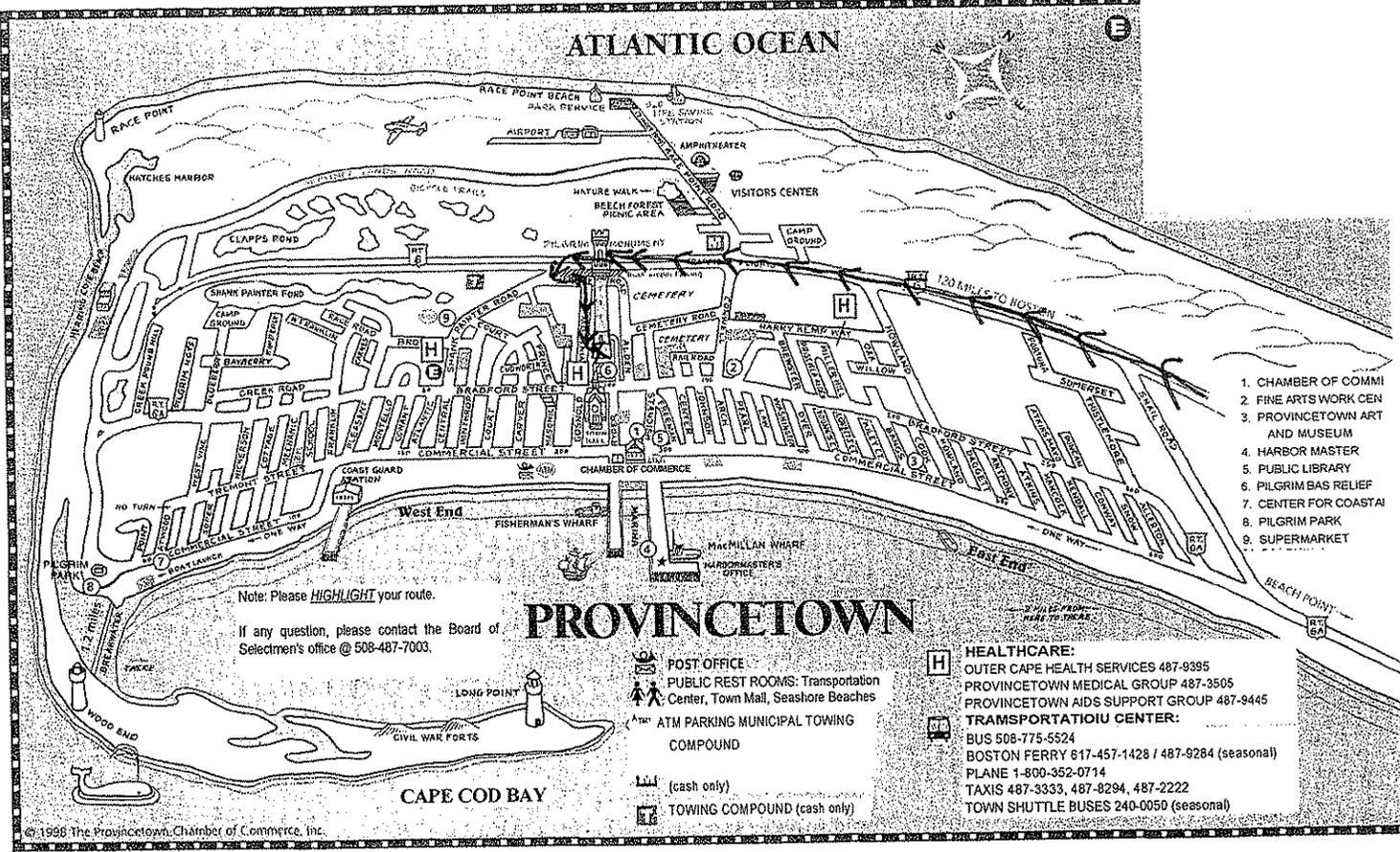
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please highlight your Parade Route on the Map



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

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 Mall, Seashore Beaches
- ATM
- PARKING MUNICIPAL TOWING COMPOUND
- (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  
 BOSTON FERRY 617-457-1428 / 487-9284 (seasonal)  
 PLANE 1-800-352-0714  
 TAXIS 487-3333, 487-8294, 487-2222  
 TOWN SHUTTLE BUSES 240-0050 (seasonal)

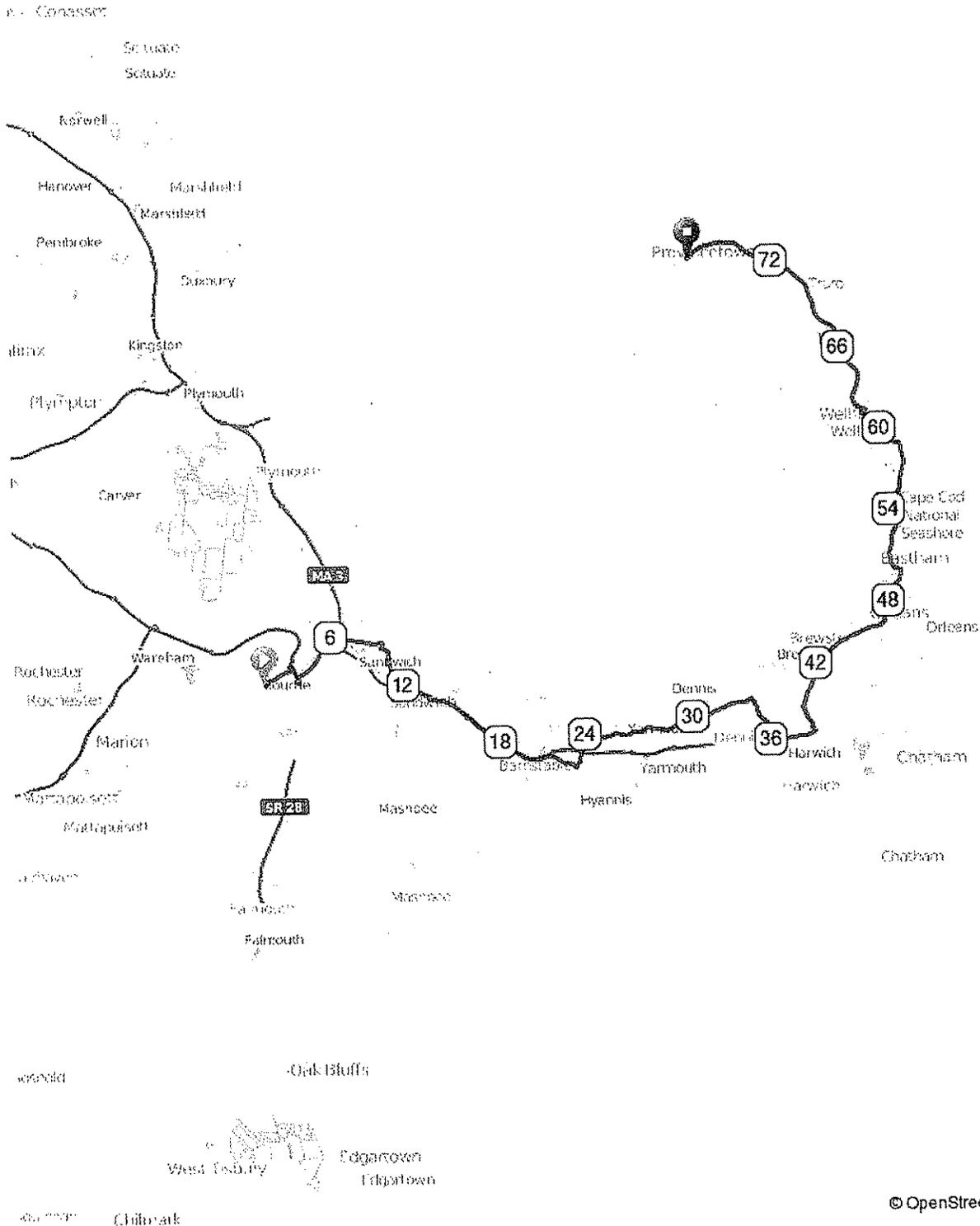
© 1998 The Provincetown Chamber of Commerce, Inc.

4

# MS Cape Cod Getaway Day 2 75 Mile



77.1 miles, + 2631 / - 2628 feet



MS Cape Cod Getaway Day 2 75 Mile

0.0	0.0	🚩	Start of route	0.4
0.4	0.4	→	R onto Main St	1.1
1.5	1.1	←	Slight L onto Bourne Rotary Cir N	0.1
1.6	0.1	↑	MA-28 S/MA-25 W ramp to Falmouth the Islands/I-495	0.1
1.7	0.1	→	Keep R at the fork and merge onto MA-28 S	1.1
2.8	1.1	↑	At the traffic circle, 2nd exit onto Trowbridge Rd	0.1
2.9	0.1	→	R onto Veteran's Way	0.2

2.9 miles. +166/-95 feet

11.4	0.2	←	L onto Service Rd	1.5
12.8	1.5	□	Rest Stop 1 Cape Cod Rehab Hospital	0.6
13.4	0.6	↑	Cross Quaker Meeting House Rd	2.2
15.6	2.2	↑	Cross Chase Rd	0.6
16.2	0.6	🚩	Barnstable	1.8
18.0	1.8	←	L onto MA-149 N	0.0
18.0	0.0	↑	At the traffic circle, 1st exit onto Service Rd	1.8
19.9	1.8	↑	Cross Oak St	0.8

8.7 miles. +465/-505 feet

3.0	0.2	→	R onto Sandwich Rd	0.2
3.2	0.2	←	L onto Canal access road	0.2
3.3	0.2	→	R onto Canal Service Rd	4.4
7.7	4.4	🚩	Sandwich	0.8
8.5	0.8	→	Slight R at Freezer Rd	0.3
8.9	0.3	←	L onto Tupper Rd	0.5
9.3	0.5	↑	Cross RT6A	0.4
9.8	0.4	←	L onto RT130/Main St	0.1
9.8	0.1	↑	Continue onto RT130/Water St	1.4
11.2	1.4	↑	Under RT6	0.2

8.3 miles. +217/-110 feet

20.7	0.8	↑	Continue onto Shootflying Hill Rd	0.6
21.3	0.6	→	R onto Hyannough Rd	0.0
21.3	0.0	⚠	Use Caution	0.4
21.7	0.4	←	L onto Attucks Ln/Old Route 132 St	0.3
22.0	0.3	□	Rest Stop 2 Clinical Research Center	0.2
22.2	0.2	→	Keep R at the fork	0.1
22.3	0.1	←	L onto Phinneys Ln	1.2
23.5	1.2	↑	Continue onto Hyannis Rd	0.5
24.0	0.5	→	R onto Main St	2.1

4.1 miles. +108/-183 feet

26.2	2.1	↖	Yarmouth	3.2
29.4	3.2	→	Slight R onto Setucket Rd	0.7
30.1	0.7	↑	Cross N Dennis Rd	1.3
31.5	1.3	↑	Cross Old Bass River Rd	0.6
32.1	0.6	↑	Cross RT 134	1.1
33.1	1.1	→	R onto Slough Rd	1.7
34.8	1.7	↑	Continue onto Depot St	0.0
34.8	0.0	↖	Harwich	1.0
35.8	1.0	←	L onto Main St	0.3
36.1	0.3	←	Slight L onto Queen Anne Rd	2.2

12.1 miles. +387/-413 feet

46.6	0.2	→	R toward Skaket Beach Rd	0.0
46.6	0.0	→	R onto Skaket Beach Rd	0.5
47.1	0.5	←	L onto Rock Harbor Rd	1.4
48.5	1.4	←	L onto Bridge Rd	0.2
48.7	0.2	↖	Eastham	1.4
50.1	1.4	←	Slight L onto Herring Brook Rd	3.2
53.3	3.2	↑	Continue onto Massasoit Rd	0.7
53.9	0.7	←	L onto Steele Rd	0.6
54.5	0.6	□	Rest Stop 5 Cooks Brook Beach	0.6

8.1 miles. +202/-199 feet

38.3	2.2	←	L onto Pleasant Lake Ave	1.8
40.1	1.8	↖	Brewster	0.1
40.2	0.1	←	R onto Cape Cod Rail Trail	2.2
42.4	2.2	☺	Lunch, Stoney Brook Elementary School	1.6
44.0	1.6	↑	Cross Millstone Rd	1.8
45.8	1.8	↖	Orleans	0.4
46.2	0.4	←	L to stay on Cape Cod Rail Trail/Skaket Beach Rd	0.2
46.4	0.2	←	L onto West Rd	0.2

10.3 miles. +263/-287 feet

55.1	0.6	←	L onto Massasoit Rd	0.8
56.0	0.8	↖	Wellfleet	0.5
56.5	0.5	←	L onto US-6 E	2.2
58.7	2.2	→	Slight R onto State Hwy	0.2
58.9	0.2	←	L onto Lecount Hollow Rd	0.0
58.9	0.0	→	R onto US-6 E	0.2
59.1	0.2	→	R onto Old County Rd	0.4
59.6	0.4	↑	Continue onto Old Kings Hwy	1.1
60.6	1.1	↑	Continue onto Old County Rd	0.4

6.1 miles. +262/-263 feet

7

61.0	0.4	←	L onto Cahoon Hollow Rd	0.6
61.6	0.6	→	R onto US-6 E	0.1
61.7	0.1	←	L onto Main St	0.3
62.0	0.3	→	R onto Long Pond Rd	0.3
62.2	0.3	←	L onto Lawrence Rd	0.1
62.4	0.1	□	Rest Stop 6, Wellfleet Elementary School	0.1
62.5	0.1	→	R onto US-6 E	6.3
68.8	6.3	□	Rest Stop 7, Truro Central School	8.0

8.2 miles. +503/-508 feet

76.9	8.0	←	L onto Shank Painter Rd	0.1
76.9	0.1	←	Sharp L onto Jerome Smith Rd	0.1
77.1	0.1	▣	End of route	0.0

8.2 miles. +2/-3 feet



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00G

## PARADE PERMIT REQUEST

### 8<sup>th</sup> Annual ASGCC 5K Run/Walk

Requested by: Barry Cook

Action Sought: Approval

#### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote to approve the Parade Application Permit submitted by Barry Cook, on behalf of the AIDS Support Group of Cape Cod, 96-98 Bradford Street, Provincetown, MA 02657, for the 8<sup>th</sup> Annual ASGCC 5K Run/Walk, to be held on Sunday, July 17, 2016 from 8:00 a.m. to 9:30 a.m.

#### Additional Information

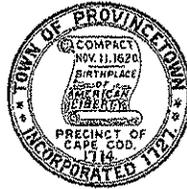
See attached application and route information.

#### Board Action

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

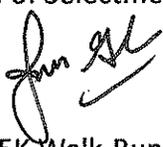
# Town of Provincetown

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



# Police Department

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

To: Provincetown Board of Selectmen  
From: Chief James Golden   
Subject: Staff Report ASGCC 5K Walk-Run Parade Permit  
Date: May 05, 2016

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I have reviewed the parade application from Barry Cook on behalf of the Aids Support Group of Cape Cod for a charity 5K road race event on Sunday July 17, 2016. This is their 8<sup>th</sup> event and they estimate approximately 200 attendees. This attendance estimate denotes an increase from prior years.

The event is scheduled from 800am to 0930am and will navigate a route beginning on Commercial Street at the flashing yellow light (near the former Hot-el Restaurant) and end at the Pilgrim Park Rotary. (Provincetown Inn)

- Entrance to Commercial Street will need to be closed 15 minutes prior to the event and will remain closed for duration of the event. Two special duty police detail officers will be needed for 4 hours. These services will cost the petitioner approximately \$404.00.
- Detail Officers are there to escort the procession per the 5K parade permit and provide a public safety presence at the starting and finishing lines only. This event cannot be supported by the on-duty police shift.
- The petitioner must acknowledge that event users are not guaranteed exclusivity of Commercial Street or any public way as a condition of their permit and that they may have to share the road with bikes, pedestrians and all local vehicle and essential delivery traffic.

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 officers?

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

RECEIVED  
BOS - ~~Venon~~ 20

APR 27 2016

CC: BOS/TM/ATM

# 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: AIDS Support Group of Cape Cod  
Address: 96/98 BRADFORD ST Phone: 508-487-9445  
City/Town: PROVINCETOWN State: MA Zip Code: 02657  
Email: bcook@asgcc.org

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: BARRY COOK  
Address: 96/98 BRADFORD ST.  
Phone: 508 487-9445  
Email: bcook@asgcc.org

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: 8<sup>th</sup> Annual ASGCC 5K Run/Walk  
Date of Parade: July 17, 2016 Rain Date (if any): -  
Schedule: Start Time: 8:00 Finish Time: 9:30  
Number of Marchers: 200 Number of Vehicles: 0

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: [Signature]

Date: April 27, 2016

Application received by: [Signature]  
(Secretary to Board of Selectmen)

Date: April 27, 2016

**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

Date 05-09-2016

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

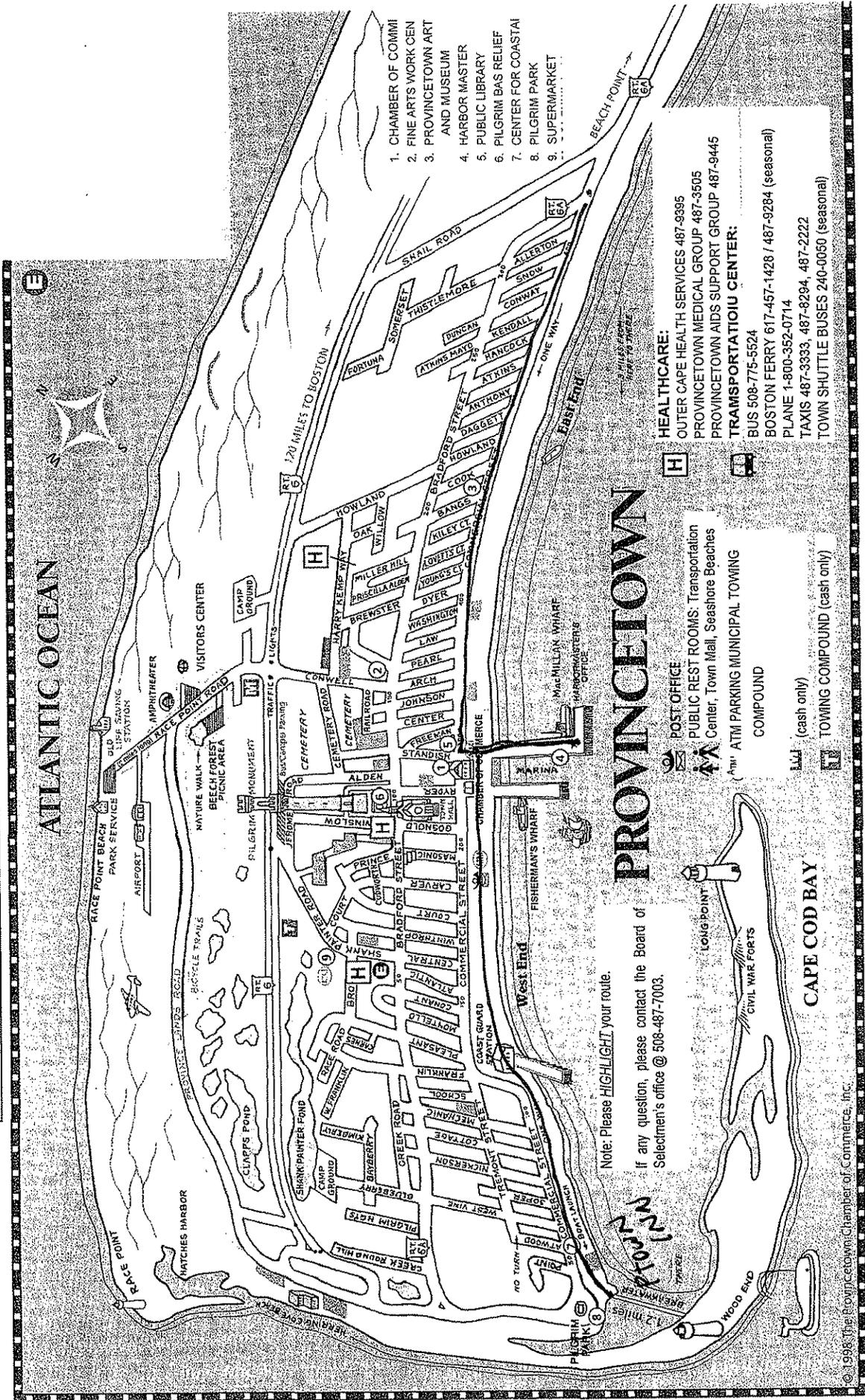
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please highlight your Parade Route on the Map

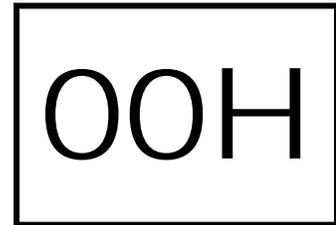


Race/Walk starts @ the start of Commercial St. or Bradford via the East End.  
 Proceeds down Commercial St. with a loop down Mac Miller Wharf and  
 finish is at the Provincetown Inn.

Barry Cook



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016



## PARADE PERMIT REQUEST

### 5<sup>th</sup> Annual Wounded Warriors' Soldiers Ride

Requested by: Krystal Magata

Action Sought: Approval

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by Krystal Magata, on behalf of the Wounded Warrior Project, 480 Belfort Road, Suite 300, Jacksonville, FL 32256, for the 5<sup>th</sup> Annual Wounded Warriors' Soldiers Ride, to be held on Friday, September 23, 2016 from 8:00 a.m. to 11:30 a.m.**

#### Additional Information

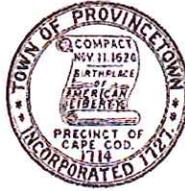
See attached application and route information.

#### Board Action

<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  
jgolden@provincetown-ma.gov



## Police Department

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

To: Provincetown Board of Selectmen  
From: Police Chief James Golden   
Subject: 5<sup>th</sup> Annual Wounded Warriors Soldiers Ride  
Date: May 04, 2016

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Please know that I have reviewed the parade application for the 5<sup>th</sup> annual Wounded Warriors Soldiers training ride on Friday September 23, 2016. Approximately fifty to sixty-five wounded young American service men and women from the current wars in Iraq and Afghanistan will take part in this rehabilitative bicycling ride on Cape Cod. These heroes will be riding specially adapted bicycles and will follow a pre-designated 14 mile path starting from the site of the former North Truro Air Force base into Provincetown.

- Enter Provincetown on US Route #6 from Truro
- Left turn onto Snail Road
- Water stop at Harbor Hotel rear lot
- Enter Shore Road to Commercial Street
- Left merge onto Commercial Street
- Follow Commercial Street to Provincetown Inn Rotary
- Provincetown Inn Rotary to Provincelands Road
- Provincelands Road to Moors Road
- Moors Road to US Route # 6
- US Route # 6 to Shankpainter Road
- Right onto Shankpainter Road to Bradford Street
- Left onto Bradford Street to Standish Street
- Right onto Standish Street to Lopes Square
- Enter Lopes Square to MacMillan Pier

In addition to the riders, they will also have two busses and one support vehicle.

The event is scheduled from 08:00am to 11:30am and will navigate a route ending at the Event Gazebo on Macmillan Wharf where a small community fellowship event will happen from 10:30am to 11:15am just like last year. The current route follows the direction of traffic as illustrated below.

They will need to be escorted for this route but as this is the culminating event for their Cape visit we will have assets from the State Police, National Park Service and police officers from the towns of Yarmouth, Chatham, Wellfleet, Truro and Provincetown.

**SPECIAL NOTE:** I have a personal schedule conflict on this date and will not be available to shepherd this group to the finish line this year. I have been notified that Wellfleet Police Chief Ron Fisetta will also not be available. The event organizers have been made aware of this and Truro Police Chief Kyle Takakjian will act as both the regional control chief and event command.

The Wounded Warrior Project was formed in 2003 to help servicemen and women injured in Afghanistan and Iraq assist each other and to create direct programs to help meet their needs. What started out as a program to provide comfort items to wounded service members has grown into a complete rehabilitative effort to assist warriors as they recover and transition back to civilian life. The effort raises awareness and enlists the public's aid for the needs of injured service members, to help injured service members aid and assist each other, and to provide unique, direct programs and services to meet their needs.

Please let me know what questions you may have.



RECEIVED  
BOS - Veterans  
NOV 16 2015  
CC: BOS/TM/ATM

# 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: Kristal Magata - Wounded Warrior Project  
Address: 4899 Belfort Rd. Suite 300 Phone: 904-570-0783  
City/Town: Jacksonville State: FL Zip Code: 32256  
Email: Kmagata@woundedwarriorproject.org

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: Wounded Warrior Project Inc

Address: 4899 Belfort Rd. Suite 300 Jacksonville, FL 32256

Phone: 904.405.1117

Email: Kmagata@woundedwarriorproject.org

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: \_\_\_\_\_

Date of Parade: Friday, September 23, 2016 Rain Date (if any): N/A

Schedule: Start Time: 8:00 - 11:30 am Finish Time: 11:30 am

Number of Marchers: 50 - 65 Number of Vehicles: 3

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: [Signature]

Date: 11.05.15

Application received by: [Signature]  
(Secretary to Board of Selectmen)

Date: 11/16/2015

**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

Date 05-04-2016

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

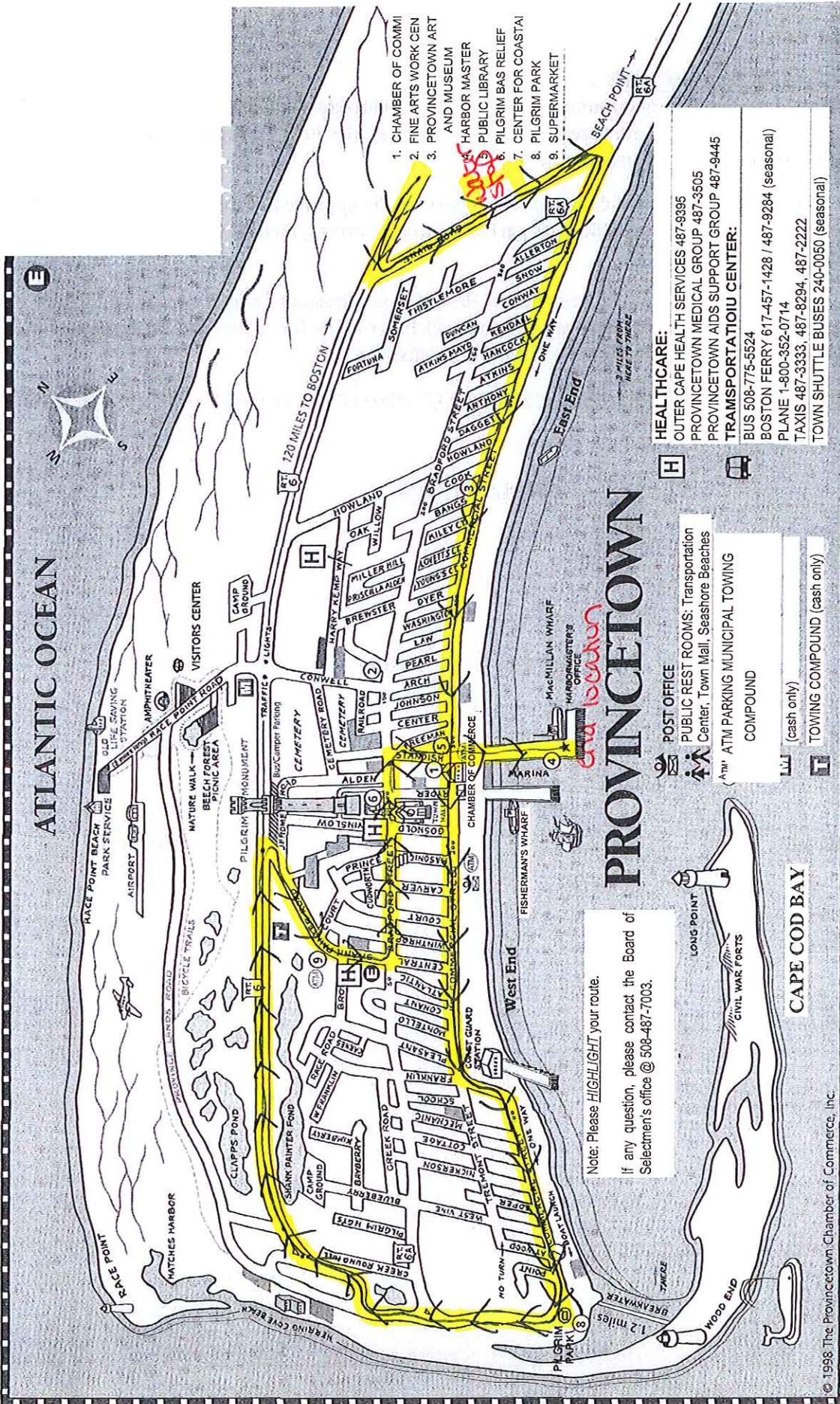
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please highlight your Parade Route on the Map



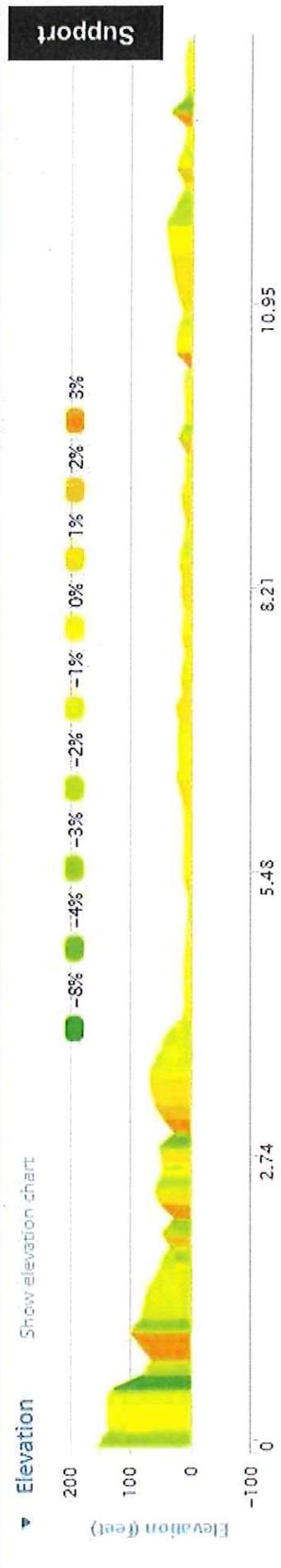
1. CHAMBER OF COMMI
2. FINE ARTS WORK CEN
3. PROVINCETOWN ART AND MUSEUM
4. HARBOR MASTER
5. PUBLIC LIBRARY
6. PILGRIM BAS RELIEF
7. CENTER FOR COASTAL
8. PILGRIM PARK
9. SUPERMARKET

**HEALTHCARE:**  
 OUTER CAPE HEALTH SERVICES 487-9395  
 PROVINCETOWN MEDICAL GROUP 487-3505  
 PROVINCETOWN AIDS SUPPORT GROUP 487-9445  
**TRANSPORTATION CENTER:**  
 BUS 508-775-5524  
 BOSTON FERRY 617-457-1428 / 487-9284 (seasonal)  
 PLANE 1-800-352-0714  
 TAXIS 487-3333, 487-8294, 487-2222  
 TOWN SHUTTLE BUSES 240-0050 (seasonal)

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

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

5



6

Soldier Ride: Boston – Provincetown (Day 2)

Start Location:

North Truro Air Force Station  
Old Dewline Road  
Truro, MA 02652

Begin at Old North Truro Air Force Station - Truro

Once out of the gate, go straight (West) on Old Dewline Road to South Highland Rd - Truro

Turn Right (North) onto South Highland Rd to Highland Rd - Truro

Turn Left (Southwest) onto Highland Rd to RTE 6 East (Grand Army of the Republic Highway) - Truro

Turn Left (South) for the RTE 6 East (Grand Army of the Republic Highway) on-ramp, merge onto RTE 6 East (Grand Army of the Republic Highway) to Snail Rd – Truro/North Truro/Provincetown

Turn Left (South) onto Snail Rd to Commercial St - Provincetown

Turn Left (East) into Harbor Hotel Provincetown Rear Parking Lot - Provincetown

**WATER STOP: Harbor Hotel Provincetown (698 Commercial St, Provincetown, MA 02657): 10 minutes**

From hotel parking lot, turn Left (South) onto Snail Rd to Commercial St - Provincetown

Merge Right (West) onto Commercial St to Province Lands Rd - Provincetown

At traffic circle, turn Right (Northwest) onto Province Lands Rd to RTE 6 - Provincetown

Merge Right (Northeast) onto RTE 6 to Shank Painter Rd - Provincetown

Turn Right (South) onto Shank Painter Rd to Bradford St - Provincetown

Turn Left (Northeast) onto Bradford St to Standish St - Provincetown

Turn Right (Southeast) onto Standish St to Commercial Street - Provincetown

Immediate Right (Southwest) onto Commercial St to Lopes Square - Provincetown

Immediate Left (South) onto Lopes Square to Ryders St Ext - Provincetown

Immediate Left (East) onto Ryders St Ext to MacMillan Pier - Provincetown

Immediate Right (Southeast) onto MacMillan Pier - Provincetown

End at the traffic circle at Provincetown Ferry Terminal – Provincetown

End Location:

**"WOUNDED WARRIOR PROJECT HAS BEEN THERE THROUGH THE UPS AND DOWNS, WHEN WE NEEDED THEM MOST."**

— WWP ALUMNUS CARLOS DE LEÓN WITH HIS FAMILY



**MAKING A POSITIVE AND LASTING IMPACT TODAY, TOMORROW, AND FOR A LIFETIME.**

**MISSION**

To honor and empower Wounded Warriors.

**PURPOSE**

To raise awareness and enlist the public's aid for the needs of injured service members; to help injured servicemen and women aid and assist each other; and to provide unique, direct programs and services to meet their needs.

**VISION**

To foster the most successful, well-adjusted generation of wounded service members in our nation's history.

**HEADQUARTERS**

Jacksonville, Florida serves as Wounded Warrior Project® (WWP) headquarters and is also the location of our Sacrifice Center, a space that tells stories of empowerment through donated pieces and the words of Alumni and their families. Additional program offices are located throughout the United States and Germany.

**ESTABLISHED**

Wounded Warrior Project was established in 2003 in Roanoke, Virginia; WWP relocated to Jacksonville, Florida in 2006.

**HISTORY**

WWP began when several veterans and friends, moved by stories of the first wounded service members returning home from Afghanistan and Iraq, took action to help others in need. What started as a desire to provide comfort items to wounded service members at Walter Reed Army Medical Center has evolved into a widespread rehabilitative effort to assist warriors with visible and invisible wounds as they recover and transition back to civilian life. Tens of thousands of wounded service members, their families, and caregivers receive support each year through WWP programs.

**LEARN MORE**

Visit [woundedwarriorproject.org](http://woundedwarriorproject.org).

## PROGRAMS

Wounded Warrior Project programs are specifically structured to engage warriors, promote their mental and physical well-being, and encourage their economic empowerment. Family members and caregivers are provided comfort, care, and education to help support the recovery of their injured warrior. WWP programs are provided free of charge for warriors, their families, and caregivers.

## ENGAGEMENT

WWP understands the importance of building a community of support for our nation's wounded service members. WWP teammates are located in offices across the country and internationally to meet warriors at any stage in their recovery process. WWP offers opportunities for warriors, family members, and caregivers to engage with others who have shared similar experiences on the journey to recovery.

**92.9%**

WARRIOR  
SATISFACTION RATE  
WITH ALUMNI EVENTS  
AND SERVICES  
(FISCAL YEAR 2015)

**The Alumni program** offers warriors long-term support and camaraderie through sporting events, personal and professional development summits, and recreational activities.

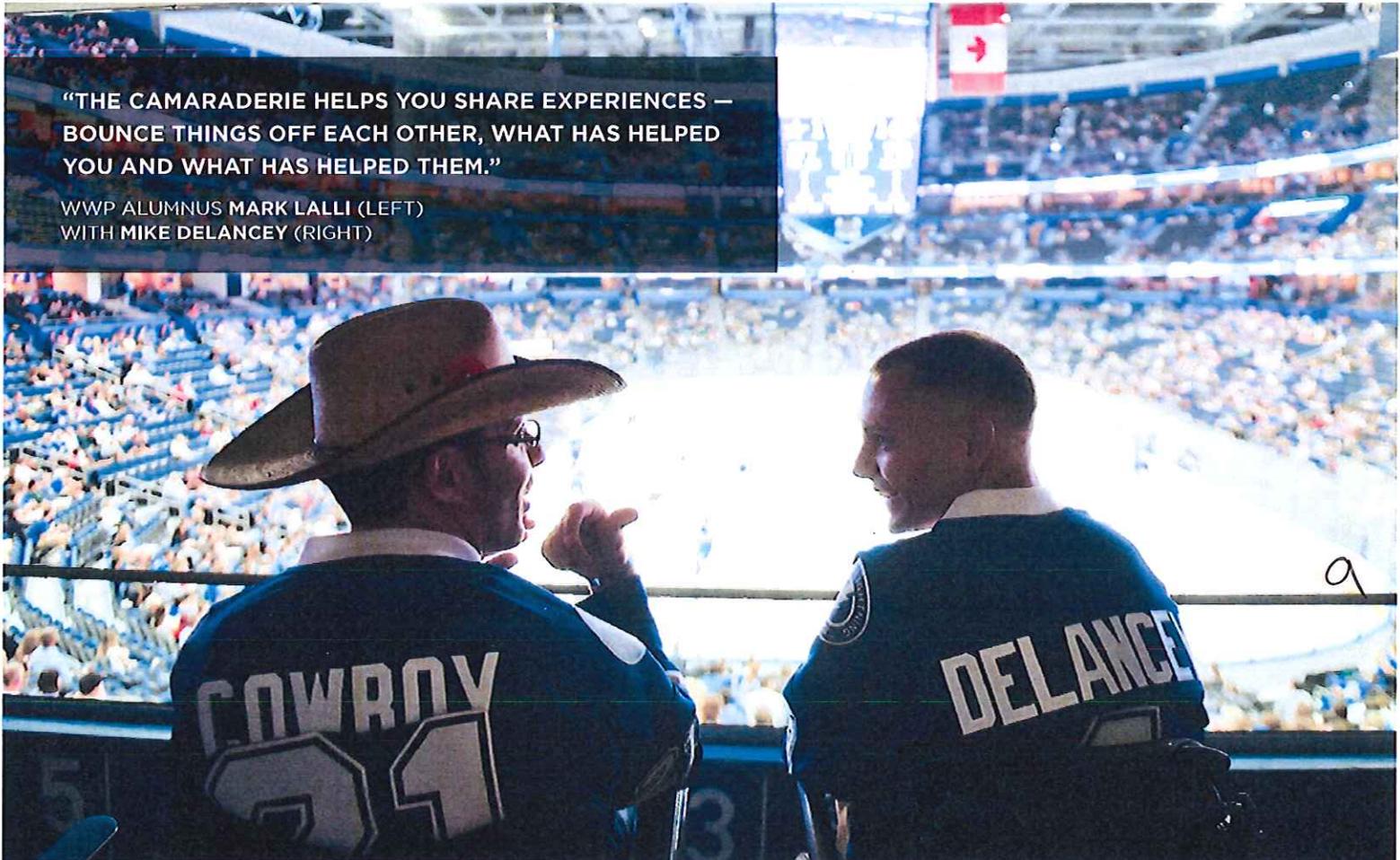
**International Support** provides assistance and comfort items to wounded service members arriving at Landstuhl Regional Medical Center (LRMC) in Germany. The resiliency initiative also brings some of those same warriors back to LRMC to personally thank the doctors, nurses, and staff for their lifesaving efforts.

**WWP Packs** are provided to injured service members in the hospital at the outset of their recovery. The backpacks are filled with essential care items such as clothing, toiletries, playing cards, and more — all designed to make a hospital stay more comfortable.

**The WWP Resource Center** is a home base equipped to help warriors, caregivers, and family members identify the tools and resources they need to meet a wide range of issues.

**"THE CAMARADERIE HELPS YOU SHARE EXPERIENCES —  
BOUNCE THINGS OFF EACH OTHER, WHAT HAS HELPED  
YOU AND WHAT HAS HELPED THEM."**

WWP ALUMNUS MARK LALLI (LEFT)  
WITH MIKE DELANCEY (RIGHT)



## MIND

Wounded Warrior Project offers programs specifically dedicated to mental health and empowerment. For our nation's most seriously injured veterans who rely on their families or caregivers, WWP brings together warriors, family members, medical or therapeutic treatment providers, community-support professionals, and WWP program staff. Together, this support team can create an individualized plan, helping seriously injured service members with daily tasks and meaningful activities — including social pursuits, volunteer work, and education.

# 98.1%

OF THE 2,668 WARRIORS AND CAREGIVERS WHO PARTICIPATED IN PROJECT ODYSSEY SAID THEY WOULD CONTINUE TO SEEK OUT MENTAL HEALTH SUPPORT IN THE FUTURE (FISCAL YEAR 2015)

**The Combat Stress Recovery Program (CSRP)** helps warriors and their families maintain healthy, meaningful relationships while pursuing life goals, free from the barriers or stigmas associated with mental health issues.

**Project Odyssey®** is a three- to five-day event that provides warriors with new tools to help on the journey to recovery from combat stress, post-traumatic stress disorder (PTSD), and other invisible wounds. During this event, warriors are supported by peers as they are challenged through a variety of activities that may include hiking, rock climbing, obstacle courses, and high-ropes courses.

**Warrior Care Network™** is a group of national leading academic medical centers of excellence that connects warriors and their families with world-class, evidence-based mental health care.

**The Independence Program** supports severely injured service members using the combined efforts of the warrior, family member or caregiver, a treatment team, and community-support professional. Together, they craft a personalized plan to help the warrior reach his or her goals.

**The Long-Term Support Trust (the Trust)** was developed to ensure that services including life-skills training, home care, transportation, and financial assistance remain available to the severely wounded who, upon the loss of their caregiver, are at risk for institutionalization.

**Peer Support** offers warrior-led support groups across the country, allowing WWP Alumni to share their stories and build camaraderie with fellow veterans and service members.

**WWP Talk** provides telephonic emotional support to service members living with mental health wounds. Through one-on-one interaction, warriors and family members begin the first steps toward connecting with others and gaining a sense of empowerment.

## BODY

Wounded Warrior Project offers wellness programs for wounded veterans that are designed to maximize physical rehabilitation and promote an overall healthy and active lifestyle. This is achieved through a variety of activities and inclusive sports opportunities.

# 89.2%

OF WARRIORS AND CAREGIVERS SAID THEY ARE MORE CONFIDENT THEY CAN ACHIEVE THEIR PHYSICAL FITNESS GOALS AS A RESULT OF A WWP PH&W EVENT (FISCAL YEAR 2015)

**Physical Health & Wellness (PH&W)** encourages warriors and families to lead positive, active lifestyles by introducing them to recreational opportunities, adaptive sports programs, and overall strategies for wellness. The program focuses on four areas: inclusive sports and recreation, nutrition, wellness, and fitness. The goal is to create a generation of injured service members well-adjusted in body and pursuing independent living.

**Soldier Ride®** is a unique, four-day opportunity for warriors to use cycling and the bonds of service to overcome physical, mental, or emotional wounds. Warriors of all ability levels can cycle on adaptive hand cycles, trikes, and bicycles and experience a confidence boost as they tackle the challenge along roads lined with cheering crowds. The event is also a chance to develop peer support among other veterans and friendships that last long after the ride.



**"EXERCISE HAS BOOSTED MY SELF-ESTEEM!"**

WWP ALUMNA MARY MCGRUFF

10

## ECONOMIC EMPOWERMENT

Through WWP economic empowerment programs, we provide injured warriors, family members, and caregivers with opportunities to achieve long-term financial stability. We provide educational resources and help warriors find their calling for fulfilling and successful careers.

# \$158.6M

IN ECONOMIC IMPACT  
BASED ON ANNUAL BENEFIT  
AMOUNTS AWARDED AND  
EMPLOYMENT EARNINGS  
THROUGH WARRIORS TO WORK  
(FISCAL YEAR 2015)

**Benefits Service** assists warriors in filing claims as well as advocating on their behalf for missed compensation opportunities in prior claims.

**Transition Training Academy (TTA)** introduces warriors, family members, and caregivers to information technology (IT) through free classes across the country. TTA instructors engage each student, both on-site and online, with a "learn-by-doing" technique that increases the potential for success. Graduates of the program have earned industry-recognized credentials, obtained full-time civilian employment, started businesses, or returned to service in information technology-related military career fields.

**Warriors to Work®** offers career guidance and support to wounded service members, family members, and caregivers under this program. Specialists help participants set attainable goals, market their skills, prepare for interviews, and connect with local employers. For Alumni who already have a career, WWP teammates can provide guidance to help them advance. They also educate employers on working with warriors. Warriors to Work focuses on how to recruit and retain veterans and provides reasonable accommodations.

**Partnerships & Program Investments** are provided to organizations dedicated to honoring and empowering this generation of wounded service members, their families, and caregivers. These investments allow WWP to reach out on a local level, thereby increasing the scope of programs and services provided to registered warriors.

**Policy & Government Affairs** creates, advocates, and helps implement legislation on a federal level to benefit warriors, family members, and caregivers and make sure they are honored, empowered, and informed far into the future.



"I ENJOY MY JOB, BECAUSE I GET TO BUILD AND WORK WITH MANY DIFFERENT PROSTHETIC DEVICES ... I AM ALSO ABLE TO GIVE BACK BY TALKING TO NEW AMPUTEES TO TELL THEM WHAT AMPUTATION RECOVERY WAS LIKE FOR ME AND HOW I ADJUSTED TO A NEW NORMAL."

WWP ALUMNUS CHAD BRUMPTON



**WOUNDED WARRIOR  
PROJECT**

Learn more at  
[woundedwarriorproject.org](http://woundedwarriorproject.org)

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

001

## PARADE PERMIT REQUEST

### Alzheimer's Family Support Center of Cape Cod Benefit Walk

Requested by: Melanie Braverman

Action Sought: Approval

#### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote to approve the Parade Application Permit submitted by Melanie Braverman, on behalf of the Alzheimer's Family Support Center of Cape Cod, 2095 Main Street, Brewster, MA 02631, for the benefit walk to support free services for AD families, to be held on Sunday, October 16, 2016 from 10:00 a.m. to 2:00 p.m.

#### Additional Information

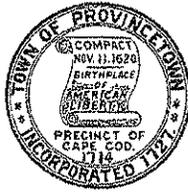
See attached application and route information.

#### Board Action

<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  
jgolden@provincetown-ma.gov



# Police Department

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

To: Provincetown Board of Selectmen  
From: Chief of Police James Golden   
Subject: Staff Report Alzheimer's Benefit Walk Parade Permit  
Date: May 09, 2016

---

Please know that I have reviewed the parade permit by Melanie Braverman for an Alzheimer Family Support Center Benefit Walk, approved as noted. This is the fifth event in this theme and we have not had any issue with this event.

The event is scheduled from 10am to 2pm on Sunday October 16, 2016 and will navigate a route beginning and ending on Commercial Street in front of Town Hall.

Walk Commercial Street West to Pilgrim Park Rotary.  
Walk Commercial Street East against the one-way back to Town Hall.

- Police vehicle and dedicated Police Officer will be needed to present to facilitate the group and handle any public safety issues that may arise along the parade route on event day. (cost \$202.00) This event cannot be supported by the on-duty police shift.
- The petitioner must acknowledge that event users are not guaranteed exclusivity of Commercial Street or any public way as a condition of this permit and may have to share the road with bikes, pedestrians and all local motor vehicle and any essential delivery traffic. The road remains open while the event is underway and the group is escorted. All registration, staging activities must be set back from the public sidewalk.

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

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

FEB 09 2016

CC: BOS/TM/ATM

# 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: Alzheimer's Family Support Center of Cape Cod  
Address: 2095 Main St Phone: 508 896 5170  
City/Town: Brewster State: MA Zip Code: 02631  
Email: alzheimerscapecod@gmail.com

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: Melanie Braverman  
Address: 633 Comm'l #2 Ptown 02657  
Phone: 508 737 9452  
Email: alzheimerscapecod@gmail.com

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: Provincetown Walks the Walk: Benefit Walk to Support Free Services for AD Families

Date of Parade: Sunday, 10/16/16 Rain Date (if any): \_\_\_\_\_

Schedule: Start Time: 10:00 am Finish Time: 2:00 pm

Number of Marchers: 100 Number of Vehicles: 1

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: \_\_\_\_\_ Date: 2-3-16

Application received by: Melita Dougherty Date: 2/9/2016  
(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

Date 05-09-2016

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

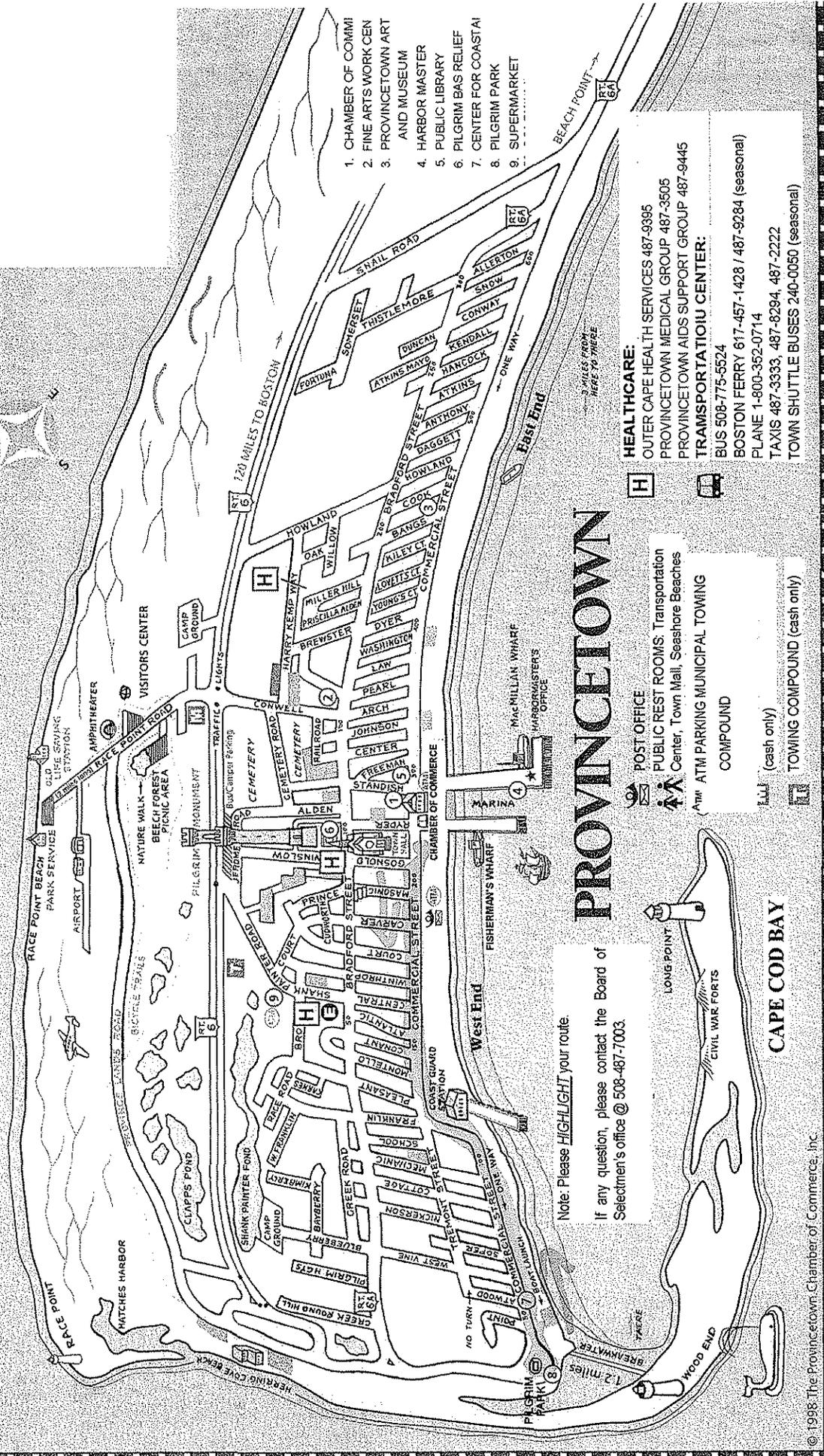
\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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

Please highlight your Parade Route on the Map

# ATLANTIC OCEAN



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

# PROVINCETOWN

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

- H HEALTHCARE:**
  - OUTER CAPE HEALTH SERVICES 487-9395
  - PROVINCETOWN MEDICAL GROUP 487-3505
  - PROVINCETOWN AIDS SUPPORT GROUP 487-9445
  - TRANSPORTATION CENTER:**
  - BUS 508-775-5524
  - BOSTON FERRY 617-457-1428 / 487-9284 (seasonal)
  - PLANE 1-800-362-0714
  - TAXIS 487-3333, 487-8294, 487-2222
  - TOWN SHUTTLE BUSES 240-0050 (seasonal)

- H POST OFFICE**
- Public Rest Rooms, Transportation Center, Town Mall, Seashore Beaches**
- ATM** ATM PARKING MUNICIPAL TOWING COMPOUND
- Bus** (cash only)
- Truck** TOWING COMPOUND (cash only)

© 1998 The Provincetown Chamber of Commerce, Inc.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 23 2013

ALZHEIMERS FAMILY CAREGIVER SUPPORT  
CENTER INC  
C/O MELANIE BRAVERMAN  
2095 MAIN ST  
BREWSTER, MA 02631

Employer Identification Number:  
45-5545397  
DLN:  
17053067328023  
Contact Person:  
ERIC KAYE ID# 31612  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
June 08, 2012  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00J

LETTER TO MASS. DEPT. OF AGRICULTURAL RESOURCES  
Eversource Energy 2016 Yearly Operational Plan (YOP)

Requested by: Board of Selectmen

Action Sought: Discussion/Approval

Proposed Motion(s)

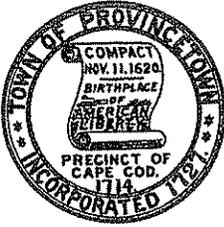
**Move that the Board of Selectmen vote to approve a letter written to Mr. John Lebeaux, Commissioner, of the Massachusetts Department of Agricultural Resources, in support of our neighbors on Cape Cod, and requesting a review and upgrade of the public notification, monitoring, and control of toxic chemical spraying throughout Cape Cod towns.**

Additional Information

See attached drafted letter.

Board Action

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



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

May 23, 2016 (DRAFT)

Mr. John Lebeaux, Commissioner  
Massachusetts Department of Agricultural Resources  
215 Causeway Street, Suite 500  
Boston, MA 02114

Re: Eversource Energy 2016 Yearly Operational Plan (YOP)

Dear Commissioner Lebeaux:

The Provincetown Board of Selectmen wishes to add its voice to those of our neighbors on Cape Cod and request a review and upgrade of the public notification, monitoring, and control of chemical spraying throughout our towns.

Eversource has indicated they plan to conduct an Integrated Vegetation Management (IVM) program on its transmission lines in the Cape Cod towns of Barnstable, Bourne, Brewster, Dennis, Falmouth, Orleans, Sandwich, and Yarmouth. Eversource has stated that they intend to apply herbicides as a means to control vegetation growing along the utilities rights-of-way. There are other proven methods of vegetation management that can be utilized such as the manual removal of vegetation which would eliminate the need for toxic chemicals.

We believe that our current herbicide regulations no longer reflect the realities of the Cape and request that the Massachusetts Department of Agricultural Resources seriously consider amending state regulations with respect to the application of herbicides and pesticides as a means of further control. The cumulative effect of the repeated widespread application of chemicals such as Krenite, Glyphosate, and Garlon IV (which was added last year to the approved list of herbicides to be used), is an important public environmental and health concern for our Cape's fragile environment.

As stated in our letter to you of March 23, 2015, considering the widespread concern about the use of these chemicals by our citizens on the Cape, we feel the state needs to address these concerns, and respectfully asks for your consideration.

Sincerely,

Raphael W. Richter, Chairman  
On behalf of the Board of Selectmen

RWR:ld

cc: State Senator Daniel Wolf  
State Representative Sarah Peake  
State Representative Timothy Whalen  
State Representative Brian Mannal  
State Representative Timothy Madden  
State Representative Randy Hunt  
Governor Charles Baker  
Director Michael McClean of Rights-of-Way Program, MA State Pesticide Bureau  
Senior Transmission Arborist, Eversource Corporation  
Provincetown Town Manager David B. Panagore

[e-mail: selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov)

<http://www.provincetown-ma.gov>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

00K

## LETTER TO SENATOR DANIEL A. WOLF

Request for Support for Year-Round Market Rate Rental Housing Trust Fund

Requested by: Board of Selectmen

Action Sought: Discussion/Approval

### Proposed Motion(s)

**Move that the Board of Selectmen vote to approve a letter written to Senator Daniel A. Wolf requesting his support for the Year-Round Market Rate Rental Housing Trust Fund for the Town of Provincetown.**

### Additional Information

See attached drafted letter.

### Board Action

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



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

May 23, 2016 (DRAFT)

The Honorable Daniel A. Wolf  
Massachusetts State Senator  
State House, Room 511C  
Boston, MA 02133

Dear Senator Wolf;

As you are aware, the Town Of Provincetown has requested approval from the Massachusetts legislature of "An Act Establishing a Year-Round Market Rate Rental Housing Trust in the Town of Provincetown," a home-rule petition overwhelmingly approved at our 2015 & 2016 annual town meetings.

We are pleased that the House of Representatives recently engrossed the bill, known as H.3742, and so we are asking your help that this bill is heard and approved by the Senate as soon as possible. Representative Sarah Peake has put forth great effort to help shepherd this special act through the House process. Working with you and your staff, we are confident that your efforts will ensure Senate passage.

As you know, lack of housing availability for year-round residents is a severe crisis in Provincetown, and this Trust is designed to help the Town make progress in creating more community housing. Provincetown actually has quite a lot of housing stock, but due to market forces the vast majority of this housing stock is not available for rent year-round. The Trust, among other things, will also help us to purchase and manage properties for the benefit of the Town and its residents by taking unavailable housing stock that is on the market and turn it into available year-round rental housing at market rates, as defined in the pending legislation. As you will see, the language of the special legislation is similar in both form and substance to the language of G.L. c.44, §55C, the statute that permits municipalities to form affordable housing trusts.

Enclosed please find copies the certified votes of the April 6, 2015 and April 4, 2016 annual town meetings, and certified copies of the related May 5, 2015 and May 3, 2016 annual town election ballot questions, which you may find useful during any Senate deliberation.

We ask and strongly encourage you to expedite the passage and approving of this special legislation in the Massachusetts Senate. It is our belief that this Trust could become a model for other Massachusetts communities facing similar challenges. Thank you for your timely consideration of this important matter and please let us know if you need any further information.

Respectfully,

Raphael W. Richter  
Chair, Board of Selectmen

David B. Panagore  
Town Manager

RWR/DBP:ld  
Enclosures

cc: State Senator Stanley C. Rosenberg, President of the Senate  
State Representative Sarah K. Peake

[email: selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov)

<http://www.provincetown-ma.gov>



## Annual Town Meeting – Monday, April 6, 2015

**Article 23. Special Act – Creation of Year-Round Rental Housing Trust.** To see if the Town will vote to petition the General Court for a Special Act creating a Year-Round Rental Housing Trust; or to take any other action relative thereto.

*[Requested by the Finance Committee]*

**Board of Selectmen Recommends: 4-0-0**  
**Finance Committee Recommends: 5-0-1**

Michael Canizales moved to authorize the Board of Selectmen to prepare and file a home rule petition with the General Court that would create a Year-Round Rental Housing Trust; provided that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition. The home rule petition would include the following elements:

1. A finding by the General Court that there exists in Provincetown a severe shortage of year-round rental units to serve the needs of the residents of the Town. This shortage has resulted in significant economic displacement and financial hardship to the residents of the Town and has resulted in the relocation of many residents to other Towns on the Outer Cape.
2. A finding by the General Court that special legislation is needed to address this element of the severe housing crisis within the Town, and a finding that there is a valid public purpose in authorizing the Town of Provincetown and the Trust to expend public funds for the purposes of the Act, including the creation, development, and management of market rate renting housing.
3. A Year-Round Rental Housing Trust would be established in the Town for the purpose of creation and preservation of year-round rental housing units in the Town for the benefit of all residents.
4. The Trust would be governed by a Board of Trustees consisting of five members appointed by the Board of Selectmen to serve staggered three year terms. In making appointments to the Board of Trustees the Board of Selectmen will consider a broad range of expertise including real estate development and financing. The Board of Selectmen shall designate one of its members to serve on the Board of Trustees and at least one member of the public at large, preferably a resident that lives in year-round rental housing in the Town. The Trust would be considered a Town board and subject to the Charter and bylaws of the Town except as may be otherwise expressly provided in this Special Act.

A TRUE COPY ATTEST

*Doug Johnson*  
TOWN CLERK, PROVINCETOWN

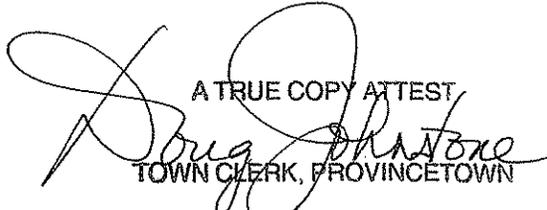
*Town of Provincetown*  
*Office of the Town Clerk*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

5. There would also be created a special fund to be known as the Year-Round Rental Housing Trust Fund which will be separate and apart from the General Fund. The Town Treasurer will be the custodial of the Fund. The Trust Fund would receive all gifts and grants made to the Trust as well as any moneys appropriated by the Town to aid the Trust. The Trust Fund would also receive all revenues from the sale of property and rental income from properties under the custody of the Trust. Any funds previously appropriated by the Town for the creation of year-round rental housing prior to the effective date of the Act would be, by operation of law, transferred into the Trust Fund. The Trust Fund would be available for expenditure by the Trust for the purposes set forth in the special act without further appropriation. The Town would be authorized to borrow money in aid of the Trust, to be used by the Trust for any purpose for which the town is authorized to borrow. In addition, the Trust is authorized to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets, as collateral.
6. The Trust would be empowered to acquire land and interests therein, and to manage, lease, and convey interests in land. All properties and developments owned and undertaken by the Trust would be subject to the Town's Zoning Bylaw and other land use regulations.
7. The Trust would be authorized to employ agents, property managers and advisors and to set their compensation with the funds available to it in the Trust Fund.
8. The financial records of the Trust shall be subject to control and oversight by the Town's Finance Department and subject to yearly audit by the accounting firm employed by the Town for purposes of the regular town audit.
9. The Trust would be public employer and the members of the board are public employees for the purposes of G.L. c. 258, and pursuant to 268A the trustees shall be deemed special municipal employees.
10. The Trust would not be subject to G.L. c. 30B, s. 16 relating to the acquisition and disposition of land but would be subject to all laws of the Commonwealth relating to open meetings and public records, as well as the public construction laws.
11. Transfers of land between the Trust and the Town would be subject to G.L. c. 40, s. 15A, meaning that no land could be transferred by the Town to the Trust without town meeting approval.
12. Unimproved land under the custody of the Trust will be exempt from the payment of taxes under chapters 59 and 62 of the General Laws. Once developed, market rate rental units will be subject to taxation and the Trust will be liable for the payment of all real estate and other taxes assessed on such units.

**Motion Passed.**

A TRUE COPY ATTEST  
  
TOWN CLERK, PROVINCETOWN

*Town of Provincetown*  
*Office of the Town Clerk*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

## **Annual Town Meeting – Monday, April 4, 2016**

**Article 33. Funding for Year-Round Rental Housing.** To see if the Town will vote to raise and appropriate the sum of \$500,000 for the purpose of funding year-round rental housing in the Town, provided that such appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion ballot question; or to take any other action relative thereto.

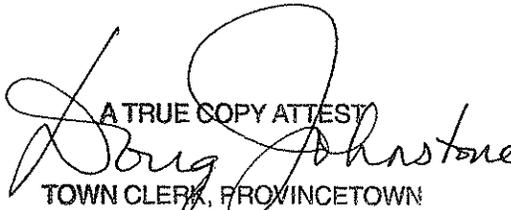
*[Requested by the Finance Committee]*

**Board of Selectmen Recommends: 4-0-1**

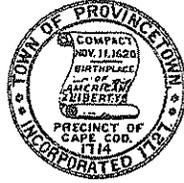
**Finance Committee Recommends: 6-0-0**

**Housing Authority Recommends: 3-0-0**

Tony Valentino moved that the Town vote to approve Article 33 as printed in the warrant.  
**Motion Passed.**

A TRUE COPY ATTEST  
  
TOWN CLERK, PROVINCETOWN

*Town of Provincetown*  
*Office of the Town Clerk*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

## Annual Town Election May 5, 2015

### Question 4

“Shall the Town of Provincetown be allowed to assess an additional \$500,000 in real estate and personal property taxes for the purpose of creating year-round rental housing in the Town for the fiscal year beginning July 1st, two thousand and fifteen?”

Yes 278  
No 330  
Blank 28

A TRUE COPY ATTEST  
*Rug Johnston*  
TOWN CLERK, PROVINCETOWN

*Town of Provincetown*  
*Office of the Town Clerk*

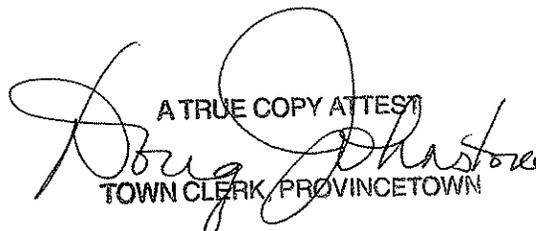


Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

ANNUAL TOWN ELECTION  
TUESDAY, MAY 3, 2016

**Question 2:** Shall the Town of Provincetown be allowed to assess an additional \$500,000 in real estate and personal property taxes for the purpose of creating year-round rental housing in the Town, for the fiscal year beginning July first, two thousand and sixteen?

Yes 538  
No 473  
Blank 29

A TRUE COPY ATTEST  
  
TOWN CLERK, PROVINCETOWN



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

1

## PUBLIC HEARING

None

Requested by: Board of Selectmen

Action Sought: Discussion/Approval

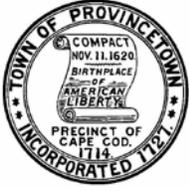
### Proposed Motion(s)

None.

### 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, May 23, 2016

2

## PUBLIC STATEMENTS

Requested by: Board of Selectmen

Action Sought: Open

Proposed Motion(s)

Three (3) 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, May 23, 2016

3

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## SELECTMEN'S STATEMENTS

Requested by: Town Manager David Panagore

Action Sought: Discussion

### Proposed Motion(s)

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

**Erik Yingling**

**Tom Donegan**

**Cheryl Andrews**

**Robert Anthony**

**Raphael Richter**

### 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, May 23, 2016

4

## JOINT MEETING

Requested by: Town Manager David B. Panagore

Action Sought: Update

### Proposed Motion(s)

None.

### 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, May 23, 2016

5

## APPOINTMENTS

Requested by: Town Manager David B. Panagore

Action Sought: Approval

### Proposed Motion(s)

None.

### Additional Information

### Board Action

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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6A

**CLIFTONLARSONALLEN LLP**

**Approval of Audit & Non-Audit Services for FY2016-2018**

Requested by: Finance Director Dan Hoot

Action sought: Discussion/Approval

**Proposed Motion(s)**

**Move that the Board of Selectmen vote to approve the terms and conditions of an engagement with CliftonLarsonAllen LLP, as outlined in their letter of September 23, 2015, for a period of three years beginning July 1, 2016 and ending June 30, 2019.**

**Additional Information**

See attached letter.

**Board Action**

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



**CliftonLarsonAllen**

CliftonLarsonAllen LLP  
131 Hartwell Avenue  
Suite 300  
Lexington, MA 02421  
781-402-6300 | fax 781-402-6350  
CLAconnect.com

September 23, 2015

Mr. Daniel Hoort  
Finance Director  
Town of Provincetown  
260 Commercial Street  
Provincetown, Massachusetts 02657

Dear Mr. Hoort;

We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the audit and nonaudit services CliftonLarsonAllen LLP (CLA) will provide for the Town of Provincetown, Massachusetts ("you," "your," or "the entity") for the years ended June 30, 2016, 2017 and 2018.

Daniel M. Sullivan, CPA, Principal, is responsible for the performance of the audit engagement.

**Audit services**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the Town of Provincetown, Massachusetts, as of and for the years ended June 30, 2016, 2017 and 2018, and the related notes to the financial statements.

The Governmental Accounting Standards Board (GASB) provides for certain required supplementary information (RSI) to accompany the entity's basic financial statements. The RSI will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis
2. Budgetary comparison schedules
3. GASB-required supplementary pension and OPEB information

We will also evaluate and report on the presentation of the supplementary information other than RSI in relation to the financial statements as a whole:

1. Schedule of expenditures of federal awards

**Nonaudit services**

We will also provide the following nonaudit services:

- Drafting of your financial statements and related notes

- Preparation of journal entries (related to financial statement presentation)

### **Audit objectives**

The objective of our audit is the expression of opinions about whether your basic financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS); the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Our audit will include tests of your accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express opinions and render the required reports. We will apply certain limited procedures to the RSI in accordance with U.S. GAAS. However, we will not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. We will also perform procedures to enable us to express an opinion on whether the supplementary information (as identified above) other than RSI accompanying the financial statements is fairly stated, in all material respects, in relation to the financial statements as a whole.

The objectives of our audit also include:

- Reporting on internal control related to the financial statements and on compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Reporting on internal control related to major programs and expressing an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts and grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The OMB Circular A-133 report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the result of that testing based on the requirements of OMB Circular A-133. Both reports will state that the report is not suitable for any other purpose.

We will issue written reports upon completion of our audit of your financial statements and compliance with requirements applicable to major programs. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement. If our opinions on the financial statements are other than unmodified or the single audit compliance opinion is other than unqualified, we will

discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements or material noncompliance caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming opinions on the financial statements or an opinion on compliance, we retain the right to take any course of action permitted by professional standards, including declining to express opinions or issue reports, or withdrawing from the engagement.

#### **Auditor responsibilities, procedures, and limitations**

We will conduct our audit in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements as a whole are free from material misstatement, whether due to fraud or error. An audit involves performing procedures to obtain sufficient appropriate audit evidence about the amounts and disclosures in the basic financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the basic financial statements.

There is an unavoidable risk, because of the inherent limitations of an audit, together with the inherent limitations of internal control, that some material misstatements or noncompliance may not be detected, even though the audit is properly planned and performed in accordance with U.S. GAAS, *Government Auditing Standards*, and OMB Circular A-133. Because we will not perform a detailed examination of all transactions, material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity, may not be detected. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a single audit.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the basic financial statements and compliance in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting fraud or errors that are material to the financial statements and to preventing and detecting misstatements resulting from noncompliance with provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. Our tests, if performed,

will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with the direct and material compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify deficiencies, significant deficiencies, or material weaknesses in internal control. However, we will communicate to you in writing significant deficiencies or material weaknesses in internal control relevant to the audit of the basic financial statements that we identify during the audit that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the entity's compliance with the provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will include in our report on internal control over financial reporting and on compliance relevant information about any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that may have occurred that are required to be communicated under *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the "OMB Circular A-133 Compliance Supplement" for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs. The purpose of these procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

We will evaluate the presentation of the schedule of expenditures of federal awards accompanying the financial statements in relation to the financial statements as a whole. We will make certain inquiries of management and evaluate the form, content, and methods of preparing the schedule to determine whether the information complies with U.S. GAAP and OMB Circular A-133, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We will compare and reconcile the schedule to the underlying accounting records and other records used to prepare the financial statements or to the financial statements themselves.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

4

### **Management responsibilities**

Our audit will be conducted on the basis that you (management and, when appropriate, those charged with governance) acknowledge and understand that you have certain responsibilities that are fundamental to the conduct of an audit.

You are responsible for the preparation and fair presentation of the financial statements, RSI, and the schedule of expenditures of federal awards in accordance with U.S. GAAP. Management is also responsible for identifying all federal awards received, understanding and complying with the compliance requirements, and for the preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133.

Management's responsibilities include the selection and application of accounting principles; recording and reflecting all transactions in the financial statements; determining the reasonableness of significant accounting estimates included in the financial statements; adjusting the financial statements to correct material misstatements; and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management is responsible for compliance with applicable laws and regulations and the provisions of contracts and grant agreements. Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information.

You are responsible for the design, implementation, and maintenance of effective internal control, including internal control over compliance, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; and that there is reasonable assurance that government programs are administered in compliance with compliance requirements.

You are responsible for the design, implementation, and maintenance of internal controls to prevent and detect fraud; assessing the risk that the financial statements may be materially misstated as a result of fraud; and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for implementing systems designed to achieve compliance with applicable laws and regulations and the provisions of contracts and grant agreements; identifying and ensuring that the entity complies with applicable laws, regulations, contracts, and grant agreements; and informing us of all instances of identified or suspected noncompliance whose effects on the financial statements should be considered.

You are responsible for taking timely and appropriate steps to remedy any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that we may report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary

schedule of prior audit findings should be available for our review no later than May 31 of the applicable subsequent fiscal year.

You are responsible for ensuring that management is reliable and for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters, and for the accuracy and completeness of that information, and for ensuring the information is reliable and properly reported; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence. You agree to inform us of events occurring or facts discovered subsequent to the date of the financial statements that may affect the financial statements.

Management is responsible for providing us with, or making arrangements to facilitate (1) unrestricted communication between us and the component auditor(s) to the extent permitted by law or regulation; (2) communications between the component auditor(s), those charged with governance of the component(s), and component management, including communications of significant deficiencies and material weaknesses in internal control; (3) communications between regulatory authorities and the component(s) related to financial reporting matters; (4) access to component information, those charged with governance of the component(s), component management, and the component auditor(s) (including relevant audit documentation requested by us); and (5) permission to perform work, or request a component auditor to perform work, on the financial information of the component(s).

You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

Management is responsible for providing us with a written confirmation concerning representations made by you and your staff to us in connection with the audit and the presentation of the basic financial statements and RSI. During our engagement, we will request information and explanations from you regarding, among other matters, the entity's activities, internal control, future plans, specific transactions, and accounting systems and procedures. The procedures we will perform during our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the representations that we receive in the representation letter and otherwise from you. Accordingly, inaccurate, incomplete, or false representations could cause us to expend unnecessary effort or could cause a material fraud or error to go undetected by our procedures. In view of the foregoing, you agree that we shall not be responsible for any misstatements in the entity's financial statements that we may fail to detect as a result of misrepresentations made to us by you.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit objectives" section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

#### **Responsibilities and limitations related to nonaudit services**

For all nonaudit services we may provide to you, management agrees to assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience to understand and oversee the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services.

The responsibilities and limitations related to the nonaudit services performed as part of this engagement are as follows:

- We will prepare a draft of your financial statements, schedule of expenditures of federal awards, and related notes. Since the preparation and fair presentation of the financial statements and schedule of expenditures of federal awards is your responsibility, you will be required to acknowledge in the representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. You have a responsibility to be in a position in fact and appearance to make an informed judgment on those financial statements and schedule of expenditures of federal awards.
- We will propose adjusting journal entries as needed. You will be required to review and approve those entries and to understand the nature of the changes and their impact on the financial statements.

These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

#### **Use of financial statements**

The financial statements and our report thereon are for management's use. If you intend to reproduce and publish the financial statements and our report thereon, they must be reproduced in their entirety. Inclusion of the audited financial statements in a document, such as an annual report or an offering document, should be done only with our prior approval of the document. You are responsible to provide us the opportunity to review such documents before issuance.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic site with the original document.

We may issue preliminary draft financial statements to you for your review. Any preliminary draft financial statements should not be relied on or distributed.

**Engagement administration and other matters**

We understand that your employees will prepare all confirmations, account analyses, and audit schedules we request and will locate any documents or invoices selected by us for testing. A list of information we expect to need for our audit and the dates required will be provided in a separate communication.

At the conclusion of the engagement, we will complete the auditor sections of the electronic Data Collection Form SF-SAC and perform the steps to certify the Form SF-SAC and single audit reporting package. It is management's responsibility to complete the auditee sections of the Data Collection Form. We will create the single audit reporting package PDF file for submission; however, it is management's responsibility to review for completeness and accuracy and electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be electronically submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audit.

We will provide copies of our reports to the entity; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the sole and exclusive property of CLA and constitutes confidential and proprietary information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely matter to certain regulatory agencies (i.e., cognizant or oversight agency for audit), or their designees, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of CLA personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by the regulatory agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

*Government Auditing Standards* require that we make our most recent external peer review report publicly available. The report is posted on our website at [www.CLAconnect.com/Aboutus/](http://www.CLAconnect.com/Aboutus/).

## **Fees**

Our fixed fees for these services are \$46,000, 47,000 and \$48,000 for fiscal years 2016, 2017 and 2018, respectively. The fixed fees represent audit of 2 major federal grant programs, each year. If an additional grant(s) is required to be audited under the Single Audit Act OMB-A133, we will issue a change order for \$5,000 (per grant) to audit the applicable program(s).

Our fee above includes all out-of-pocket costs, such as report reproduction, typing, postage, travel, copies, telephone, etc. If unexpected circumstances require significant additional time, we will advise you before undertaking work that would require a substantial increase in the fee estimate. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed even if we have not issued our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

### ***Changes in accounting and audit standards***

Standard setters and regulators continue to evaluate and modify standards. Such changes may result in new or revised financial reporting and disclosure requirements or expand the nature, timing, and scope of the activities we are required to perform. To the extent that the amount of time required to provide the services described in the letter increases due to such changes, our fee may need to be adjusted. We will discuss such circumstances with you prior to performing the additional work.

### ***Other fees***

You also agree to compensate us for any time and expenses, including time and expenses of legal counsel, we may incur in responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings that we are asked to respond to on your behalf. You and your attorney will receive a copy of every subpoena or request we are asked to respond to. You can control the costs of any discovery process or document request by informing us which requests you would like us to act on.

### ***Finance charges and collection expenses***

You agree that if any statement is not paid within 60 days from its date, the unpaid balance shall accrue interest at the monthly rate of one and one-quarter percent (1.25%), which is an annual percentage rate of 15%. In the event that any collection action is required to collect unpaid balances due us, reasonable attorney fees and expenses shall be recoverable.

## **Consent**

### ***Consent to use financial information***

Annually, we assemble a variety of benchmarking analyses using client data obtained through our audit and other engagements. Some of this benchmarking information is published and released publicly. However, the information that we obtain is confidential, as required by ET Section 301 of the AICPA Code of Professional Conduct. Your acceptance of this engagement letter will serve as your consent to use of the Town of Provincetown's information in these cost comparison, performance indicator, and/or benchmarking reports.

**Agreement**

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. This letter constitutes the entire agreement regarding these services and supersedes all prior agreements (whether oral or written), understandings, negotiations, and discussions between us. If you have any questions, please let us know. Please sign, date, and return the enclosed copy of this letter to us to indicate your acknowledgment and understanding of, and agreement with, the arrangements for our audit of your financial statements including the terms of our engagement and our respective responsibilities.

Sincerely,

**CliftonLarsonAllen LLP**



Daniel M. Sullivan, CPA  
Principal  
781-402-6315  
Dan.Sullivan@CLAconnect.com

**Response:**

This letter correctly sets forth the understanding of the Town of Provincetown.

Authorized signature: \_\_\_\_\_

Title: \_\_\_\_\_

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

Authorized signature: \_\_\_\_\_

Title: \_\_\_\_\_

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



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6B

# PARADE PERMIT REQUEST

## Provincetown Coastal Rowing Regatta

Requested by: John Livingstone & Ron Robillard

Action Sought: Approval

### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote to approve the Parade Application Permit submitted by John Livingstone & Ron Robillard, on behalf of the Provincetown Coastal Rowing Regatta, c/o 522 Commercial Street, Provincetown, MA 02657, to close Kendall Lane (a public way) for six (6) hours on Saturday, June 4, 2016, from 7:00 a.m. to 1:00 p.m.

### Additional Information

See attached application and diagram.

### Board Action

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

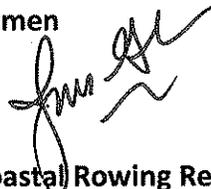
## Town of Provincetown

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



## Police Department

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

**To:** Provincetown Board of Selectmen  
**From:** Chief of Police James Golden   
**Subject:** Staff Report Provincetown Coastal Rowing Regatta June 04, 2016  
**Date:** May 09, 2016

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Please know that I have reviewed the parade permit jointly submitted by Dr. Jonathan Livingstone and Mr. Ronald Robillard for the 2016 Provincetown Coastal Rowing Regatta.

- This permit is seeking your permission to close Kendall Lane (a public way) for 6-hours from 7am to 1pm on Saturday June 04, 2016.

They make this request in order to support the staging of materials for the Regatta which will be launching on the beachside proximate to the Kendall Lane Beach Landing. The organizers have worked with the Harbormaster, neighbors and any area businesses which may be impacted by the event.

To alleviate any transition concerns and to enforce the closure, we recommend the event hire one special duty police detail officer for the 6 hours. This would cost approximately \$396.00.

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

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

RECEIVED  
BOS - Vermont ~~LD~~

MAY 01 2016

BOS  
Loretta Dougherty

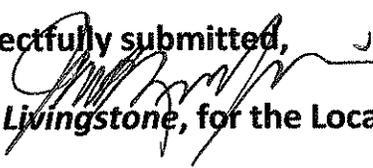
April 30, 2016.

CC: BOS/TM/ATM

HEREIN PLEASE FIND: (as per directive of Police Chief Jim Golden and HM, Rex McKinsey) THE FOLLOWING DOCUMENTS PERTINENT TO THE PROVINCETOWN COASTAL ROWING REGATTA, a not-for-profit event, Sat., June 4, 2016:

1. Permit application to close off to auto traffic a section of Kendall Lane between Bradford and Commercial Streets between 7 AM & 1 PM, June 4.
2. Street map indicating the specific area
3. Consent forms signed by all the relevant businesses and individual residences impacted by the proposed 6-hr closing off of the street.
4. Already published News Release indicating Town approval, the nature of the event, and the people involved including Rex McKinsey, Ron Robillard, Susan Avellar, and sponsors including Fanizzi's, Harbor Lounge, the Mews, and others.
4. Nautical chart of the regatta course on the east-end of the harbor which necessitates the street closure
5. List of nationally known referees who are officiating the Provincetown event.

Respectfully submitted,

  
John Livingstone, for the Local Organizing Committee (LOC)

LOC members:

Ron Robillard, Com. Provincetown Yacht Club

John Livingstone, M.D., Founder of Youth Rowing and Health Program,  
West End Racing Club; Board of Directors, OSS.

Al Flanders, Head Coach, President, Orleans Sweeps and Sculls (OSS)  
(501c3)

John Rhee, President, Coastal Rowing League

4/29/16

NOT A PARADE

EVENT JUNE 4, 2016  
• BLOCK OFF TRAFFIC

Town of Provincetown ON KENDALL LANE  
Parade Permit Application FOR 6 hours.  
per advice of Chief Golden

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: PROVINCETOWN COASTAL ROWING REGATTA { Provincetown Yacht Club  
US Rowing  
Onleans Scaups + Sculls (5013E)  
Address: 522 Commercial St. Phone: \_\_\_\_\_  
City/Town: Provincetown State: MA Zip Code: 02657  
Email: jlivingstoneservices@comcast.net

Applicant is: [ ] Private Individual [ ] Business  Non-Profit Corp

individual Responsible: Name: John Livingstone + Ron Robillard  
Address: 522 Commercial St.  
Phone: 487-0455, 617-413-7131 mobile  
Email: jlivingstoneservices@comcast.net

Will charges or fees be collected?  Yes [ ] No entry fees to

Name & Purpose of Parade: Regatta: opportunity to race in open water race in the  
Need exclusive use of Kendall Lane event.  
Date of Parade: June 4, 2016 • Bradford St - to - Commercial St. Rain Date (if any): None  
Street block Schedule: Start Time: 7 AM Finish Time: 1 PM  
Number of people using Kendall Lane # 10 Number of Vehicles: rowing shells #5

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: [Signature] Date: 04/29/16  
Application received by: [Signature] Date: 05.01.2016  
(Secretary to Board of Selectmen)

\* Kendall Lane is needed for rowing shell Temporary parking to access START line of RACES in timely fashion. 3 of 4 3

Neighbor/BUSINESSES ARE OK + are participating in the event @ Surfside Hotel, Fanizzi's, homes in Area.

**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

Date 05-09-2016

**Board of Selectmen**

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

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

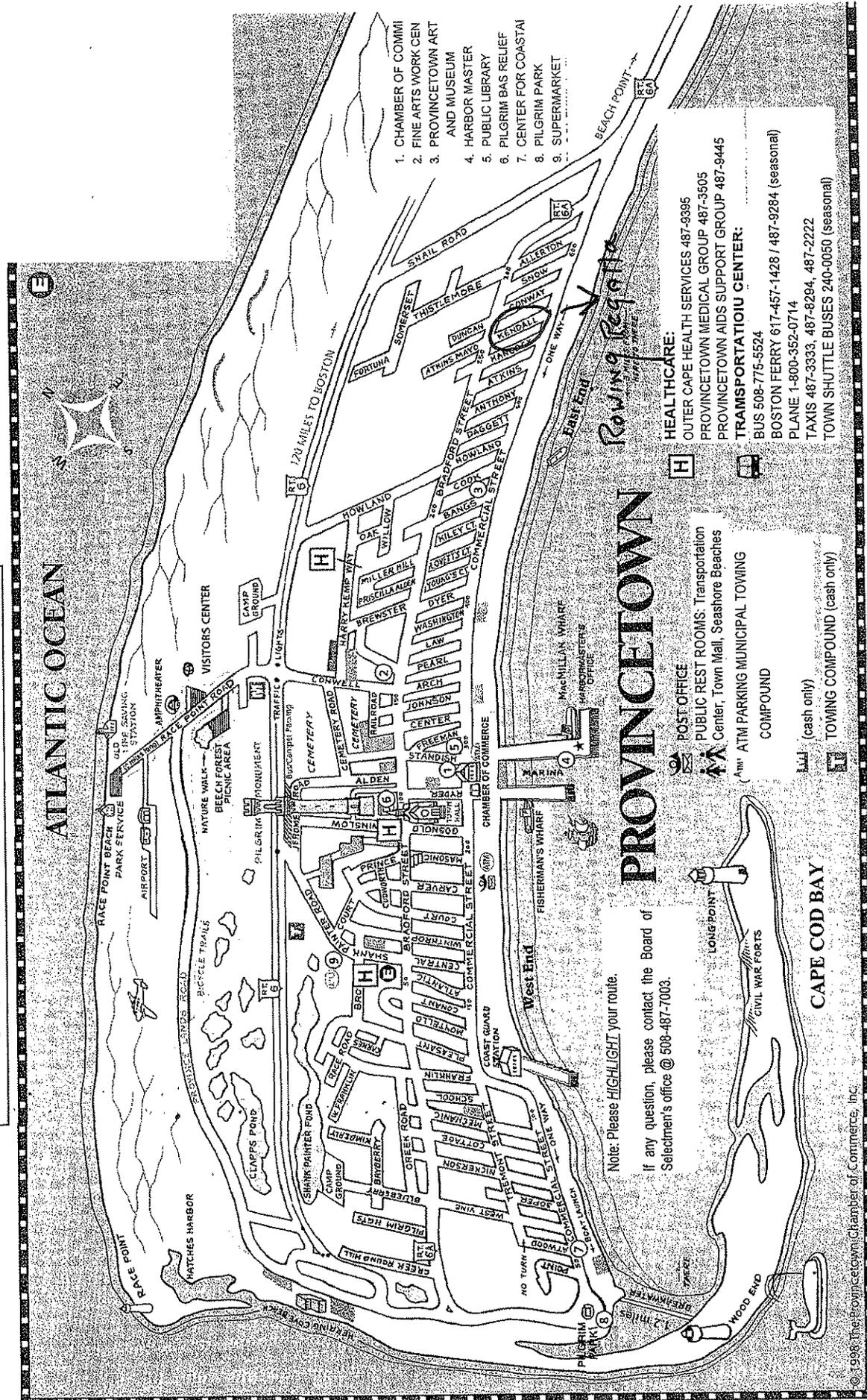
\_\_\_\_\_  
Selectman

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

Police detail if needed

3 of 4 H

Please highlight your Parade Route on the Map



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

# PROVINCETOWN

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

- HEALTHCARE:**
  - CUTER CAPE HEALTH SERVICES 487-9395
  - PROVINCETOWN MEDICAL GROUP 487-3505
  - PROVINCETOWN AIDS SUPPORT GROUP 487-9445
- TRANSPORTATION CENTER:**
  - BUS 508-775-5524
  - BOSTON FERRY 617-457-1428 / 487-9284 (seasonal)
  - PLANE 1-800-352-0714
  - TAXIS 487-3333, 487-8294, 487-2222
  - TOWN SHUTTLE BUSES 240-0050 (seasonal)

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

## PROVINCETOWN TO HOST THE 2016 COASTAL ROWING REGATTA IN THE NORTHEAST REGION.

Provincetown, Mass. – The Town of Provincetown will be the site of the **2016 Provincetown Coastal Rowing Regatta**, June 4, 2016, becoming the second U.S. destination to host an open water slide-seat rowing competition, following its debut in Pensacola, Fla., in 2015.

"We are excited about hosting this growing sporting event," Tony Fuccillo, Provincetown Director of Tourism, said. "Open water rowing competitions often take place on the West Coast, and this event will now be the first of its kind in the Northeast. We believe it will be a huge success and will encourage the Regatta to return in future years."

The local organizing committee (LOC) includes: Dr. John Livingstone, USRowing member and founder of The Youth Rowing and Health Program at West End Racing Club Provincetown, Ron Robillard, Commodore of Provincetown Yacht Club, Al Flanders, Director & head coach of Orleans Sweeps and Sculls (OSS), and John Rhee, President of Coastal Rowing League and a US Rowing Certified Plenary Referee.

Provincetown, known as "America's First Destination," where the Pilgrims first landed in in 1620, has the open waters of the harbor and bay for the required distance of 8K. The town has the East-end harbor sandy beaches to launch and finish, access to the beach for athletes and spectators, a skilled harbormaster (Rex McKinsey), a local yacht club, a youth sailing and rowing club, a US Coast Guard Station, a USRowing-affiliated regional club in Orleans (OSS), and many restaurants and accommodations within walking distance. John Wik Director of Referee Programs @ USRowing is partnering with us.

Rowing is the fastest growing sport in America for men, women and youth. This open water regatta is open to single and double slide-seat boats (recreational, racing, and FISA-approved designs-also including quads). Mixed doubles and masters-level racing will be included. Families and spectators are welcome and will have the opportunity to become familiar with several versions of rowing and rowing equipment. FISA-approved coast rowing boats will be available to try. A short triathlon (swim, run, row) is included.

Massachusetts has a long rowing history and today is home to the Head of the Charles Regatta, the world's largest two-day rowing event, and the Blackburn Challenge, a 20-plus mile open water circumnavigation of Cape Ann, open to fixed and slide seat boats.

Provincetown is one of "[America's Happiest Seaside Towns](#)," according to Coastal Living magazine, and has the seashore, restaurants, accommodations, nightlife, shopping and gyms to make hosting the Rowing Regatta the perfect destination. The travel website Trivago recently named Provincetown the [number one destination to stay in 2016](#), and Smithsonian magazine named it one of the "[20 Best Small Towns to Visit](#)" in America.

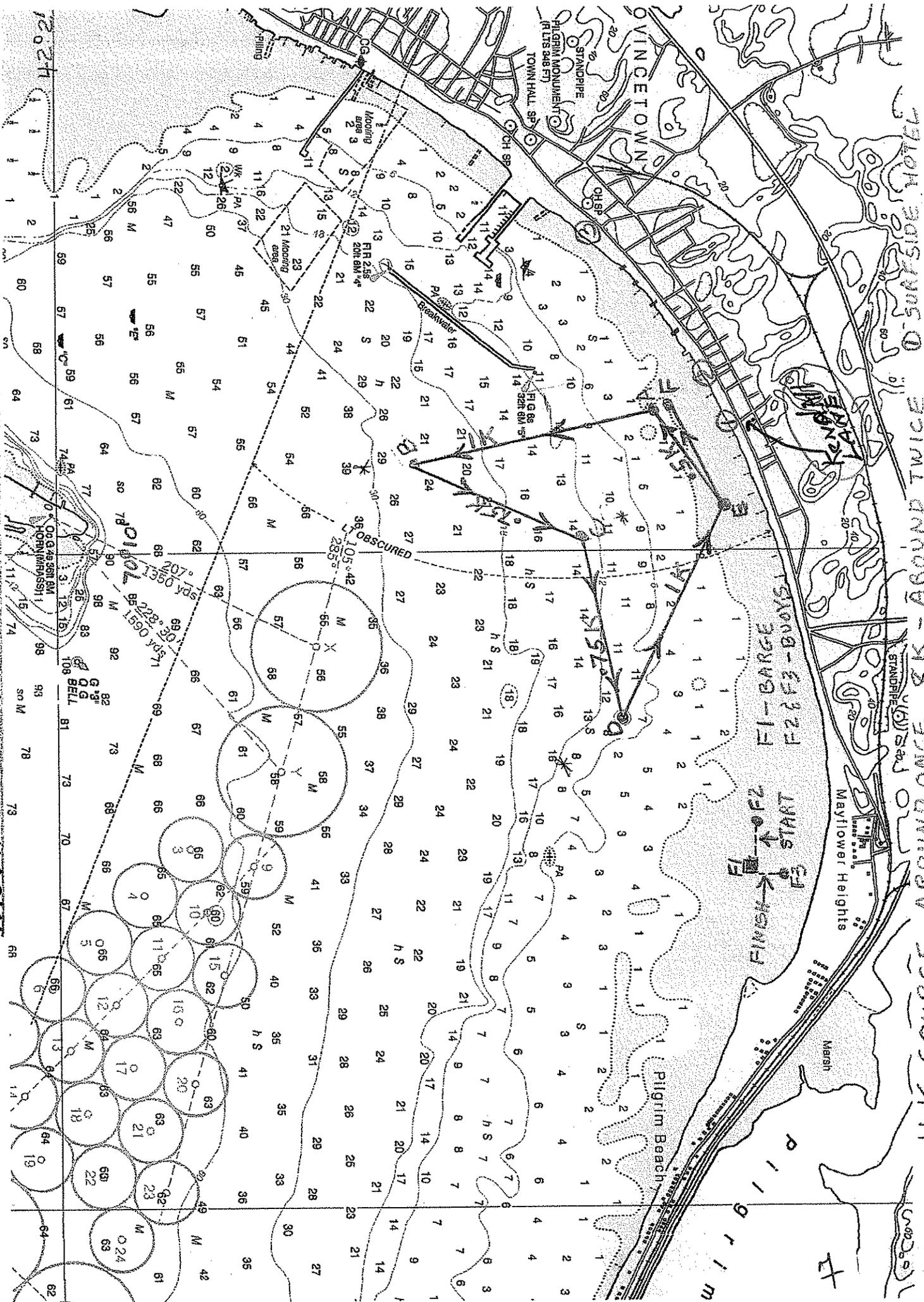
**TO REGISTER and FOR MORE INFORMATION go to:**

[https://www.regattacentral.com/regatta/index.jsp?job\\_id=4647&org\\_id=0](https://www.regattacentral.com/regatta/index.jsp?job_id=4647&org_id=0)

or to: [www.regattacentral.com](http://www.regattacentral.com) and to [www.ptowntourism.com](http://www.ptowntourism.com) and about rowing go to: [www.usrowing.org](http://www.usrowing.org) and [www.worldrowing.com](http://www.worldrowing.com)

Race Course Kendall Lane Access

# PROVINCETOWN COASTAL ROWING REGATTA



PROVINCETOWN COASTAL ROWING REGATTA

# **Provincetown Coastal Rowing regatta (PCRR)**

**REFEREES FOR THE PCRR April 4<sup>th</sup> 2016 (incomplete list)**

## **Head Referee**

**John Wik, named Director of Referee Programs, US Rowing in 2011. From Delaware area.**

**Bob Whitford. Course manager @ Nathaniel Benderson, Sarasota. Is a USRowing “man of the year” and a certified events manager.**

**Scott Woodward, a FISA international umpire and a USRowing referee.**

**Jim Andersen, Rowing Director from the Oak ridge, Tenn area, former coach of the Chesapeake Junior Crew, Oklahoma City, is familiar with coastal rowing.**

Famizzi

# PROVINCETOWN COASTAL ROWING REGATTA

June 4, 2016, 7 AM- 1 PM

Use of the section of Kendall Lane (Bradford St./Commercial) for sling-parking of rowing shells needing to be carried by rowers to reach the START LINE in time for each event being held off the East End Beach under supervision of Rex McKinsey, and US Rowing referees, and the local organizing committee & town volunteers.

i support this event and give consent to the temporary restriction of traffic on Kendall Lane between Bradford and Commercial Streets for the purpose & protection of parking/launching of rowing shells between the hours of 7 AM-1 PM on June 4<sup>th</sup> 2016.

Business or name Famizzi's RESTAURANT

Address 5301 COMMERCIAL ST

Signature  Date 4/30/16

# PROVINCETOWN COASTAL ROWING REGATTA

June 4, 2016, 7 AM- 1 PM

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I support this event and give consent to the temporary restriction of traffic on Kendall Lane between Bradford and Commercial Streets for the purpose & protection of parking/launching of rowing shells between the hours of 7 AM-1 PM on June 4<sup>th</sup> 2016.

Business or name Barbara Cantor

Address 546 Commercial St.

Signature Barbara Cantor Date 4/30/16

# PROVINCETOWN COASTAL ROWING REGATTA

June 4, 2016, 7 AM- 1 PM

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Business or name Barbara Cantor

Address 546 Commercial St.

Signature Barbara Cantor Date 4/30/16



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6C

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## MONTHLY POLICE REPORT FOR APRIL 2016

Requested by: Police Chief Jim Golden

Action sought: Discussion/Approval

Proposed Motion(s)

**Discussion Dependent. Votes may be taken.**

Additional Information

See attached Police Report.

Board Action

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

---

# Town of Provincetown

# Police Department

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



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

To Provincetown Board of Selectmen  
From Police Chief James Golden *James Golden*  
Subject: Police Operational Report  
Date: May 09, 2016 (April 2016)

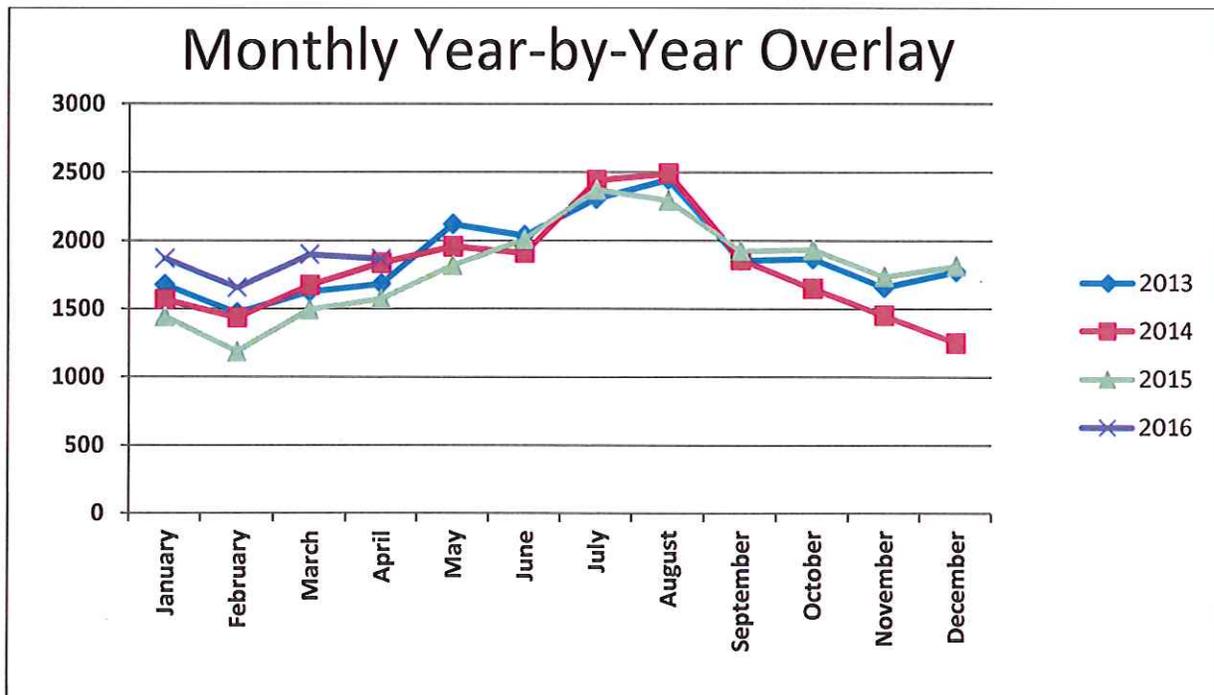
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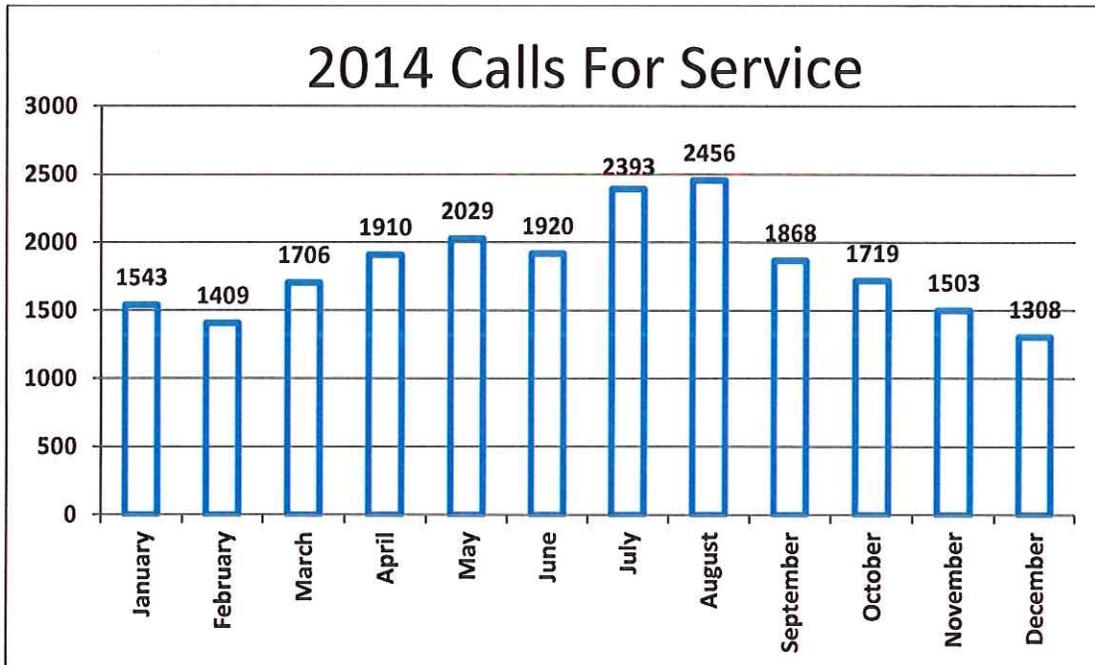
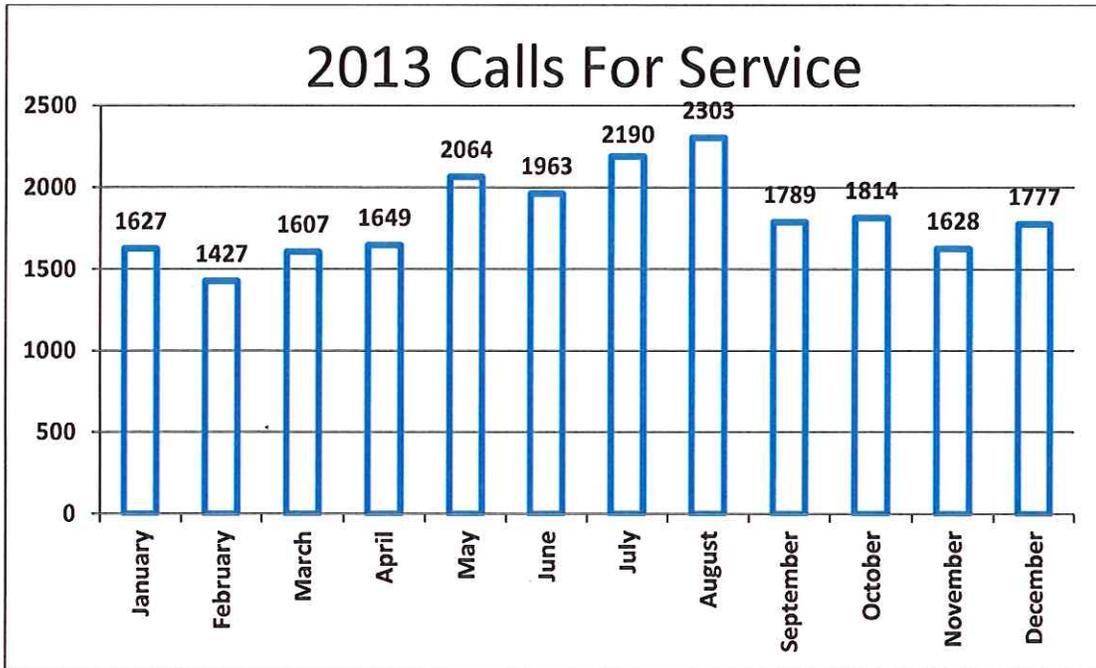
## Activity Synopsis

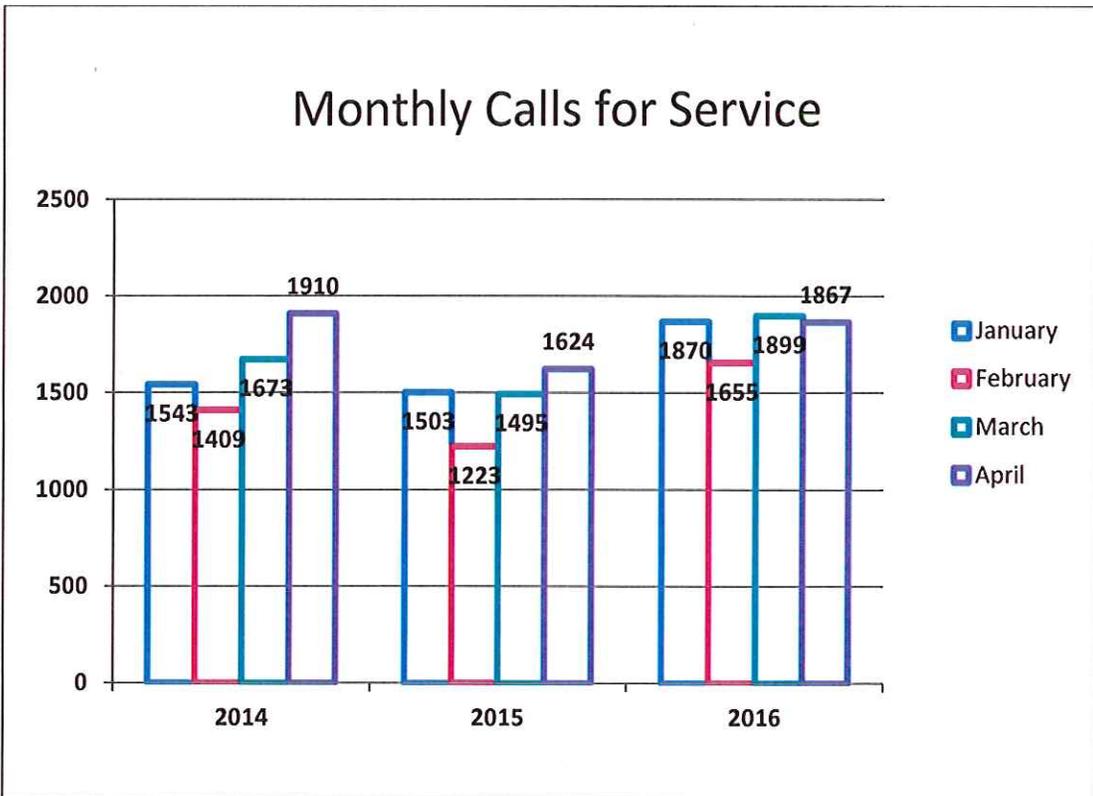
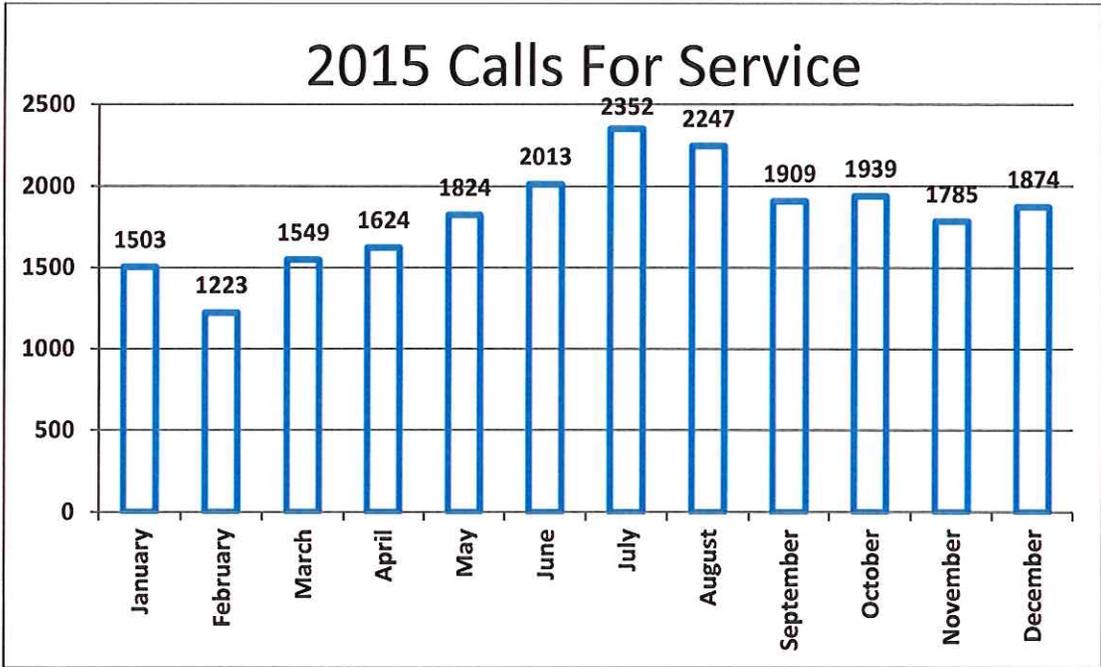
Police activity (daily call volume, arrest and dispatch logs) are maintained and published weekly and archived on our website.

During the period of Friday, April 1<sup>st</sup> through Saturday, April 30<sup>th</sup>, 2016, the officers of the Provincetown Police Department recorded 1,867 total calls for service.

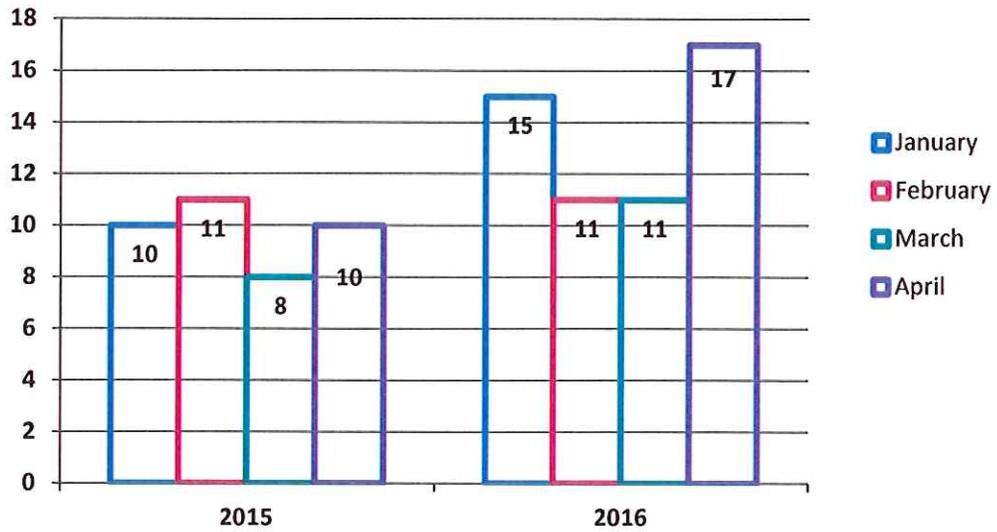
The following outlines recent police activity in brief:



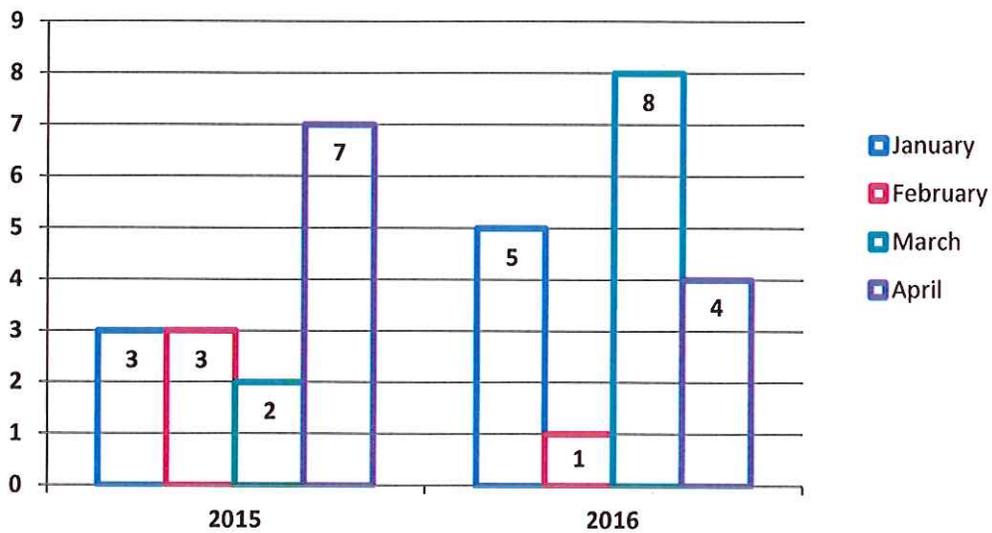




## Monthly Arrests



## Monthly Protective Custodies



Police responded to 5 domestic violence calls, 8 disturbances reported to police, 16 general complaints, 40 citizen assists, 2 breaking and entering calls, 5 calls for disorderly persons, 37 service calls, 2 reports of threats, 15 reports of suspicious activity, 7 reports of harassment, 2 noise complaints, 3 trespassing calls, 1 report of property being damaged, 3 landlord/tenant complaints and police officers investigated 18 larceny/fraud complaints. There were 22 parking complaints and 12 general hazard calls made to police.

There were 71 medical emergencies recorded this month. There were 2 animal-to-person bites and 1 animal-to-animal bite reported with the requisite follow-up investigation made by our animal control officer.

Police officers also responded to 16 alarm calls and 16 reported fire alarms and they found 1 open door (PL) during 664 building/property checks. Police officers conducted 28 checks of licensed liquor establishments, 40 foot patrols and 101 park, walk and talks.

36 items were reported lost or found to police this month which included personal items found such as keys, wallets, phones, phone chargers, bags, IDs and ATM and credit cards.

There were more than 45 animal-related calls including 10 calls pertaining to dogs, 2 calls involving domestic cats, 7 calls about foxes, 3 calls about birds and 6 calls about raccoons. There were 2 calls for loose horses. The department investigated 2 reports of dogs locked in parked vehicles. No animals were removed and the owners were identified for follow-up by our Animal Control Officer. Also, our Animal Control Officer maintained contact with our partner agencies for animal health and welfare concerns and coordinated food donations for our on-going pet food pantry.

117 motorists were pulled over and 27 citations (8C/18W/1S) were issued (23%). There were 2 arrests this month as a result of motor vehicle stops. There were 17 miscellaneous motor vehicle related calls for the month. Police assisted with 14 disabled vehicles and 4 vehicles were reported damaged while parked.

There were 11 arrests:

Please know that we received 5 reports of intoxicated persons and 4 persons were detained for being incapacitated from alcohol.

03 Males  
01 Female

There were 7 motor vehicle accidents reported during the month.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6D

## BOARD OF SELECTMEN POLICY STATEMENT

### Town of Provincetown Buy Recycled Policy

Requested by: Town Manager

Action sought: Discussion/Approval

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to approve Board of Selectmen Policy Statement 2016-05-23, Town of Provincetown Buy Recycled Policy [as drafted] [as revised].**

#### Additional Information

MassDEP requires that all towns have a local policy in order to qualify for the Sustainable Materials Recovery Program (SMRP) Municipal Grants. The DEP now also requires that all Town department heads receive an annual notification about the policy from Town Administrator, Selectmen, or Chief Purchasing Officer.

The Recycling and Renewable Energy Committee recommended this policy on May 18, 2016 by a vote of 4-0-0.

#### Board Action

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



Provincetown Town Hall  
260 Commercial Street  
Provincetown, MA 02657  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)  
[selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov)  
508-487-7003

Board of Selectmen

# Policy Statement

2016-05-23

## Town of Provincetown Buy Recycled Policy

In recognition of the need to make more efficient use of our natural resources, create markets for the material collected in recycling programs, reduce solid waste volume and disposal costs, and serve as a model for private and public institutions, the Town of Provincetown is committed to purchasing products, which are environmentally preferable and /or made of recycled materials whenever such products meet quality requirements and are available at reasonable price and terms.

To the maximum extent practicable the following standards should be adhered to:

1. For all purchases of printing and writing paper for in-house use or custom printed materials by professional printers, including copier paper, offset paper, forms, stationary, envelopes, tables, notepads and file folders, the minimum content standards shall be no less than 30% post consumer recycled material to meet the current state and federal minimum standards.
2. Any deviation from the standards under part "1" above must be approved by the town manager (or other appropriate municipal chief/ board). The decision not to procure recycled content printing and writing paper meeting these standards shall be based solely on a determination that a satisfactory level of competition does not exist, that items are not available under a reasonable time period, or that items fail to meet reasonable performance standards or are only available at an unreasonable price.
3. Town departments shall ensure that all contracts for printing require the inclusion of an imprint identifying the recycled content of the paper whenever practicable, along with the recycling symbol.
4. For the purpose of measuring the progress of the program and success in meeting the recycling goals of the Commonwealth, each department shall report purchases of recycled products to the Town Manager (or other appropriate municipal chief/board) on July 30<sup>th</sup> for the previous fiscal year.
5. Each department shall implement paper reduction techniques through the use of duplexing, sharing and circulating materials, use of electronic mail, and reuse of discarded paper for draft works, scrap paper and internal messages.
6. Town Departments shall implement a price preference (10% if possible) to encourage the procurement of recycled and environmentally preferable products.

*Adopted May 23, 2016*

*In favor:*

*Opposed:*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6E

## HARBORFRONT SHUTTLE

### Revocation of Approvals for Lack of Performance

Requested by: Town Manager

Action sought: Discussion/Approval

#### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote to declare the Municipal Street License for the Harborfront Shuttle Tours issued to Timothy Downey on June 11, 2012 null and void by operation of law, and to order him to remove such property from the public way within ten days of the date of receipt of notice.

#### Additional Information

See attached background materials.

#### Board Action

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



## Summary of minutes from June 11, 2012 Public hearing

### 1A HARBORFRONT SHUTTLE TOURS Request for Municipal Street License

Selectman Elaine Anderson read the public hearing into the record.

Attendees: Applicant Timothy J. Downey

In addition to the agenda material Mr. Downey presented a letter from the Cape Cod National Transit Authority authorizing him to utilize one of the spots at Ryder Street Extension Parking Lot. Service will start at the Ryder St Extension bus terminal, down Commercial to West end, back up Bradford St to Howland, and loops back down Commercial St.

Mr. Downey also explained that although shuttle is purposely designed as a handicap tram shuttle it can be used by everyone.

Elaine Anderson read a letter from the Cape Cod Regional Transit Authority letter into the record (See attachment #1).

Disability Commission voted 5-0-0 in favor of this proposal at their March 15, 2012 meeting.

### **Public Comments**

Cathy Taylor, Assistant Director, Cape Organization for Rights of the Disabled (CORD), Hyannis, MA – supports increase access for handicapped.

Raphael Richter – Supports in theory, however, he thinks that a minimum cost structure should be established so as not to compete with taxis.

Michael Rogovsky - Thinks it is a great idea.

### **Selectmen's Comments**

Elaine Anderson - Do you have a set fare in mind or using passes? Can they get on and off at any location? Answer - \$3 for handicapped, and will work out a cost that will be appropriate for everyone but he has not come up with any definite prices as of yet. He is also looking at all day passes.

Any special training for drivers? Answer: Yes, they all have to be trained.  
Any liability insurance? Yes - \$5 million. Hours of operation? - 9 AM to 7:30 PM.

David McChesney – When you did your business plan, did you not have your rates in mind? Answer: Originally it was going to be \$5, but then you have to think of day passes. David -Assuming that you get approval tonight. When do you plan to start? Answer: Around the Blessing of the Fleet.

Erik Yingling – How late in the season do you plan to run? Answer – Until Labor Day.

John Santos – Can people get on and off at any point? Answer: Main loading point will be downtown. John Santos - I've always wanted to see a shuttle service in Provincetown. Would you look at going down Shank Painter Road, along Jerome Smith, and then down Alden Street? Answer: I was trying not to bite off too much at the beginning. We'll take a look at other routes in the future.

Tim Downey - Cost structure has not been determined as of yet. Training is required for all drivers. Liability insurance is provided. Shuttle will be ordered tomorrow. Hours will be determined, approximately 9 AM to 7 PM, and will run during the peak season May to October. Tram has speakers down the center of the tram. Licensing provided by Cape Cod Regional Transit Authority.

**MOTION:** *Move that the Board of Selectmen vote to approve the request of Timothy J. Downey, owner of Harborfront Shuttle Tours, Provincetown, MA for a Municipal Street License to operate a handicap motor vehicle tram shuttle tour in the Town of Provincetown; and to pay annual fee of \$1,000.00 and no more than a 5 minute stop at each location, and all drivers are certified.*

**Motion by:** John Santos    **Seconded By:** Elaine Anderson    Yea 5    Nay 0

**Summary of minutes from the April 22, 2013 public meeting**

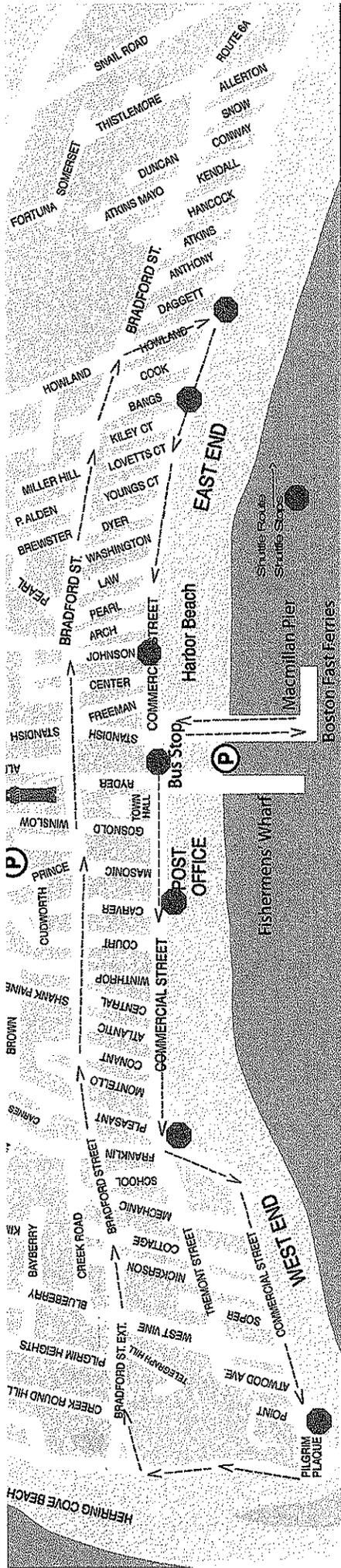
**5E    HARBORFRONT SHUTTLE TOURS**

Request for Transformation Information Booth - Mr. Timothy Downey

Mr. Downey reviewed the material submitted and asked for the Board of Selectmen's approval. Related material along with support letters from the Cape Cod Regional Transit Authority and the Provincetown Disability Commission attached to agenda item.

**MOTION:** *Move that the Board of Selectmen vote to approve the request of Timothy J. Downey, owner of Harborfront Shuttle Tours, Provincetown, MA to create and operate a Transportation Information Booth in the area beside the existing Bus Shelter at the Ryder Street Extension Bus Terminal.*

**Motion by:** Elaine Anderson    **Seconded By:** John Santos    Yea 5    Nay 0

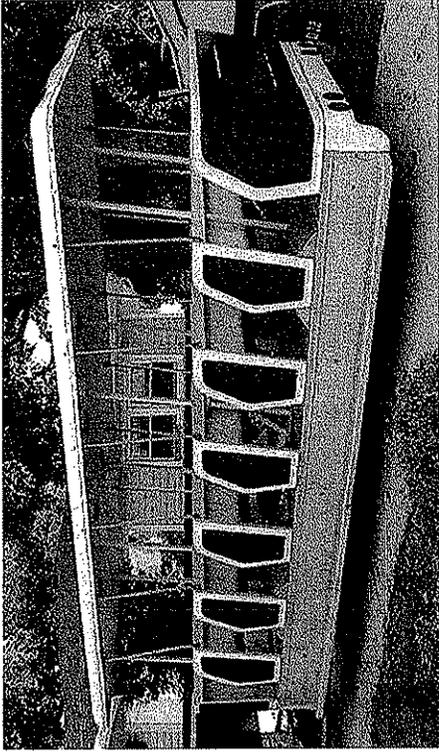


### Proposed Shuttle Tour Route

The handicap tram shuttle tour will be operated by Harbor Front Shuttle Tours, Timothy J Downey, it will begin at the dedicated location at the Ryder Street Extension Bus terminal looping down Commercial Street to the West End Rotary up to Bradford to Howland Street, Howland Street to Commercial, Commercial to Lopes Square, down MacMillan Pier returning to dedicated starting point at the Ryder Street Extension Bus Terminal.

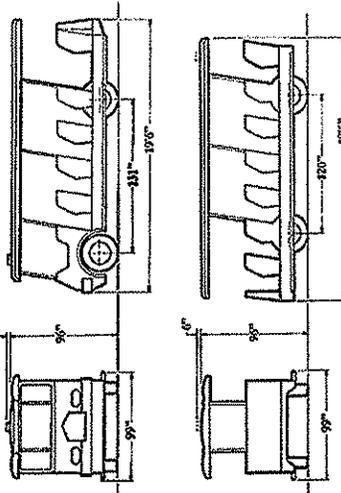
### Proposed Dedicated Stops

The designated stops will be the dedicated Ryder Street Extension Bus Terminal, Aquarium Mall, Coast Guard Station, West End Rotary, Howland and Commercial Street, Art Association, between Johnson Street and Library, and back at the designated parking space at the Ryder Street Extension Bus Terminal.



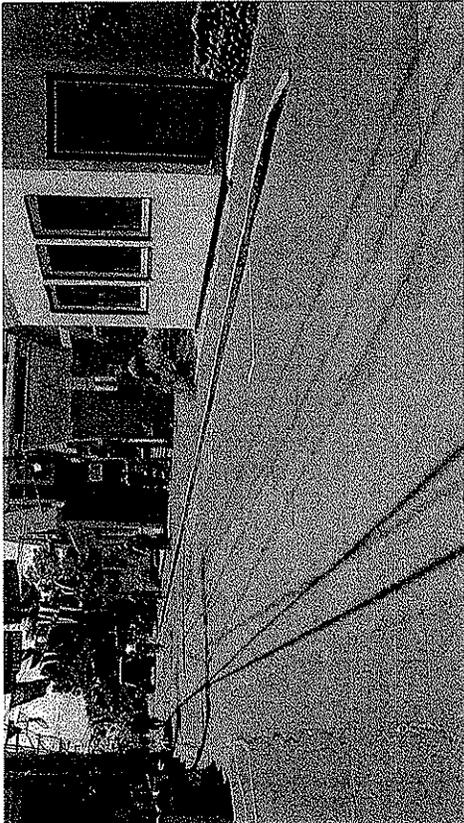
## SUMMARY SPECIFICATIONS

### Sunliner Tram

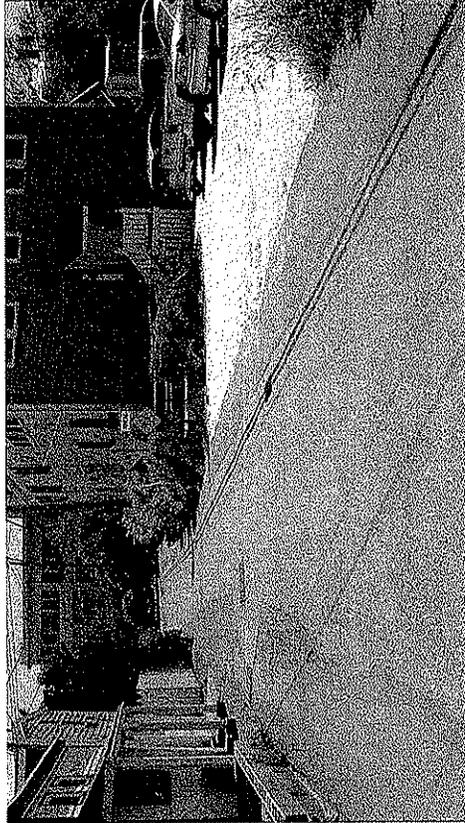


PRINCIPAL DIMENSIONS		TECHNICAL SUMMARY	
Passenger Capacity	21 adults	Power Module	..... 9.90 X 16.5 D Rated
Handicap Capacity	28 adults	Tires	..... 9.90 X 16.5 D Rated
Weight	17,500 lbs	Axle, Front Drive	..... Drive-Spacer - 4,200 lb.
Length, Overall	19' 6"	Axle, Rear Drive	..... Drive-Spacer - 2,500 lb.
Wheelbase	120"	Brakes, Front	..... Drum - 15" X 2.4"
Overhang, Front Axle to Front Bumper	33 1/2"	Brakes, Rear	..... Drum - 15" X 2.4"
Overhang, Rear Axle to Rear Bumper	42"	Suspension	..... Multi-Leaf Springs
Width, Overall with 10" Steps	59"	Engine	..... 6-Cylinder, 238 cu. in.
Height, Overall	99"	Fuel Capacity	..... 19 Gal.
Height, Floor	27 1/2"	Transmission	..... Chrysler Model A727
Height, Front Step	14"	Seat	..... Molded Fiberglass 72" Wide
Step Riser	13 1/2"	Trailing Module	..... 9.90 X 16.5 D Rated
Turning Radius, Outside Front Tire	24'-2"	Axles, Double Steering	..... Drive-Spacer - 4,500 lb.
Turning Radius, Outside Front Body	25'-5"	Brakes	..... Drum - 15" X 2.4"
Corner, Outside Front Wheel	14'-0"	Suspension	..... Multi-Leaf Springs
G.V.W.B. (at 15 MPH)	8,100 lbs.	Steering	..... Articulated Four-Wheel
Maximum Capacity at 15 MPH	17,500 lbs.		

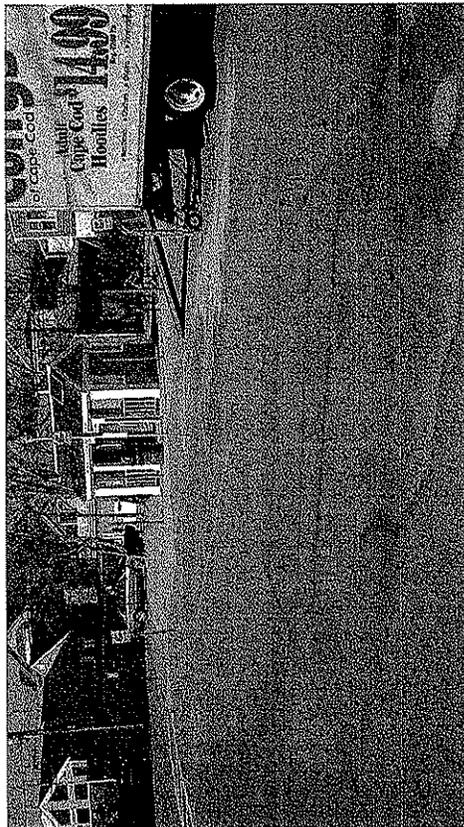
Grade Ability vs. Road Speed - 15% at 48RPM for a 65% load/mass with two trailing modules.  
 Please see type/ingress entry Cause product, these specifications are subject to change without notice and without liability.  
 direction. This information is to be used as a guide only.



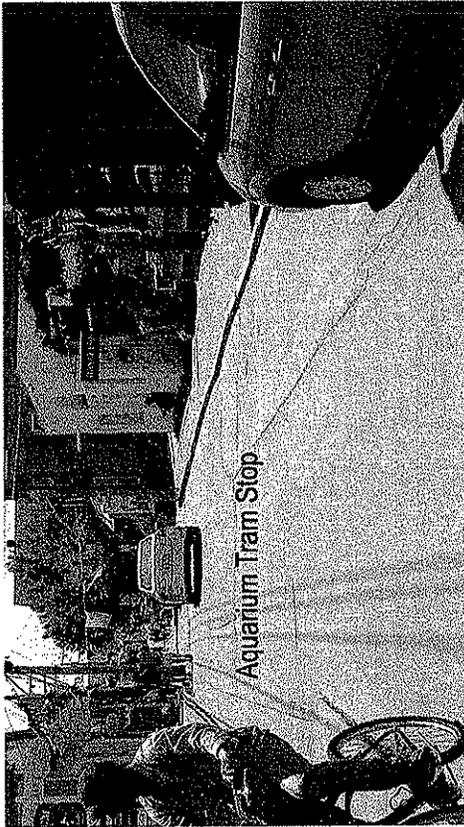
Between Johnson Street and Library

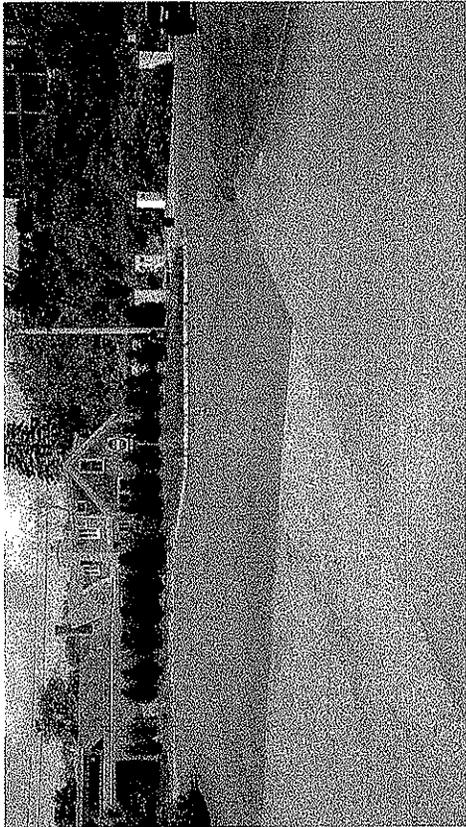


Commercial and Howland

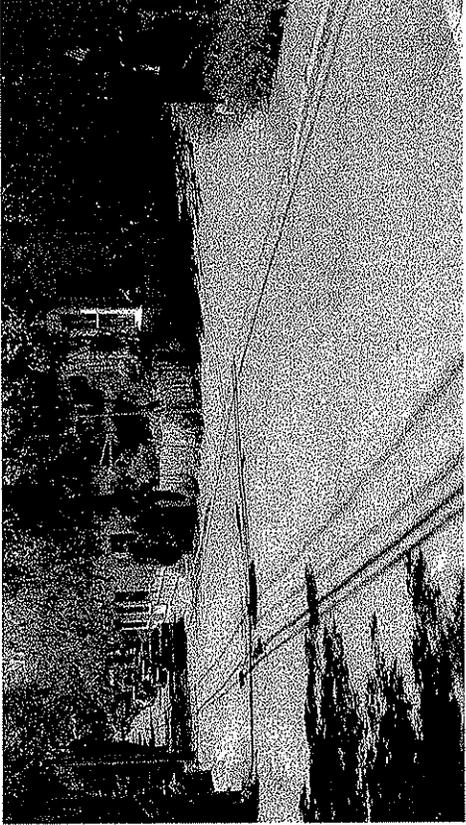


Dedicated Tram Stop at Bus Stop,

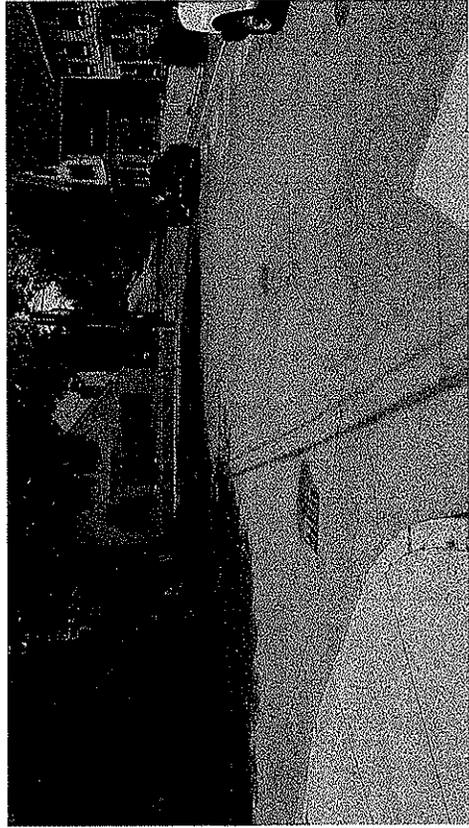




West End Rotary



Art Association



coast quard station

## David Gardner

---

**From:** Gregg J. Corbo <GCorbo@k-plaw.com>  
**Sent:** Wednesday, May 18, 2016 2:38 PM  
**To:** David Gardner  
**Cc:** John Giorgio; David Panagore  
**Subject:** RE: Harborfront tours  
**Attachments:** KP-#369407-v1-PROV\_OPL\_to\_BOS\_re\_news racks.DOC

Dear David.

As we discussed, there are three licenses issued to Mr. Downey: (1) Municipal Street License for a tram shuttle tour; (2) Use of Town property for newsracks; and (3) Use of Town property for information booth.

As to the Municipal Street License, M.G.L. c. 159A, s. 4 requires that the holder of such a license obtain a certificate of public convenience and necessity from the department of telecommunications and energy within three years of issuance of the license, and the statute further provides that the license shall be deemed null and void if such certificate is not obtained within said three years. In this matter, the license at issue was first issued on June 11, 2012, more than three years ago. Therefore, if the license holder has not obtained the required certificate by this time, the license is null and void by operation of law, and I recommend that the license holder be so notified. If the license is still valid, it may be revoked by the Board, after notice and a public hearing, for "good and sufficient reasons". Further, unless the license holder consents to the revocation within thirty days, the decision must be reviewed by the department of telecommunications and energy.

As to the other two licenses, it is my opinion that these are merely permissions to use Town property, which are revocable at any time. In this regard, I recommend that the license holder be provided written notice of the revocation and the reasons therefor, and be given an opportunity to appear before the Board for a hearing. In the case of the newsracks, since it appears that the only issue is the non-payment of fees, I recommend that the license holder be given an opportunity to cure, given the First Amendment implications described in the attached letter.

Please do not hesitate to contact me if you have any questions in this regard.

Very truly yours,

Gregg J. Corbo, Esq.  
**KOPELMAN AND PAIGE, P.C.**  
101 Arch Street, 12th Floor  
Boston, MA 02110  
O: (617) 556 0007  
F: (617) 654 1735  
[gcorbo@k-plaw.com](mailto:gcorbo@k-plaw.com)  
[www.k-plaw.com](http://www.k-plaw.com)

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

**David Gardner**

---

**From:** Loretta Dougherty  
**Sent:** Monday, May 16, 2016 1:44 PM  
**To:** David Gardner  
**Subject:** FW: BOS Letter RE: Downey Trailer Removal at Bus Stop Park

-----Original Message-----

**From:** [bdocker@comcast.net](mailto:bdocker@comcast.net) [<mailto:bdocker@comcast.net>]  
**Sent:** Monday, May 16, 2016 1:28 PM  
**To:** Loretta Dougherty  
**Cc:** Raphael Richter  
**Subject:** BOS Letter RE: Downey Trailer Removal at Bus Stop Park

Dear Selectmen,

This letter is being sent to Loretta Dougherty, with a copy to Raphael Richter.

The Beautification Committee would like to reiterate its decision of 2015, by unanimous vote, to remove the "disability" trailer overseen by the Downey family at Bus Stop Park. We understand this is coming up on an Agenda before the Board of Selectmen.

Sincerely and Cordially,  
Bill Docker  
Chair, Beautification Committee



THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES

DEVAL L. PATRICK  
GOVERNOR

RICHARD K. SULLIVAN, JR.  
SECRETARY OF ENERGY  
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION  
BOSTON, MA 02110  
(617) 305-3500

ANN G. BERWICK  
CHAIR

JOLETTE A. WESTBROOK  
COMMISSIONER

DAVID W. CASH  
COMMISSIONER

September 18, 2013

VIA FIRST CLASS MAIL

Mr. Timothy Downey  
6 Tiny's Way  
Provincetown, MA 02657

RE: Proposed Fixed Route Service in Provincetown

Dear Mr. Downey:

I write in response to your email of September 16, 2013 to Elizabeth Leaman, Assistant Director of the Transportation Oversight Division of the Department of Public Utilities ("Department" or "DPU"), regarding your proposal to provide regular route common carrier service over certain streets in the Town of Provincetown. In your email, you describe the proposed service and seek the Department's permission to commence operations.

As you know, the Department granted you a License for charter service on November 15, 1994 under License No. D.P.U. 94-129. See G.L. c. 159A, § 11A. This DPU-issued intrastate charter authority does not allow you to provide regular route common carrier service. Additionally, the Cape Cod Regional Transit Authority ("CCRTA") has exclusive authority to provide mass transit services within the Town of Provincetown, among other communities within its service area. See G.L. c. 161B, § 6(i). Accordingly, you must submit to the Department current documentation, such as a contract or a letter agreement, that expressly authorizes you to conduct the proposed regular route service as a contractor or agent of the CCRTA. This documentation must also specify the route(s) to be traveled and all designated stops for the boarding and discharging of passengers. If you anticipate a change in your

FAX: (617) 345-9101  
[www.mass.gov/dpu](http://www.mass.gov/dpu)

10

Mr. Timothy Downey  
September 18, 2013

Page 2

company's name and/or address, please include this information in the documentation. You should also inform the Department of any changes to your carrier status as soon as possible so that we can update our records, if you have not already done so.

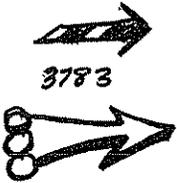
Once the Department has received and accepted the aforementioned documentation, DPU inspector Wayne Lawson will contact you to discuss further inspection and permitting of your vehicle(s). Please contact Elizabeth Leaman at (617) 305-3783 or myself at (617) 305-3771 should you have any questions.

Sincerely,



Daniel P. Collins  
Division Counsel  
Transportation Oversight Division

cc: Thomas S. Cahir, Administrator, CCRTA  
Brian F. Cristy, DPU  
Elizabeth Leaman, DPU  
Wayne Lawson, DPU



SENT CERTIFIED

91 7199 9991 7033 79256695

March 16, 2016

Timothy Downey  
6 Tiny's Way  
Provincetown, MA 02657

Dear Tim,

The Town has been made aware of your inability to secure permissions to operate your shuttle business over the last two years. We have also been contacted by the Cape Cod Regional Transit Authority who is requesting that you remove your ticket booth from the Ryder Street Extension location due to the close proximity to the bus shelter. In addition, the Town's Beautification Committee has also requested the Town Manager take action to remove the underutilized booth from town property.

We have been in contact with you several times over the last two years and have been understanding and patient with your difficult process to date, but you have been delinquent in your fees and unable to make significant progress with obtaining the necessary permits and licenses to operate your business as proposed.

Therefore, the Town requires you to demonstrate your ability to perform pursuant to the Board of Selectmen approval of April 22, 2013 or your shuttle route and permission to operate a Transportation Information Booth will be revoked. Ability to perform shall be demonstrated by having all required State and Local approvals and permits and be current on all Town licensing fees by April 22, 2016.

If the Town revokes your approval, then you will have 30 days to remove the ticket booth or the booth would be removed at your expense.

Please do not hesitate to contact me to facilitate a speedy resolution to this situation.

Sincerely,

David Gardner  
Assistant Town Manager

12

*Town of Provincetown*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7000

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 23, 2016

Timothy Downey  
6 Tiny's Way  
Provincetown, MA 02657

RE: HARBORFRONT SHUTTLE TOURS

Dear Mr. Downey,

You were granted permission from the Board of Selectmen to operate the Harborfront Shuttle Tours on June 11, 2012.

Pursuant to M.G.L. c. 159A, s. 4, the Municipal Street License requires that the holder of such a license obtain a certificate of public convenience and necessity from the Massachusetts Department of Telecommunications and Energy (now known as the Department of Public Utilities) within three years of issuance of the license, and the statute further provides that the license shall be deemed null and void if such certificate is not obtained within said three years. In this matter, the license at issue was first issued on June 11, 2012, more than three years ago.

To date you have been unable to secure the necessary certificate and other permits and approvals needed to operate your shuttle business. We have been in contact with you several times over the last four years and have been understanding and patient with your difficult process. You were given until April 22, 2016 to obtain all required State and Local approvals and you have failed to do so.

We have also been contacted by the Cape Cod Regional Transit Authority who is requesting that you remove your ticket booth from the Ryder Street Extension location due to the close proximity to the bus shelter. The Town's Beautification Committee has also requested that the Town Manager take action to remove the underutilized booth from town property.

Therefore, the Board of Selectmen hereby declares your Municipal Street License null and void by operation of law, and further that your permission to use the Town's property for the ticket booth is revoked. You are further ordered to remove the ticket

booth within ten days of your receipt of this letter or the booth will be removed by the Town at your expense.

If you are aggrieved by this decision, you may request a hearing before the Board by filing a written request for hearing within five business days after receipt of this letter.

Sincerely,

Erik Yingling  
Vice Chair,  
Board of Selectmen

Cc: Massachusetts Department of Public Utilities

# **Massachusetts General Laws**

PART I ADMINISTRATION OF THE GOVERNMENT

TITLE XXII CORPORATIONS

CHAPTER 159A COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE

Section 4 Voiding licenses, continuing licenses; revocation of licenses

Section 4. A license issued under this chapter on or after November first, nineteen hundred and forty-five, for operations as to which no certificate of public convenience and necessity under section seven is obtained within three years after the date when such license is issued by the licensing authority, which in a city shall mean the date of its approval by the mayor, shall become null and void upon the expiration of said three years. Such a license issued before said November first under the provisions of law applicable thereto or under this chapter, and remaining in force on said date, for operations as to which such a certificate is not obtained before the expiration of five years after said November first, shall become null and void upon the expiration of said five years. Each license so issued after July eighteenth, nineteen hundred and twenty-seven, for operations as to which such a certificate has been obtained prior to said November first, or is obtained within three years thereafter in the case of a license issued on or after said November first, or within five years thereafter in the case of a license issued before said date, shall remain in force and effect as to the routes and for the number of vehicles specified in such license or operated thereunder, notwithstanding any limitation contained therein as to the time it shall remain in effect, until revoked as hereinafter provided. After public notice and hearing, the licensing authority may, for good and sufficient reasons to be stated in the order of revocation, revoke in whole or in part such a license issued by such authority, but unless within thirty days after any such order of revocation, except an order made by the department or by the metropolitan district commission acting as such licensing authority, the licensee consents thereto in writing, such order shall not be valid until approved by the department after public notice and hearing



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6F

## LANDSQUARES INC., FREE TOWN MAPS

### Revocation of Approvals for Lack of Performance

Requested by: Town Manager

Action sought: Discussion/Approval

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to revoke the previous approval given to Timothy Downey dba LandSquares of Provincetown for the placement of the Free Town Maps distribution boxes on town owned land within the public right of way within 14 days of notice for failure to obtain the necessary permits, pay the proper fees and otherwise maintain the conditions place on the approval, and further to order him to remove such property from within the public way within ten days of the date of your revocation.**

#### Additional Information

See attached background materials.

#### Board Action

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

Summary of Minutes from April 21, 2009

**5B USE OF TOWN PROPERTY – TIM DOWNEY**

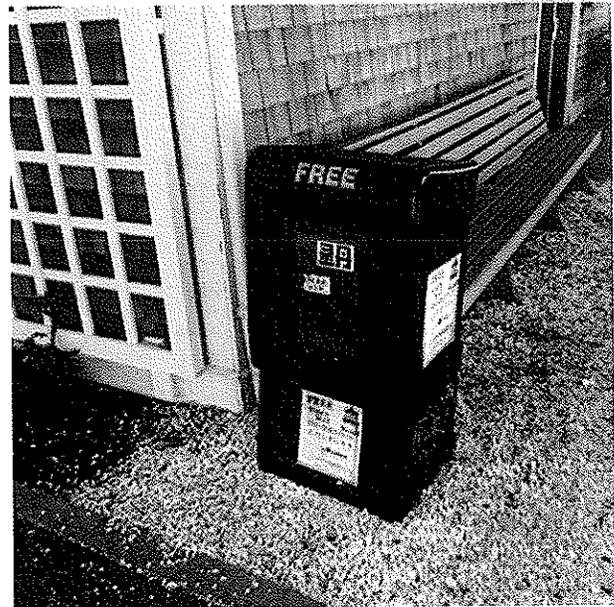
**Distribution Boxes for Free Town Maps**

**MOTION:** *Move that the Board of Selectmen vote to grant permission to Tim Downey, dba LandSquares, of Provincetown, MA, to place distribution boxes, commonly referred to as "newsracks," for free maps of Provincetown on Town Property at the locations specified on attachment "A" (as amended) with the following restrictions: (a) placement at each location within the public right-of-way be approved by the Town; (b) contact information shall be available on each rack indicating racks provided by LandSquares, and (c) any rack that becomes damaged, graffiti, or in disrepair will be removed immediately; (d) the maps gets replenished on a regular basis; and e) obtain a transient vendor license.*

**Motion by:** Austin Knight

**Seconded by:** Mary-Jo Avellar

Yea 3 Nay 2 (David Bedard / Elaine Anderson)



**David Gardner**

---

**From:** Gregg J. Corbo <GCorbo@k-plaw.com>  
**Sent:** Wednesday, May 18, 2016 2:38 PM  
**To:** David Gardner  
**Cc:** John Giorgio; David Panagore  
**Subject:** RE: Harborfront tours  
**Attachments:** KP-#369407-v1-PROV\_OPL\_to\_BOS\_re\_news racks.DOC

Dear David.

As we discussed, there are three licenses issued to Mr. Downey: (1) Municipal Street License for a tram shuttle tour; (2) Use of Town property for newsracks; and (3) Use of Town property for information booth.

As to the Municipal Street License, M.G.L. c. 159A, s. 4 requires that the holder of such a license obtain a certificate of public convenience and necessity from the department of telecommunications and energy within three years of issuance of the license, and the statute further provides that the license shall be deemed null and void if such certificate is not obtained within said three years. In this matter, the license at issue was first issued on June 11, 2012, more than three years ago. Therefore, if the license holder has not obtained the required certificate by this time, the license is null and void by operation of law, and I recommend that the license holder be so notified. If the license is still valid, it may be revoked by the Board, after notice and a public hearing, for "good and sufficient reasons". Further, unless the license holder consents to the revocation within thirty days, the decision must be reviewed by the department of telecommunications and energy.

As to the other two licenses, it is my opinion that these are merely permissions to use Town property, which are revocable at any time. In this regard, I recommend that the license holder be provided written notice of the revocation and the reasons therefor, and be given an opportunity to appear before the Board for a hearing. In the case of the newsracks, since it appears that the only issue is the non-payment of fees, I recommend that the license holder be given an opportunity to cure, given the First Amendment implications described in the attached letter.

Please do not hesitate to contact me if you have any questions in this regard.

Very truly yours,

Gregg J. Corbo, Esq.  
**KOPELMAN AND PAIGE, P.C.**  
101 Arch Street, 12th Floor  
Boston, MA 02110  
O: (617) 556 0007  
F: (617) 654 1735  
[gcorbo@k-plaw.com](mailto:gcorbo@k-plaw.com)  
[www.k-plaw.com](http://www.k-plaw.com)

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March 18, 2009

**Patricia A. Cantor**  
pcantor@k-plaw.com

Hon. Michele Couture and  
Members of the Board of Selectmen  
Provincetown Town Hall  
260 Commercial Street  
Provincetown, MA 02657

Re: Location of Distribution Boxes for Maps on Town Property

Dear Members of the Board of Selectmen:

You have requested an opinion regarding the placement on Town property of distribution boxes, commonly referred to as "newsracks," for free maps of the Town. You have asked several questions which I address below. You have informed me of the following facts. Tim Downey d/b/a Landsquares of Provincetown, MA ("Landsquares") has requested permission to place the boxes in 22 locations, including parking lots and parks. Landsquares states that the locations may be changed and are subject to review and approval by the Board. The boxes would be placed near trash receptacles and in areas where there is significant public activity. The maps would include advertising and information about the Town. The proposal also states that Landsquares would remove all or some of the boxes during the months of January, February and March. Landsquares has submitted a photograph and general specifications for the boxes and an example of the map, which includes advertising.

In my opinion, the Town may not prohibit the use of newsracks on public property without risking violation of the First Amendment free speech protections. In my further opinion, however, the Town may regulate the placement of the proposed newsracks by setting reasonable time, place and manner restrictions, including a non-discretionary permit requirement, so long as the regulation is reasonable to protect public safety and health and does not impact constitutionally protected free speech rights. Such regulation may not be based upon the content of the material being distributed. In my further opinion, the Town may establish reasonable fees for licensing and regulation regarding the boxes.

#### Legal Principles Applicable to Newsracks

Printed materials dispensed from so-called newsracks, including newspapers as well as other commercial materials, such as advertisements, are considered a form of speech protected under the First Amendment of the United States Constitution as well as the state constitution. In my opinion, the distribution boxes and maps proposed by Landsquares are within the types of protected First Amendment speech. It is therefore my opinion that governmental restrictions on the placement of such distribution boxes must be narrowly drawn to accomplish a legitimate public purpose, such as public safety and aesthetics, and must be a "content neutral" time, place

Hon. Michele Couture and  
Members of the Board of Selectmen  
March 18, 2009  
Page 2

and manner restrictions, referring not to the content of the publication but only the mode of distribution. These are the standards generally established by a series of First Amendment decisions by the U.S. Supreme Court in various free speech/free press contexts.

Regulations may be placed upon newsracks to secure the safety, comfort and convenience of the public so long as the regulations do not deny or materially impair the constitutional right of free speech. The First Amendment protects the right of the press to publish, circulate, and distribute information and comment without restraint. Lovell v. Griffin, 303 U.S. 444 (1938); Martin v. Struthers, 319 U.S. 141 (1943); Tally v. California, 362 U.S. 60 (1960); City of Lakewood v. Plain Dealer Publishing Co., 486 U.S. 750 (1988). This constitutional protection extends to the distribution of newspapers along public streets and sidewalks, and may not be based upon the content of the materials being distributed. City of Cincinnati v. Discovery Network, Inc., 507 U.S. 410 (1993). See also City of Los Angeles v. Taxpayers for Vincent, 466 U.S. 789, 804-05 (1984) (upholding ban on signs posted on public utility poles based on concerns with visual blight and congestion on public property).

The leading cases regulating newsboxes in Massachusetts are Globe Newspaper Co. v. Beacon Hill Architectural Comm'n, 100 F.3d 175 (1<sup>st</sup> Cir. 1996), and HOP Publications, Inc. v. City of Boston, 334 F.Supp.2d 35 (D.Mass.2004). In both of those cases, the courts analyzed the applicable legal principles and concluded that narrowly drawn bans on street furniture, including newsracks, were permissible. The restrictions were upheld, in part, because the city was able to establish that the prohibitions were limited to designated historical areas in Boston, Beacon Hill in Globe Newspaper and Back Bay in HOP Publications. The courts also found that the restrictions were "content neutral" and narrowly drafted to protect the aesthetics of the affected areas. A strong evidentiary record supported the restrictions. Thus, "narrowly drawn regulations designed to serve those interests without unnecessarily interfering with First Amendment freedoms," may be adopted. Gannett Satellite Information Network, Inc., v. Town of Norwood, 579 F. Supp. 108, 114 (D. Mass. 1984).

It is therefore my opinion that the Town may regulate the placement of newsracks in particular areas of the Town, if the Town can establish a record similar to that in the Globe Newspaper and HOP Publications cases. However, it is also my opinion that a total ban is not likely to be upheld and that if you choose to regulate newsracks, the by-law or regulation must be narrowly drawn and content neutral.

For example, it is my opinion that the Town may prohibit the placement of a newspaper box in a location that unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic. However, such regulation must be narrowly drawn so as not to place any undue restriction on the visibility or accessibility of such newspaper boxes. Additionally, if the Town can demonstrate that a particular aesthetic concern exists and that other means of dissemination

4

Hon. Michele Couture and  
Members of the Board of Selectmen  
March 18, 2009  
Page 3

exist and that the restrictions are content neutral, as occurred in the Globe Newspaper and HOP Publications cases, a ban in a particular area may be upheld.

In my further opinion, under the Town's Charter, Chapter 4, Section 2, 4-2-2 and G.L. c.85, §8, the Board of Selectmen have the power to regulate traffic and use of the public ways in the Town. The Charter, Section 4-2-2, provides: "The board of selectmen shall make provisions for traffic regulation and control." General Laws, c.85, §8, provides: "The municipal board or officer having charge of the laying out of public ways may grant permits for the placement and maintaining of signs, advertising devices, clocks, marquees, public telephone booths and other appurtenances thereto...and may fix fees therefore, and may make rules and regulations relating thereto...." General Laws, c.85, §9, exempts signs and structures that project less than twelve inches into the public way. It appears from the materials submitted by Landsquares that the proposed newsracks would extend more than twelve inches into the public way.

I have reviewed the Town's Charter, General and Zoning Bylaws, and regulations, including the Sign Regulations and Business Licensing Regulations, and it does not appear that existing provisions specifically provide for the regulation of newsracks. I therefore recommend that if you choose to regulate newsracks, either the Board of Selectmen should adopt a regulation or you should recommend a bylaw to the Town Meeting.

#### Specific Questions

Your specific questions and my answers are as follows.

1. Is it appropriate to place the distribution boxes in the public right-of-way?

As explained above, in my opinion newsracks may be placed in the public way, but the placement may be regulated to address traffic and other legitimate governmental concerns.

2. Does the Town need to go out to bid to allow the newsracks on public property?

In my opinion, the location of newsracks on Town property is not subject to the public bidding laws, G.L. c.30B. The regulation of newsracks is subject to the constitutional principles described above.

3. What type of precedent would be set by allowing the proposed newsracks?

Since regulation of newsracks may not be content based, it is my opinion that if the Town chooses to regulate newsracks, it may not do so based upon the content of the materials being

Hon. Michele Couture and  
Members of the Board of Selectmen  
March 18, 2009  
Page 4

distributed, such as a map of the Town. Therefore, any policy regarding the placement of newsracks would need to apply to all newsracks and not just the proposal before the Board.

4. What type of business license may be required to locate the newsracks in the public way?

As explained above, it is my opinion that the Town may regulate the placement of newsracks so long as the regulation is limited and content neutral. In that regard, a license may be required. In my further opinion, a fee to cover administrative costs associated with processing a license may be charged. A license could be conditioned on the newsracks being located in particular places, among other content neutral, time, place and manner restrictions.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

Patricia A. Cantor

PAC/kjg  
cc: Town Manager  
369407/PROV/9999

6

Town of Provincetown



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7000

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 23, 2016

Timothy Downey  
6 Tiny's Way  
Provincetown, MA 02657

RE: LANDSQUARES, TOWN MAP DISTRIBUTION BOXES

Dear Mr. Downey,

You were granted permission from the Board of Selectmen to locate your map distribution boxes with the public way on April 21, 2009. The Selectmen placed the following conditions on your approval:

MOTION: *Move that the Board of Selectmen vote to grant permission to Tim Downey, dba LandSquares, of Provincetown, MA, to place distribution boxes, commonly referred to as "newsracks," for free maps of Provincetown on Town Property at the locations specified on attachment "A" (as amended) with the following restrictions: (a) placement at each location within the public right-of-way be approved by the Town; (b) contact information shall be available on each rack indicating racks provided by LandSquares, and (c) any rack that becomes damaged, graffiti, or in disrepair will be removed immediately; (d) the maps gets replenished on a regular basis; and e) obtain a transient vendor license.*

You failed to obtain the necessary transient vendor license for the 2015 season. To date, you have not obtained the necessary transient vendor license for the current 2016 season, yet the map distribution boxes are currently located within the public way. Furthermore, the boxes have not been replenished with maps on a regular basis.

Therefore, the Board of Selectmen hereby declares that your approval to locate the distribution boxes within the public way will be automatically revoked within 14 days of receipt of this letter if you do not obtain the necessary permit and pay all required fees due to the town. If your license is revoked, then you will be ordered to removal all distribution boxes from the public way within ten days of the date of your revocation.

Sincerely,

Erik Yingling  
Vice Chair,  
Board of Selectmen

Cc: Provincetown Licensing Board

7



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6G

## PROCLAMATION

### Boston Post Cane Recipient – Blanche Winter

Requested by: **Director Chris Hottle, COA**

Action: **Approval**

#### Proposed Motion(s)

**Move that the Board of Selectmen vote to approve the request of Director Chris Hottle, Council on Aging, to proclaim Thursday, June 9, 2016, as Blanche Winter Day, in celebration of Blanche Winter, born on May 30, 1917, becoming the recipient of the “Boston Post Cane.”**

#### Additional Information

See attached copy of proclamation.

#### 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, Blanche Winter was born on May 30, 1917, in Bridgeport, Connecticut; and

WHEREAS, she grew up in the Bronx, New York and attended a fashion design program after high school, later working doing sketches for fashion design and clothing patterns; and

WHEREAS, she was a dedicated peace activist, a literacy volunteer and an avid world traveler, being part of the first groups of U.S. tourists to visit The People's Republic of China in the 1970's; and

WHEREAS, she and her husband were long-time friends of artists Mischa and Helen Richter, prompting many visits to Provincetown before moving here eight years ago to live with Jane, a painter, and daughter-in-law Susan Wheelan, an organizational psychologist, researcher and writer; and

WHEREAS, she remains an active reader, her favorite and most re-read book being The Hours by Michael Cunningham, and a huge movie fan, especially the classics, and

WHEREAS, she has been a registered voter in Provincetown since September 2009 and is the oldest Town resident,

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

**THURSDAY, JUNE 9, 2016**

*as*

**BLANCHE WINTER DAY**

*in the Town of Provincetown*

and bestows upon Mrs. Winter the commemorative Boston Post Cane pin and encourages Town citizens to honor and pay tribute to her on this special day as an expression of our appreciation and respect.

**The Honorable Board of Selectmen**

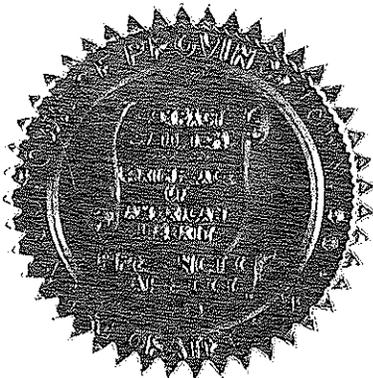
**Raphael Richter, Chairman**

**Erik Yingling, Vice Chair**

**Thomas Donegan**

**Cheryl Andrews**

**Robert Anthony**



**ATTEST: Town Manager David B. Panagore**



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

6H

## PROCLAMATION

### Senior Citizen of the Year 2016 – Barbara Rushmore

Requested by: **COA Director, Chris Hottle**

Action Sought: **Approval**

#### Proposed Motion(s)

**Move that the Board of Selectmen vote to proclaim Thursday, June 16, 2016, as Barbara Rushmore Day in honor of her being named the Council on Aging's Senior Citizen of the Year for 2016.**

#### Additional Information

See attached Proclamation.

#### 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 takes pride in honoring its senior citizens; and

WHEREAS, the Provincetown Council on Aging annually sets aside a day of celebration in a festive observance of the Senior Citizen of the Year; and

WHEREAS, Barbara Rushmore has set an example for residents of all ages in her civic engagement and social activism; and

WHEREAS, Barbara has made significant contributions to our community, particularly in her efforts to beautify our Town through the planting of hundreds of trees, many in memory of Town residents; and

WHEREAS, Barbara has accomplished all of this with a strong commitment towards improving the lives of residents and a deep love of Provincetown, and

WHEREAS, Barbara is a vital thread in the beautiful tapestry that is Provincetown and truly exemplifies the "Spirit of Positive 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

**THURSDAY, JUNE 16, 2016**

*as*

**BARBARA RUSHMORE DAY**

*in the Town of Provincetown*

and encourages our citizens to express their gratitude, pride and continued support of Barbara and to pay tribute to her on this day in appreciation of her commitment to the well-being of this community.

**The Honorable Board of Selectmen**

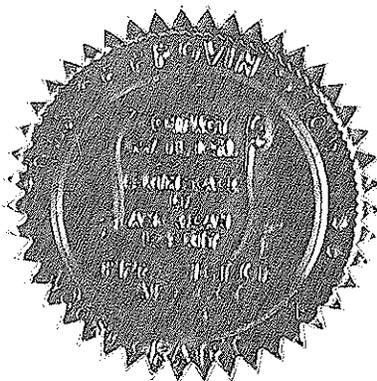
**Raphael Richter, Chairman**

**Erik Yingling, Vice Chair**

**Thomas Donegan**

**Cheryl Andrews**

**Robert Anthony**



**ATTEST: Town Manager David B. Panagore**



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

61

## PROCLAMATION

### Provincetown Center for Coastal Studies

Requested by: **William A. Bonn, Chairman of the CS Board of Directors**

Action Sought: **Approval**

#### Proposed Motion(s)

**Move that the Board of Selectmen vote to proclaim Saturday, June 11, 2016, as Provincetown Center for Coastal Studies Day in honor of their 40<sup>th</sup> Anniversary.**

#### Additional Information

See attached Proclamation.

#### 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, forty years ago the Center for Coastal Studies was founded in Provincetown, Massachusetts; and

WHEREAS, in the intervening four decades the Center for Coastal Studies has become known throughout the world for its scientific research and educational activities regarding coastal and marine ecosystems; and

WHEREAS, the Center for Coastal Studies has performed over 200 marine animal disentanglements and trained thousands in whale rescue, both here in the United States and in more than 20 other nations around the world; and

WHEREAS, the Center for Coastal studies has often put Provincetown itself "on the map" by bringing local, regional and national attention to coastal erosion, sea level rise, climate change, and human impacts on marine animals; and

WHEREAS, the Center for Coastal Studies seeks an opportunity to also commemorate the good people of Provincetown - past, present, and future – who have sent photos and dragged in all nature of creatures, be they animal, vegetable or mineral for identification; reported whales in distress and cold-stunned sea turtles; peered through binoculars on boats and from land to catch sight of a breaching humpback or feeding right whale; trudged down beaches removing trash; collected water samples and checked rain gauges, and in so many other ways worked with the Center to protect our fragile and beautiful place, and

WHEREAS, the Board of Selectmen wishes to honor the achievements made by the Center for Coastal Studies and its founders, staff and directors, and their contributions to our local community and to the world,

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

**SATURDAY, JUNE 11, 2016**

*as*

**PROVINCETOWN CENTER FOR COASTAL STUDIES DAY**

*in the Town of Provincetown*

and encourages our citizens to express their gratitude, pride and continued support of the Provincetown Center for Coastal Studies.

**The Honorable Board of Selectmen**

**Raphael Richter, Chairman**

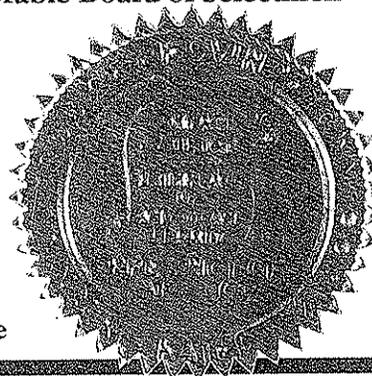
**Erik Yingling, Vice Chair**

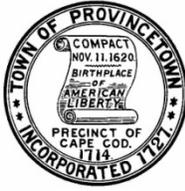
**Thomas Donegan**

**Cheryl Andrews**

**ATTEST: Town Manager David B. Panagore**

**Robert Anthony**





Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

7A

## NATIONAL MARINE SANCTUARY VISITOR CENTER

### Establish a Steering Committee

Requested by: BOS Chairman Raphael Richter

Action Sought: Discussion

#### Proposed Motions

**MOVE** that the Board of Selectmen vote to establish a Steering Committee made up of: \_\_\_\_\_, to assist with the study to determine the feasibility of locating the National Marine Sanctuary Visitor Center in Provincetown.

#### 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, May 23, 2016

7B

## TOWN-WIDE POLICY GOALS FOR FY2016

### Review and Discussion

Requested by: Board of Selectmen

Action Sought: Discussion

#### Proposed Motion(s)

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

#### Additional Information

See attached FY2016 Town-wide goals.

#### Board Action

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

<b>FY2015 Town Wide Policy Goals</b>	<b>Goals</b>
<p><b>1) Fiscal Management</b>  10 Year Financial Plan: A five year 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 the FY2016, 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.</p> <p>Review the Clifton Larson Allen audit and Management Letter and craft a compliance plan. Craft a Budget Direction Message for the Town Manager as policy guidance to use in crafting his FY2016 budget in September 2015.</p> <p>Unilaterally implement the so called condo tax. (Possible creation of a new rental agent position.)</p>	<p>The 10 year Financial Forecast was prepared and discussed with the Board of Selectmen in the fall of 2015. The Manager will again present an updated Forecast to the Board in September of 2016.</p> <p>The FY 2014 Management Letter update was distributed to the BOS in May 2015. The Board met in the Fall to discuss the contents of that report. The FY2015 Management Letter is now available and will likewise be reviewed prior to the FY2018 budget discussions.</p> <p>The town continues to pursue the extension of the Condo Tax with State Legislatures, in March Provincetown representatives met with Rep Sarah Peake and Speaker DeLeo to advocate for the bill's passage. The town also funded a seasonal Compliance Officer to work on Rental Certificate compliance; we are currently evaluating applications for that position.</p>
<p><b>2) Community Housing</b>  Develop a plan to achieve 10% affordable units in 3 years.</p> <p>Create and begin implementing a plan to create year-round rental housing. Adopt the Housing Summit Report and establish concrete goals.</p> <p>Develop strategies to increase our year round population as measured by local census.</p>	<p><b>Subsidized Housing Inventory [SHI]: 26 new units added in 2016.</b> Ongoing effort - The Town is currently certified at 9.9% which is equivalent to 210 units. 10% requires 213 units. This includes the recent addition of the 3 new units at the Grace Gouveia building and 23 at Stable Path. Note that 2 units on the certified list are duplicates; so we really have 208 SHI units and need 5 units or more to reach 213 units for 10%. There are currently NO units in the pipeline and we will have some units expiring beginning in 2017. Potential additions might include units at the former Community Center and units at the VFW lot. Only units up to 80% AMI are eligible and only units that meet DCHD criteria.</p> <p><b>Housing Action Plan:</b> BOS adopted in April 2014</p> <p><b>Provincetown Housing Playbook:</b> Staff developed initial draft March 2016 and is circulating with various boards, committees, and organizations. The Playbook summarizes all of the existing tools into three categories Affordable Housing [the traditional income limits], Community Housing [which expands up into middle-income], and seasonal workforce housing. The Playbook also lists potential action items and opportunities for the creation and development of community housing. A revised draft Playbook will be developed once organizations submit comments. It is expected that the Playbook will evolve as opportunities become available.</p> <p><b>Town Meeting Actions:</b>  <b>Creation of Year-round Rental Housing Trust:</b></p>

Investigate the creation of a community housing investment fund that would be presented to Town Meeting voters.

Pursue a program to purchase deed restriction on existing year-round rental properties that are either market rate rentals or affordable.

Finances:

- Work with Town's Representative to the General Court to create Year-round Rental Housing Trust.

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.

Development:

- Encourage public/private partnerships to create additional year-round housing.
- Stable Path & Grace Gouveia building: work with developers on facilitating completion of project including the development and implementation of the marketing and outreach for tenant selection. Creates 26 new units.
- 46 Bradford Street [former Community Center]: issue Request for Proposal; review submitted proposals; select qualified developer to facilitate the development of year-

2015 ATM adopts *Art 23. Creation of Year-Round Rental Housing Trust* - to petition the General Court for a Special Act creating a Year-Round Rental Housing Trust; the special legislation is pending. Art 24 approved \$1-million in funds for the Trust.

2016 ATM adopts *Art 6. Approved again the Creation of Year-Round Rental Housing Trust* - to petition the General Court for a Special Act creating a Year-Round Rental Housing Trust; the special legislation is pending. Art 33 approved \$500,000 in funds for the Trust which was approved at the ballot box bringing the total to \$1.5 million.

**46 Bradford Street [former Community Center]:** Mass Housing Partnership [MHP] provided technical assistance through structural engineering analysis and preliminary financial analysis to deem the property as potentially feasible for the redevelopment of community housing. MHP provided a template for a draft RFP. RFP issued with site visit 7/21/15 with 2 parties attending; no proposals received 9/17/15. April 2016 STM rejected acquisition of the Winslow Farms property at no cost in exchange for the former Community Center. It would have provided a move-in ready new home, land for the development of additional community housing, and access to the back of the VFW lot. Town is considering options for the issuance of new RFP.

**VFW:** several options were discussed by BOS on 3/28/16 regarding police station design at several locations; acquisition of Winslow Farms was defeated at April 2016 STM.

**DEVELOPMENT:**

**Grace Gouveia:** advertising for units began in August 2015 with info sessions on 9/12 & 9/23. 17 applications were received by 10/14/15 of which 11 moved forward to the lottery on 11/12/15 conducted at the Library. Certificates of occupancy were issued on 12/22/15 and tenants were allowed to move in 1/15/16. All 3 affordable units are occupied!

**Stable Path:** construction is well underway [92%+] with completion expected June 2016. 4/29/16, 14 of the 23 units received certificates of occupancy which will allow move-in by the end of May. Remaining 9 units may have COs by mid-May with occupancy May/June. Marketing & outreach started 11/5/15; HS attended process-training meeting on 11/4/15. All 23 of the Stable Path rental units, including the 5 median income units, have been added to the SHI. The HS helped coordinate and attended 2 info sessions at the VMCC on 11/14/15 & 11/18/15 and met with potential applicants. Community Housing Resource received 104 applications in response to 212 requests for applications postmarked by the deadline of 1/5/16. Of those 104, 68 qualified under local preference. Local preference policy allows up to 70% of the units at initial rent-up. 58 applications [56%] were from single-person households. The Housing Specialist participated in the lottery conducted on 1/15/16 which determined the review order of those applications; full review including interviews, references checks, and home visits continues until full occupancy.

**350 Bradford St.** Developer received 40B eligibility letter from Mass Housing dated 7/6/15; the developer has up to 2 years to file full 40B application with ZBA. Developer has now

round community rental housing. Creates estimated 10-15 new units.

- VFW site: evaluate options for the development of the VFW site as year-round housing and move forward with a Request for Proposal that fits that vision. Creates an unknown number of new units.
- 350 Bradford Street: work with developer on possible public/private partnership for the development of community housing that fits the Town of Provincetown. Potentially creates 6 new units.
- Continue to evaluate properties for possible development.
- Continue to evaluate tax title and owner's unknown properties for possible development.

Housing:

- Meet with Housing Council in July. Schedule the Housing Round Table for this fall.
- Hold a public hearing to gather input on the topic of year round rental housing.
- Craft an action plan for this year which includes engaging the public.
- GOAL: Create a minimum of 200 new community housing units by 2025, in accordance with the 2014 Housing Action Plan.

Alternative Housing:

- Pursue the possibility of co-op housing in town.
- Pursue various strategies to address homelessness and to prevent homelessness in Provincetown.

Encourage private sector to maintain year-round community housing units. Begin development of the VFW property By fall Town Meeting.

proposed 13 market rate units.

**Urban Land Institute:** 2-day technical assistance scheduled for June 8 & 9, 2016  
**Mass. Housing Partnership:** technical assistance mid/end of June regarding further development of housing in Provincetown including the development of small scale projects.  
**Tax-exemption Program:** town did an outreach program with the 2015 spring tax bills that generated a lot of interest which may result in more applications for next cycle with the higher eligibility rates and allows landlords to put in place year-round leases if they don't exist; HS will assist Assessor's office with the processing of these applications.  
**Path to Ownership:** Housing Office processed 7 resales of deed-restricted units finding eligible purchasers. The Community Housing Council sponsored a Homebuyer Workshop in Provincetown in December 2015 and provides scholarships to those that complete the series.  
**Homelessness Prevention:** The CHC approved HPC's request for additional funding [\$20,000] to continue the emergency housing & homeless prevention program on 8/24/15. The BOS approved on 9/28/15.

2015 ATM adopts *Art 21. Zoning Bylaw Amendment: Use Regulations Article: Accessory Dwellings in the Single Family Zone*

2016 STM Art# 7: Acquisition of Winslow Farms: **defeated**

2016 ATM Art #6: Year-Round Rental Trust: **approved!**

2016 ATM Art #16-6: AH Revolving Account: **approved!**

2016 ATM Art #17 - D: CPA for Housing Authority Expansion Planning \$60,000: **approved!**

2016 ATM Art #17 - E: CPA Housing Office \$117,982: **approved!**

2016 ATM Art #30: Zoning by-law Growth Management sector for year-round rentals: **approved!**

2016 ATM Art #31: Zoning by-law Definitions: **approved!**

2016 ATM Art #26: Condo Conversion: **defeated**

2016 ATM Art #32: Inclusionary Housing By-law: **Withdrawn for further study**

<p>Pursue zoning and growth management strategies to curb the rate of condo conversions:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Establish by-laws that slow the conversion of guest houses to residential use.</li> </ul> <p>Adoption and implementation of an inclusionary housing by-law. (Fall Town Meeting)</p>	
<p><b>3) Capital Improvements and Infrastructure</b></p> <p>Paving of Commercial Street and continue to implement the Paving Management Plan.</p> <p>Evaluate implementation plan from Cape Cod Commission Traffic flow study of Provincetown.</p> <p>Reducing unaccounted-for water: continue 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 in compliance with state regulations.</p> <p>Storm Drain Repairs/Storm Water Run-Off/Harbor and Beach Management Plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Special consideration should be paid to identifying solutions or alternatives to the Ryder Street Extension outfall pipe.</li> <li><input type="checkbox"/> Continue the pursuit of grants and other funding mechanisms in order to continue the process of completing these important drain rehabilitation projects each year.</li> </ul>	<p>The Town of Provincetown was awarded a \$1.96 Million Dollar Massworks Grant for the Phase 3 Reconstruction of Commercial Street. The construction project is scheduled to begin in September 2016 and complete by June 2017. In FY 2016 the Town paved over 2,000 linear feet of Bradford Street and another 230 feet of Dyer Street.</p> <p>Line painting at Lopes Square and bike sharrows on Shank Painter Road and Conwell Street will be painted in FY 2016 as per the Cape Cod Commissions Circulation Study. Other recommendations in their report have been conceptually designed by our transportation engineers and added to the 5-10 year CIP forecast.</p> <p>The Water Department is currently under the process of receiving a “water audit” under a MassDEP grant funded effort. This process involves following a comprehensive methodology developed by the American Water Works Association, and is a valuable tool in order to verify current suspected areas of water loss or discover areas not previously known and target specific areas of improvement. Additionally, the Water Department is performing a pilot study of permanently deployed leak detection loggers. This program permanently monitors water flow characteristics with data loggers deployed throughout the system to capture snapshots every day during low demand hours in an effort to pinpoint a specific area of leakage. If the system proved to be feasible, the cost of a full scale deployment will be examined.</p> <p>The Town of Provincetown has submitted a Hazard Mitigation Grant application to FEMA for the consideration of removing the Ryder Street Outfall off the beach and into a subsurface drainage system. The application was received well by the local authority (MEMA) who recommended the proposed the project to FEMA for funding. As the date of this publishing FEMA is still reviewing the application and no word of an award has been received.</p> <p>Through a grant award from the Executive Office of Energy &amp; Environmental Affairs Coastal Community Resiliency Grant Program the Town has been able to fully incorporate our stormwater infrastructure into the Towns GIS data system. Having the ability to access important attributes of stormwater assets from an office computer allows us to share information more readily with our engineers for improved planning and capital improvement</p>

	forecasting. In addition, the Town Wide Vulnerability Assessment has allowed us to better prioritize project according to the greatest risk to assets they pose.
<p><b>4) Government and Administration</b></p> <p>Recruit and hire a Town Manager; Lead efforts to make the new Town Manager successful.</p> <p>Evaluate Participation in the Barnstable County Government: Identify costs and benefits of participation:</p> <ul style="list-style-type: none"> <li>• County;</li> <li>• Cape Cod Commission;</li> <li>• miscellaneous agencies, and</li> <li>• seek approval to implement real estate transfer tax as a local opt-in add-on to County transfer tax.</li> </ul> <p>Seek bi-annual updates on Water Management Agencies and Provincetown’s participation and obligations to participate.</p> <p>Insertion of “hire local” wording into all contracts.</p> <p>Support and encourage Sustainable Energy Generation:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Seek revision of zoning by-laws as required to allow for appropriate Solar and Wind generation in all town districts.</li> <li>• 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.</li> </ul> <p>Energy:</p> <ul style="list-style-type: none"> <li>• Adopt an updated Energy Reduction Plan to continue reducing the Town’s energy use.</li> <li>• Seek funding for studies and implementation of renewable energy on town-owned property.</li> <li>• Seek revision of zoning by-laws to exempt renewable energy, including wind and solar power, from Historic District Commission review.</li> <li>• Establish a Green Revolving Fund that will allow savings through the Town’s agreements with the Cape and Vineyard</li> </ul>	<p>Town Manager David Panagore started in September 2015.</p> <p>2016 ATM Article 24: General Bylaw: Historic District Solar Exclusions. <b>Defeated.</b></p> <p>2011 STM 14: Zoning Bylaw: Amend Section 2440 to allow both small scale and large scale solar uses, created Article 8 Solar Mounted Photovoltaic Installations.</p> <p>Working with CVEC on potential for next round of solar facility RFP.</p> <p>The Town has an Energy Reduction Plan as part of our Green Communities status. Town Meeting funded the School HVAC project in the fall which is currently underway. We also obtained a Green Community grant for the replacement of the boiler at the Freeman Street building.</p>

Electric Cooperative to fund expansion of renewable energy generation in Provincetown.

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.

Community Government:

- Reestablish 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 and address community issues. By reestablishing and implementing strategies such as the community policing committee and 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 government allows the public to have a voice in their community.

Continue commitment to Community-Oriented Policing.

Community policing is an agent of empowerment, creating a sense of joint responsibility and a joint capacity for addressing issues of concern to the community and your police personnel.

- The department goal is to be more accessible to, and accepted by, our community while providing more efficient and effective services.

Begin work on a citizen's survey:

- The first stage of identifying problems from the community's perspective.
- Identification of logical next steps for the police department.

Encourage increased turnout at Town Meeting:

- Evaluate a "consent agenda" approach to routine articles.

Town Meeting survey completed at the April town meeting.

<ul style="list-style-type: none"> <li>• Prepare a plan to use alternative seating for Town Meeting voters.</li> <li>• Increase publicity of Town Meeting.</li> </ul> <p>Seek consolidation of permits, revenue and collection functions in FY2016 Budget:</p> <ul style="list-style-type: none"> <li>• Leverage online payments and collection functions.</li> <li>• Enhance risk management.</li> </ul>	<p>Continue to develop online payment and permit process opportunities.</p>
<p>5) Economic Development, Tourism and Year-Round Economy Initiate an update of the Local Comprehensive Plan (LCP).</p> <p>Explore private/public partnerships in economic development.</p> <p>Foster and support initiatives, including taxes and fees that encourage a year-round economy.</p> <p>Economic Development of the Harbor:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p>Natural Resources:</p> <ul style="list-style-type: none"> <li>• Seek revision of harbor regulations to reduce the negative impacts of personal boats on Town beaches and beach grass.</li> <li>• Seek funding to implement a beach management and nourishment pilot project to help protect Provincetown property from storm damage</li> </ul> <p>Town-Wide:</p> <ul style="list-style-type: none"> <li>• Request Town Meeting to make a Charter change to adjust timeframe of the close of warrant, annual town meeting and the annual election.</li> <li>• Bring police station schedule and design funding to Town Meeting.</li> </ul>	<p>LCP process has begun. Visioning session held in March</p> <p>Economic Development Committee has been formed and continues to meet on a regular basis.</p> <p>Working closely with the new owners of the Provincetown Marina to further develop facilities for the boating community.</p> <p>Adopted off-season boats on beach restrictions. Continue to develop the kayak storage program, installed kayak racks in West End, Johnson Street and Ryder Street beaches.</p> <p>Staff has met to develop an alternative town meeting and election cycle schedule.</p> <p>Worked with the Architect firm to right size the proposed police station and evaluate the Shank Painter and Jerome Smith sites.</p>

Town-wide Bicycle Master Plan:

Continue to pursue Provincetown as a bicycle-friendly destination by the following:

- a public awareness and safety campaign;
- the implementation of bicycle improvements and amenities throughout town;
- connect bike paths with Truro, and
- review Provincetown's bike ability study from the Massachusetts Bike Coalition

(MassBike).

Fund a full-time case worker to coordinate and facilitate care to the mentally ill and those with substance abuse issues as a government position or as a grant to a non-profit.

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.

Bike Committee is a part of the Outer Cape Bike and Pedestrian Task Force working to complete the Rail Trail from Wellfleet to Provincetown. BC continues effort to educate the public of both laws and habits that affect the interaction of people and movement. Both Commercial and Bradford present unique problems and have different needs. Participated in both Year-Rounders outreach to foreign workers during the World Fest. Attempting to educate the tourists who arrive in tour bus groups. Working with the Provincetown Police Department to coordinate efforts and appoint a Police Liaison. Reprinting our Bicycling Brochure and seeking other ways to help people get around on a bicycle in Provincetown.

BC involved with the construction of the bike link between Beech Forest and Bradford St. via Cemetery Road; and the installation of sharrows on Shank Painter Rd and Conwell Street.

Navigator Program is funded and onboard.

Provincetown 400 Committee continues to meet monthly. They are currently in a hiring process for the Executive Director.

The Bas Relief restoration project is ongoing. The landscape architect team has been hired and is schedule to produce a restoration plan and Park Master Plan by December 2016.

We continue to work closely with the Plymouth 400 Committee

The Selectmen continue to meet with the Superintendent on a regular basis.

<p>Seek the Establishment of the Stellwagen Bank Marine Sanctuary Visitor Center in Provincetown</p> <ul style="list-style-type: none"> <li>• Meet with VSB, Chamber of Commerce, Town Counsel, and Center for Coastal Studies to establish joint goal.</li> <li>• Tourism Office to work with local and regional stakeholders to develop an advisory group.</li> </ul> <p>Support efforts to restore the Bas Relief and to support completion of Fisherman's Memorial sculpture and AIDS Memorial. Bring higher education to Provincetown.</p> <p>By Town Meeting Resolution and Board of Selectmen Letter support Senator Dan Wolf's initiative to give municipality's independent authority to raise the minimum wage.</p> <p>Collaborate with the Planning Board to create zoning that allows food trucks. (Spring Town Meeting)</p>	<p>Town Meeting funded feasibility study for location of the Marine Sanctuary in Provincetown. Creation of the Steering Committee is underway.</p> <p>The Bas Relief restoration project is ongoing.</p>
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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

7C

## BOS AGENDA AND ROUND TABLE TOPICS

### Discussion

Requested by: BOS Chairman Raphael Richter

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>

## **TOPICS FOR DISCUSSION**

### **Agenda Topics:**

Update on the Pier Repairs - floating docks and wave attenuators.

Current Status and Review of February 2013 FEMA & MEMA grant applications.

Current Status and Review of Winter Storm 2014 FEMA & MEMA grant applications.

Parking Revenues and Operations.

Parking Systems- Updates & Further Opportunities.

Staffing.

VFW Site- RFP for Development.

Police Station. Receive recommendations for the Town Manager and Building Committee.

Updates of Economic Development Position.

Updates on Compliance Officer.

Update on Long Term Comprehensive Plan with focus on Water Front issues. (Joint meeting).

Charter Commission - Format for Board of Selectmen Input.

The fiscal outlook for Provincetown's Budgetary Vision for 3, 5 and 10 years.

Economic Development both Year-round and Seasonal.

Community Housing and Available Town-owned Property.

Inclusionary Housing By-law.

Joint meeting with the Planning Board & Real Estate/Developer Community.

Joint meeting with Truro Board of Selectmen & CCNS Superintendent George Price re: old Truro Air Force Station.

Placement/Guidelines for Signs and Banners.

### **Round Table Topics:**

Improving Town Meeting and Town Meeting Attendance.

Workforce Housing.

Structure/Process for Housing Trust.

Year-round Economy.

Condo Conversion By-law.

Lobbyist.

Review Economic Development Permit Process & Criteria.

Consensus Building.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

7D

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## TOWN MANAGER'S REPORT

### Administrative Updates

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

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

Additional Information

Board Action

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

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

7E

## NANTUCKET VISIT

### Discuss Potential Jnt. Mtg. & Staff Collaboration of Mutual Issues

Requested by: BOS Chair Raphael Richter & Town Manager David B. Panagore 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, May 23, 2016

7F

## OTHER

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



Provincetown Board of Selectmen

**AGENDA ACTION REQUEST**

Monday, May 23, 2016

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:**

- February 16, 2016 (Special)                     as printed     with changes so noted
- February 22, 2016 (Regular)                 as printed     with changes so noted
- March 28, 2016 (Regular)                     as printed     with changes so noted
- May 9, 2016 (Regular)                         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  
MEETING MINUTES - SPECIAL MEETING  
TUESDAY – FEBRUARY 16, 2016 – 5:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET  
DRAFT**

Chairman Donegan convened the open meeting at 5:00 p.m. noting the following attendees:  
Board of Selectmen members: Thomas Donegan, Erik Yingling, Cheryl Andrews, and Robert Anthony.

Excused: Raphael Richter

Other attendees: Town Manager David Panagore, Assistant Town Manager David Gardner, Town Planner Gloria McPherson, Planning Board Members: Grace Ryder-O'Malley, James Woods, Brandon Quesnell, Ryan Campbell, and Steven Baker, and Historic District Commission: Marcene Meroux, Laurie Delmolino, Thomas Biggert, Lisa Pacheco, and Martin Risteen.

Recorder: Loretta Dougherty

Selectman Anthony recused himself and left the meeting at 5:04 p.m.

**1. & 2. Joint Meeting with the Planning Board -Proposed Zoning Bylaw Amendments for 2016 Spring Town Meeting and Referral of Articles to the Planning Board for Public Hearing: and Review of Proposed Inclusionary Zoning Bylaw Amendment for 2016 Spring Town Meeting:**

There will be a Public Hearing held on February 29<sup>th</sup> where any public comments and correspondence received by the Board will be read. The Planning Board called their meeting to order. The above mentioned drafted by-laws may be found in their entirety on the Town's website under the Board's agenda packet.

Town Planner Gloria McPherson gave an overview of the purpose and intent of the Inclusionary Housing By-Law noting the primary purpose is to encourage the creation of a range of housing opportunities for households of all incomes, ages, and sizes; to mitigate the impact of residential development on the availability and cost of housing; to protect the long-term affordability of such housing through appropriate, enforceable restrictions that run with the land; to provide a mechanism by which residential development can contribute in a direct way to increasing the supply of affordable and community housing in exchange for a greater density or intensity of development that is otherwise permitted as a matter of right, and to support the goals of Provincetown's December 2006 Affordable and Community Housing Action Plan; updated January 2014. The secondary purpose being to create dwelling units eligible for inclusion in the Town's Chapter 40B Subsidized Housing Inventory. She spoke at length to the applicability of the by-law within all zoning districts; the mandatory provision of affordable units for all developments; density bonuses ; submission requirements and procedures; provisions applicable to affordable and community housing units located both on-site and off-site; distribution of affordability; maximum incomes and selling price-affordable and community housing inventory; marketing plan; segmentation; conflict with other by-laws, and severability.

Cheryl asked about the quality of fixtures being used in the affordable units versus market rate units and at what locations the units would be built. She stated that the idea that we would expect the developer to spend for high end fixtures for the affordable units, as in the market rate units, does not make sense to her. She would like to see the savings put into an affordable housing account rather than having the same fixtures in the affordable housing as in the market rate housing. She asked for a couple of examples so that she can better understand the differences.

Erik understands what Cheryl is saying but wants to have the same fixtures in the affordable units as in the market rate units.

Town Manager David Panagore asked that we have a discussion on this at the Board's February 29<sup>th</sup> meeting noting that the fee we get is based upon the average price of the unit. If we lower the quality of the amenities, it lowers the price of the unit itself. We need to treat everyone equally; the Attorney General will look at this.

Tom does not want to make decisions for the developers. We do not want to create a subclass.

There was discussion regarding rental units and how they might come up with the upfront payment for rentals. Gloria stated that maybe we can work out a payment plan (short-term).

Cheryl wanted to know how we could use the rules dealing with financing to make this happen. She wants us to look at rental properties; year-round.

Tom stated that there are no governmental assisted rentals in Provincetown. He asked for the Planning Board's thoughts on the density bonus and incentives.

Asst. Town Manager David Gardner stated that staff will work on some scenarios and bring them back to the Board; the Town Manager will look into bringing back some modified thresholds, and Gloria will make up a few scenarios to bring back to the Board for Res 1 specifically.

**No action was taken.**

**Public Comments:**

Paul Kelly wanted to know specifics regarding at what point Growth Management would come into play; does it depend on the size of the building. Are there any height requirements, what if you were going from rental to condo, and what if the property is not in a residential zone at present such as the old Community Center.

Gloria stated that density is automatic and then the Planning Board would have the ability to waive some requirements. The abutters would come before the Planning Board before anything could be waived.

Louise Venden hopes that this will be very clear at Town Meeting; the presentation has to be made so the public can understand it.

Doug Dolezal thanked everyone for all the work that has been done on this. He is a strong supporter of affordable housing and as an architect in Boston has worked on many projects; senior housing, micro housing, etc. He is not in favor of in lieu payments being set up as they are extremely expensive. One implication is that everyone is a developer and a lot of people own their units and may want to participate. He will put his concerns in a letter for the February 29<sup>th</sup> Public Hearing, and feels that this by-law will not create the affordable housing that we need.

Joe DeMartino appreciates all the work that has been done, and believes the density bonus will work but the in lieu payment of five or less units will not. When you think about 10% for developers; they plan to make 20% on a project, and if you are going to take one-half of that from them, this is not an incentive. He believes that the in lieu payment idea will kill most of what we want to do here in small developments.

Erik asked if a lesser percentage would work.

Joe stated that it has to be a win for the Town and developer. The density bonus offers that. The housing crisis is a community problem; not a developer's problem. He would be in favor of taxing even the visitors. He is not in favor of the payment in lieu for the small projects. It will have a huge impact on the economics in this town; contractors, plumbers, etc. He is in favor of taxing all of us to create a fund. He is suggesting a broad based tax that everyone pays and puts into some kind of trust fund; the town figures out how to build it.

David G. stated that we need to explore this further as we cannot accommodate this through density alone; we do not have the land. The taxpayers already fund an affordable 3% surcharge on taxes; 3% Land Bank on the taxpayers. The taxpayers dedicated \$1 million dollars to the Housing Trust. The Land Bank goes away in 2020, and there is no identified funding for the affordable housing. The market is not serving the needs; it is not the individual developers fault, it is the market. We have to figure out what the middle ground is so that it works for the housing market, the developers and the community as well. We will continue to tax to pay affordable housing.

Tom stated that on a \$1.5 million dollar real estate deal, \$150,000 is a lot of money but not out of the ballpark. The question is does the value come out of the land; most of this is redevelopment.

Planning Board adjourned at 6:35 p.m., and Selectman Anthony came back into the meeting at 6:36 p.m.

**No action was taken.**

**3. Joint Meeting with the Historic District Commission-Proposed General Bylaws for 2016 Spring Town Meeting.**

Discussions were held as follows:

**General Bylaw Section 15-11 (12. Siding):**

**Marcene Marcoux** was very concerned about this process as it is unprecedented. There has never been a change to the by-laws that have not come from within the HDC. This has never happened and she has a legal

2

question; is it legally correct to have changes coming from outside the HDC. She wants clarification that this is a legal process. She also has concerns that the hardie board is a health risk.

**Cheryl Andrews** understood her concern, but asked only to hear what the HDC thinks of these changes. Cheryl wanted to have a discussion on the merits of these changes. She would like to see any articles related to health concerns about the hardie board to be sent to her.

**Tom Donegan** stated that any 10 citizens can petition changes to the by-laws. It is a policy setting decision; Town Meeting has the right to make these rules. He has had hardie board on his home for nine years and it is holding up very well. The challenge is fire; we had a fire this past summer which was stopped by a bucket brigade before the firefighters got here. We have the tools (materials) to mitigate this. We have aged wood in town and it burns very fast. Hardie board has an aesthetic view; we have the ability to mitigate fire risks – this is something to be considered.

**Thomas Biggert** had concerns about these products not being green products. He wanted to hear what the Fire Chief, Health Agent, and Conservation Commission has to say. He believes that hardie board is like asbestos and he has concerns about the health effects.

**Lisa Pacheco** informed the Board that there is a major class action suit against the manufacturers of hardie board. The hardie board does not hold up in the northern areas. As an inspector, she has to inform people that there is a major class action suit. She does not want to see certain buildings in town change their old architectural antique look. She wants this to be a case-by-case review. Public safety always overrides HDC re: particular fire ratings between buildings.

**Robert Anthony** wanted to make clear that the class action suit was not because of the toxicology or what the product was made out of but rather due to the fact of the amount of time the hardie board lasts.

The HDC does not believe this should be brought before Town Meeting until other questions are answered.

#### **Demolition Permits (General Bylaw Section 11-1-5-3. Procedure):**

**Thomas Biggert** was in favor of the general by-law changes presented to the HDC regarding demolition permit procedures. He believes it is a good by-law change.

**Marcene Marcoux** was in favor of this by-law change.

Everyone was in agreement that this by-law change is good.

#### **Solar Panel Exemptions (15-9 Exclusions):**

**Thomas Biggert** stated that the HDC has embraced solar panels; they did not many years ago. These are reviewed on a case-by-case basis. He believes they should not be allowed as mandatory on Commercial Street. The HDC has educated themselves and believe they are in line with what other towns in MA are doing.

**Tom Donegan** stated that this is drafted by staff relating to the HDC procedures. What this does is tells the public if they can put solar panels on their houses. It still gives room for the aesthetics. This seems to be a good thing.

**Marcene Marcoux** spoke about the Sage Inn; they have 72 solar panels. It is the placement that they work on more. She wants more people to know they are friendly towards the use of solar panels.

**Martin Risteen** wants to provide an opportunity for alternatives for those who cannot have panels in a certain location. The HDC will work with anyone to help them figure out alternative locations around their property where solar panels might be placed.

**Laurie Delmolino** would have had something more presented concerning this but was not aware we would be talking about this. She met with a solar company and is interested in looking into the possible creation of a community solar program re: placing solar panels on carports, areas along the edges of municipal properties, parking lots, soccer fields, and all available land. A company is interested in talking more about it. This has happened all over the country and helps keep the historic properties protected by allowing us to take part in these programs. The only houses they are sensitive about are on Commercial Street.

The HDC would like to see the language tightened up on this. They want to discuss this at their next meeting; codify its and make it simply for the applicant.

Each of the Boards thanked each other for their expertise and commitment to one another.

HDC adjourned at 7:48pm.

**No action taken.**

**4. Proposed Articles for the 2016 Annual & Special Town Meetings:**

David P. recommended putting in language for Article 2 (FY2017 Revolving Accounts. Item 1. Preservation of Town Hall Auditorium) to have a part-time manager oversee the events held in the auditorium.

Erik wants to make sure that Article 7(Fireworks Celebration) has enough funds for both the New Year's Eve and Fourth of July fireworks.

Tom wants to see an amended by-law that deals with those properties that are being used as commercial instead of residential.

**No action taken.**

**5. Proposed Condo Conversion By-law Amendments for 2016 Spring Town Meeting.**

Robert recused himself at 7:57 p.m.

David P. stated that the Condo Conversion By-law has not changed since the Board last saw it.

Cheryl wanted to have a comparison of what existed in the original by-law from many years ago, and what is being presented now.

David P. will draw that up for her. He pointed out that the last three items in this by-law (7, 8, & 9) were not in the first by-law presented to the Board.

There is a Public Hearing regarding this by-law scheduled for February 29<sup>th</sup>.

**No action taken.**

Robert returned to the meeting at 7:59 p.m.

**6. Other:** None.

Without objection the Board adjourned at 8:01pm.

Minutes transcribed by: Loretta Dougherty

4

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - REGULAR MEETING  
MONDAY – FEBRUARY 22, 2016 – 6:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET  
DRAFT**

Chairman Donegan convened the open meeting at 6:00 p.m. noting the following attendees:  
Board of Selectmen members: Thomas Donegan, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Excused: Erik Yingling

Other attendees: Town Manager David Panagore, Assistant Town Manager David Gardner, Director of Health & Environment Morgan Clark, DPW Director Richard Waldo, Police Chief Jim Golden, Town Clerk Doug Johnstone, GHD Manager Russ Kleekamp, and GHD Engineer Jessica Janney

Recorder: Loretta Dougherty

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

A. *Treasurer's Transfer – History Project Gift Fund – to pay invoice from GovConnection, Inc. for Large Bed Scanner, in the amount of \$2,425.00.*

**MOTION: 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 \$2,425.00 from the History Project Gift Fund to pay for the attached invoice(s).**

B. *Treasurer's Transfer – Library Gift Fund – pay invoices from Sir Speedy (\$545.02) and Matt Clark (\$19.83) totaling \$564.85.*

**MOTION: 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 \$564.85 from the Library Gift Fund to pay for the attached invoice(s).**

C. *Treasurer's Transfer – Holiday Lights Gift Fund – to pay invoices from All In One Design (\$1,400) and Dunes 102 FM (\$500) totaling \$1,900.00.*

**MOTION: 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 \$1,900.00 from the Holiday Lights Gift Fund to pay for the attached invoice(s).**

**Without objection the reading of the Consent Agenda was waived and without objection the Consent Agenda was approved by unanimous consent.**

1. **Public Hearings:** None.

2. **Public Statements:**

Doug Johnstone appeared before the Board and spoke about the need for volunteers to serve on the Town boards and committees. There is a list of positions available on the Town's website for the public's consideration. He also reminded everyone that there is an election to be held on May 3, 2016, and the deadline for submitting papers for anyone wishing to run for an office is March 15, 2016.

3. **Selectmen's Statements:**

Tom asked David P. to give a brief update on properties being considered for a swap.

Town Manager Panagore stated that Mr. James Savko will sell Winslow Farms for a swap for the old Community Center. This will come before Town Meeting. Appraisals are at approximately \$600,000 for 46 Bradford Street and \$2.3 million for Winslow Farms. This is a bargain sale resulting in a tax deduction for Mr. Savko. In turn is for the rights to develop seven condos with three bedrooms at the old Community Center which would require additional gallons under Growth Management. The Board has authorized staff to pursue this transaction and to prepare articles for the town warrant for the Board's review. We are proceeding to look at this transaction and bring it to a final form. We will move to engage everyone involved.

Cheryl asked everyone to attend Town Meeting. The housing issue is on everyone's mind and only Town Meeting can spend money. We need people to get a little more involved, and we need the feedback from the public.

Robert had no comments.

Raphael agrees with Cheryl regarding Town Meeting and everyone's participation. It is important that we all participate. He reminded everyone that the Year-rounders' festival is on March 12<sup>th</sup> and there will be lots of community exhibits and crafts. It is a great event with food, raffles, and music.

Tom has heard a lot about the Inclusionary By-law and pending articles and appreciates the feedback both positive and negative. It helps him to hear these comments. He complimented the Town Manager and staff in the Assessor's office regarding their preparation of the residential exemption policy. He also reminded everyone to vote in Provincetown next Tuesday at Town Hall in the presidential primary election, and if anyone is not going to be in Town be sure to get an absentee ballot at the Town Clerk's office.

4. Joint meeting / Presentations: None

5. Appointments: None.

6. Requests:

**A. Requesting Approval of Board of Health Fee Schedule, as determined at a Public Hearing on Thursday, February 4, 2016:**

Morgan Clark and Stephen Katsurinis appeared before the Board. Morgan presented the Board of Health Fee Schedule. There was a fee added for requesting paper applications in hopes of creating an incentive to use the online applications once they are up and running. There was also an increase in the fee for a renter's certificate.

Steve added that the fees best estimate the actual cost to process a paper application. Cheryl asked who sets the fees.

Asst. Town Manager Gardner stated that the General By-law states that for all appointed Boards the Board of Selectmen have to approve them.

**MOTION: Move that the Board of Selectmen vote to approve changes to Board of Health fees Part VIII, Art. 1 – Fee Schedule, as presented.**

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

**4/0/0 Motion passed.**

**B. Approval of a Contract Agreement in the Amount of \$240,000 for Engineering Services Associated with Phase III Reconstruction of Commercial Street:**

Rich Waldo, GHD Manager Russ Kleekamp and Engineer Jessica Janney appeared before the Board presenting the contract proposals for the engineering design services associated with Phase III of the reconstruction of Commercial Street. The Town was the recipient of a \$1.96 million grant through the MassWorks Infrastructure Program and along with a \$600,000 approved appropriation (ATM14 Art1-13) provides sufficient funding to proceed with the project. The contract includes attendance by GHD engineers to five Public Hearings that will allow residents and business owners to learn of the project, voice their concerns, and to ask any question pertaining to the design and construction. After the contract execution, the engineers will come before the Board within 45 days to provide a project schedule, schedule of public outreach, and inform the Board of such things as hours of construction, contact information and instructions on how to sign up for their public notification system "e-blast."

Raphael asked about the survey markers; some contractors had concerns about these markers not being clearly or easily identified. He asked them to address this. He is in favor of moving forward with the project.

Russ assured the Board that they will identify all of the markers both on public and private property and markers will be put back appropriately. They will be doing very limited work on private property. There will be no land taking or easement issues, and agreements will be in place between property owners and the Town. They may have to do a detailed survey for some properties, if needed.

Cheryl hopes they put the energy into contacting everyone because the property owners do know where their markers are located.

Russ stated if they cannot reach them by mail; they will go door-to-door and make phone calls. He will also leave his business card with his cell number for them to contact him directly.

Tom stated we have a standing request regarding consideration of maintaining the bushes, hedges, sidewalks, parking spaces, and fences.

Rich stated they are looking into all of those issues. We may lose some, but we will have the answer for the Board.  
**MOTION: Move that the Board of Selectmen vote to approve a contract agreement in the amount of \$240,000.00 between the Town of Provincetown and GHD, Inc., 1545 Ivannough Road, Hyannis, MA 02601 for engineering services associated with Phase III reconstruction of Commercial Street.**  
**Motion: Raphael Richter** **Seconded: Robert Anthony**  
**4/0/0 Motion passed.**

**C. Police Report for the Month of January 2016:**

David P. and Chief Golden presented a new format of the Police Report which may be found on the Police Department's web page.

The Board reviewed the new format and made some recommendations. Raphael believes that the report may answer a lot of questions as to what the Police Dept. is doing.

Tom wants to see the alarm calls and 911 calls by cell phone that go to the state police. He wants to see anything trending such as larcenies, social service calls for help with domestic or incapacitated persons. Anything that the Board might need to make a policy decision around.

Robert would like to see the number of noise complaints, and some follow-up information on the noise complaints along with what mediation was done, if any.

Chief Golden stated that they very rarely have returns calls on noise complaints. The Department has changed from the information to the enforcement stage. Around 60% of these calls are neighbor complaints.

**No action was taken on this item.**

**D. Review and Discussion of Existing Noise Bylaw:**

Tom has heard directly from citizens about the need for a palatable noise by-law. He stated that a petitioned article may come before Town Meeting, if we do not bring up one.

David P. has gone over the history, has inquired within the state of MA, and received about five responses so far. There is nothing new. His only recommendation would be to look at something to distinguish between commercial and residential districts (geographically) using the decibel approach and to put good resources into training. Most ordinances fail because staff does not spend enough time on it. He is looking at drafting something along those lines with limited Town Counsel assistance.

Cheryl is curious about the statute regarding disturbing the peace. She used the example of when your next door neighbor is keeping you up all night versus the understood noise on Commercial Street.

Chief Golden believes the solution is a more enforceable by-law. Disturbing the peace is a criminal offense; using this changes a civil offense to a criminal offense. The Department uses this tool only in the instance they have to arrest someone.

Robert stated they tried using decibels on Commercial Street and noted that if you cannot identify the sources it defeats the purpose of trying to detect where the noise is coming from.

Raphael stated that is it not something we will be able to do before Town Meeting. He believes that the system we have is actually working based upon what has been transpiring.

David P. will ask Town Counsel what they have done recently in this area and will get back with the Board within the next week.

**No action was taken on this item.**

**E. Approval by the Board of Selectmen to Insert a Ballot Question on the May 3, 2016, Annual Town Election Ballot Regarding a Petition to Elect A Charter Commission to Revise the Charter of Provincetown:**

Town Clerk Doug Johnstone appeared before the Board presenting the Provincetown Board of Registrars certification that a total of 440 signatures of registered voters (15%), in the Town of Provincetown have requested a revision to the Charter of Provincetown.

**MOTION: Move that the Board of Selectmen, in accordance with MGL C. 43B, vote to insert the following ballot question on the May 3, 2016 Annual Town election ballot: "Shall a commission be elected to revise the Charter of Provincetown?"**

**Motion:** Cheryl Andrews  
4/0/0 Motion passed.

**Seconded:** Raphael Richter

**7. Town Manager / Assistant Town Manager:**

**A. Town Manager's Report:**

**i. Legislative Request for Clarification of the Definition of the Rental Housing Trust:**

David P. was approached by Representative Sarah Peake who asked for clarification regarding the definition of "market rate" in the proposed Year-Round Market Rate Rental Housing Trust Home Rule Petition. He spoke with Town Counsel and staff and a memo presented to the Board laid out four options to consider for responding to the Representative's inquiry.

The Board reviewed the memo (memo may be found on the Town's website in the agenda packet), and agreed that Option 2 is the best. Option 2 states, "For purposes of this act, the phrase 'market rate' shall refer to rental housing which is not restricted to occupancy by low or moderate income households, as those terms are defined in section 38D of chapter 121B; provided, however, that "market-rate housing" may be available for occupancy by households without regard to income and may also include housing subject to maximum income limits to be occupied by households with gross income greater than 80 per cent but not more than 200 per cent of the area median household income as most recently determined by the United States Department of Housing and Urban Development, adjusted for household size. The trust may enact regulations establishing alternative or additional definitions for 'market rate.'"

David P. stated that this allows the Trust to be able to charge rent that the people who live here can afford.

**MOTION:** Move that the Board of Selectmen vote to adopt for the purpose of legislation Option 2, as presented by the Town Manager.

**Motion:** Tom Donegan  
4/0/0 Motion passed.

**Seconded:** Raphael Richter

**ii. Massachusetts 400 State Commission:**

David P. stated that given the amount of effort Selectman Andrews has put in on this issue she is the perfect person to serve on the newly forming commission for the Plymouth 400<sup>th</sup> anniversary.

**MOTION:** Move that the Board of Selectmen vote to designate, at the request of Governor Charles Baker, Selectman Cheryl Andrews to serve on the newly forming commission for the Plymouth 400<sup>th</sup> anniversary, and its related activities including the Massachusetts 400 State Commission.

**Motion:** Raphael Richter  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

**B. Potential Town Meeting Articles & Bylaws:**

David G. went over the articles with the Board.

**Special Town Meeting Articles:**

Article 4: National Marine Sanctuary Visitor Center in Provincetown. Add language after \$17,000 "in matching funds."

Article 5: Parking Kiosk Upgrade. David P. stated that this is an upgrade to the system that will allow for credit cards to be used in all of our parking lots. If the systems are not up and running by April 1<sup>st</sup>, we may once again have free parking for April in the lots, if necessary.

Raphael stated that we may want to do outreach to any of the businesses that are doing marketing, if we are going to have the free parking in April.

Article 6: Provincetown 400 Executive Director. David P. stated that this is a grant and it will be specified as a grant for employing a part-time executive director for Provincetown 400.

Article 7: Winslow Property. David G. stated that this is still in the drafting process to see what sum the Town will vote to raise and appropriate or transfer from available funds for the purpose of acquisition.

**Annual Town Meeting Articles (Consent Agenda):**

Article 6: Fireworks Celebration. Fireworks for the New Year's Eve & Fourth of July events will be taken out of the Consent Agenda and placed in the regular agenda due to the increase in monies from the originally approved amount of \$22,000 to \$32,000.

**Annual Town Meeting Articles:**

Article 13: General Bylaw Amendment: Non-Criminal Disposition of Pier Corporation Regulations. David P. will check with Town Counsel to determine whether this article needs to appear in the warrant every year or not.

Article 23: Zoning Bylaw Amendment: Definitions – Affordable and Community Housing. Changed 120% to 160% at the Town Manager's recommendation.

Article 25: Zoning Bylaw Amendment: Article 6 Growth Management Section 6400 Priorities. Raphael asked how long the deed restriction will be regarding 2a for creation of any deed restricted year-round rental units or units. David G. will send the February 8<sup>th</sup> Growth Management report to the Board.

**C. Other:** None.

**8. Minutes:**

The Board reviewed the set of minutes and motioned to approve.

**MOTION: Move that the Board of Selectmen approve the minutes of April 27, 2015 (Special), as submitted.**

**Motion: Raphael Richter  
4/0/0 Motion passed.**

**Seconded: Robert Anthony**

**9. Closing Statements/Administrative Updates: None.**

David P. has met with Butch regarding the Airport Commission's contract to be renewed July of 2017. He has gathered all the numbers and will present to the Board in the future.

There was no Executive Session this evening.

Without objection the meeting was adjourned at 8:21 p.m.

*Minutes transcribed by: Loretta Dougherty*

9

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - REGULAR MEETING  
MONDAY – MARCH 28, 2016 – 6:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET  
DRAFT**

Chairman Donegan convened the open meeting at 6:00 p.m. noting the following attendees:

Board of Selectmen members: Thomas Donegan, Erik Yingling, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Other attendees: Town Manager David Panagore, Assistant Town Manager David Gardner; DPW Director Richard Waldo, Police Chief Jim Golden, Building Committee Chairman Tom Coen, Cape Cod Regional Tech High School Superintendent Bob Sanborn, GHD representatives Russell Kleekamp and Jessica Janney,

Recorder: David Gardner & Loretta Dougherty (off video tape)

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

- A. *Treasurer's Transfer – Library Trust Fund (Flores Fund), to pay Ingram Library Services for books/videos, in the amount of \$4,564.82.*

**MOTION: Move that the Board of Selectmen vote, as Commissioners of the Library Trust Fund – Flores Fund (#1626), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Trust Fund – Flores Fund (#1626) to pay \$4,564.82 for the attached invoice from Ingram Library Services.**

- B. *Parade Permit submitted by Amanda Morris, 3 Sylvan Lane, N. Truro, MA, on behalf of Helping Our Women, for a "Walking Home" fundraiser to be held on Saturday, April 16, 2016, from 9:00 a.m. to 11:00 a.m.*

**MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Amanda Morris, 3 Sylvan Lane, N. Truro, MA, on behalf of Helping Our Women, to hold a "Walking Home" fundraiser on Saturday, April 16, 2016, starting at 9:00 a.m. to 11:00 a.m.**

- C. *Parade Permit submitted by Sean McCabe, 4 Sunset Avenue, #2, Jamaica Plain, MA, on behalf of the 6<sup>th</sup> Annual Provincetown 10K Charity Road Race to be held on Sunday, June 5, 2016, from 9:00 a.m. to 12:00 p.m.*

**MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Sean McCabe, 4 Sunset Avenue, #2, Jamaica Plain, MA 02130, on behalf of the 6<sup>th</sup> Annual Provincetown 10K Charity Road Race, to benefit Outer Cape Health Services, to be held on Sunday June 5, 2016, starting at 9:00 a.m. to 12:00 p.m.**

- D. *Parade Permit submitted by Recreation Director Brandon Motta, 2 Mayflower, Provincetown, MA, on behalf of the Provincetown Recreation Department, for the Fourth of July Parade to be held on Monday, July 4, 2016, from 11:00 a.m. to 1:30 p.m.*

**MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Recreation Director Brandon Motta, 2 Mayflower, Provincetown, MA 02657, on behalf of the Provincetown Recreation Department, for the Fourth of July Parade to be held on Monday July 4, 2016, starting at 11:00 a.m. to 1:30 p.m.**

- E. *Parade Permit submitted by Executive Director Erin Atwood, 225 Bradford Street, #2, Provincetown, MA, on behalf of the Provincetown Business Guild, for the 38<sup>th</sup> Annual Carnival Parade to be held on Thursday, August 18, 2016, from 3:00 p.m. to 5:00 p.m.*

**MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Executive Director Erin Atwood, 225 Bradford Street, #2, Provincetown, MA 02657, on behalf of the Provincetown Business Guild, for the 38<sup>th</sup> Annual Carnival Parade to be held on Thursday, August 18, 2016, starting at 3:00 p.m. to 5:00 p.m.**

- F. *Approval of the contract for the installation, by Winkler Construction & Crane, of composite pilings on MacMillan Pier per 2015 Annual Town Meeting Article 18-13.*

**MOTION: Move that the Board of Selectmen vote to approve the contract(s) in the amount of \$98,000 with Winkler Construction & Crane, to install composite fender pilings on MacMillan**

Pier, as funded by FY2015 Annual Town Meeting Article 18-13 Pier Maintenance Requests, in the amount of \$335,000 [as presented] [as revised].

**MOTION:** Move that the Board of Selectmen vote to declare as surplus the old composite fender pilings being replaced on MacMillan Pier.

Cheryl requested that Consent Agenda items G & H be taken individually. Chairman Donegan moved that without objection Consent Agenda items A through F be approved unanimously. Consent Agenda items G and H were placed under the Town Manager's section 7.

1. **Public Hearings:** None.

2. **Public Statements:**

Paul Randanz was not happy with the newspaper article regarding his towing company.

Pauline Galipole asked the Selectmen for help identifying lists of scholarships available to Provincetown students.

Beth Singer stated that every year the school superintendent sends a letter to all those who previously offered scholarships to students.

Don Murphy wanted everyone to be aware that even though Provincetown does not have a high school building that we still need to remember we have high school students.

Susan Avellar sits on a board for an organization that offers scholarships every year, but that the school is not doing a good job of identifying these resources.

3. **Selectmen's Statements:**

Erik had no statements this evening.

Cheryl thanked all those who participated in the Visioning Session of the Local Comprehensive Plan (LCP) this past Saturday. There were over 100 people in attendance to talk about who we are as a town and what we want to be.

Robert agreed with the two previous speakers relating to the need to take care of our high school students and to work hard to identify scholarship opportunities for them.

Raphael looks forward to seeing everyone at Town Meeting.

Tom stated that it was great to attend the LCP vision session. It was a very impressive event. We have had two different forums regarding Town Meeting which are posted on the PTV website. There are lots of opportunities for the public to inform themselves about all of the Town Meeting articles.

4. **Joint meeting / Presentations:**

A. **Cape Cod Regional Tech High School Budget PowerPoint Presentation to be given by School Superintendent Bob Sanborn.**

Superintendent Bob Sanborn gave a presentation regarding the budget for the Cape Cod Regional Tech High School. The FY17 budget of \$1,445,900 reflects a 5% reduction from last year. There was also a presentation regarding the Capital Plan with the MSBA for funding for a feasibility and schematic design phase for a building project. The current building is 42 years old. A building will be designed for 650 students. The study will help to determine whether we need a new facility or whether we can expand to accommodate the program needs.

The Board thanked Superintendent Sanborn for his presentation.

**No action taken on this item.**

5. **Appointments:**

A. **Interviews and deliberation for appointment of Provincetown's Representative to the Cape Cod Commission (Elton R. Cutler; John Krajovic, or Paul Richardson) with a term to expire on April 24, 2019.**

The Board interviewed Elton Cutler who has been a resident of Provincetown since 2011. He works for the Council of Aging in Truro. He wants to represent Provincetown to help establish a balance between environmental protection and development. He has done a great deal of research on the past three years of Cape Cod Commission meetings on YouTube.

John Krajovic was interviewed next by the Board. He is a retired Planner for MassPort. He has experience in regional planning. He has changed residency to Provincetown and now wants to give back to the community. He wants to be a conduit of community concerns to the Commission.

Paul Richardson withdrew his application for the Cape Cod Commission as he is also an applicant for the Community Housing Council and is happy to pursue that area.

After a brief deliberation the Board agreed that John Krajovic would be selected as the regular member, and Elton Culter would be the alternate member.

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of John Krajovic, as Provincetown's Representative to the Cape Cod Commission for the remaining term to expire on April 24, 2016, and for reappointment to a term beginning April 25, 2016 through April 24, 2019.

**Motion:** Cheryl Andrews

**Seconded:** Robert Anthony

5-0-0 Motion passed.

**MOTION:** Move that the Board of Selectmen vote to appoint Elton Culter as alternate Representative to the Cape Cod Commission.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

Motion was withdrawn due to the need to check with Cape Cod Commission to determine if they have alternate positions.

**B. Appointment of Paul Richardson, as a regular member, to the Community Housing Council, with a term to expire on June 30, 2017.**

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of Paul Richardson, as a regular member, to the Community Housing Council, with a term to expire on June 30, 2017.

**Motion:** Cheryl Andrews

**Seconded:** Robert Anthony

5-0-0 Motion passed.

**6. Requests:**

**A. Reinstall light pole in Portuguese Square and installation of a granite stone dedicating the lights to Fishermen lost at sea:**

Susan Leonard and Susan Avellar were present. The lamppost has been stored in the warehouse and they requested that it be reinstall along Ryder Street. Also there is a small granite stone dedicating the lights to fishermen lost at sea they requested be placed at the beginning of the walkway leading up to Town Hall on the Ryder Street entrance.

**MOTION:** Move that the Board of Selectmen vote to approve the reinstallation of the light pole in Portuguese Square previously removed during renovation of Town Hall, and to install the granite stone dedicating the lights to Fishermen lost at sea.

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

5-0-0 Motion passed.

**B. Commercial Street Improvements Project & GHD Phase III Project Update:**

DPW Director Richard Waldo and GHD Manager Russell Kleekamp appeared before the Board to present the project schedule and outreach flyer. There will be a public outreach and notification plan with abutters that will start with a mailer identifying the project and areas of flooding and property boundary monuments. This information will be used in the project design. After a few months, they will do a door- to-door survey in the project area. The project team will make themselves available to any property owner who has questions about the project. They will also hold a meeting in the neighborhood.

Erik was concerned about the project going beyond Memorial Day. He would like to see it completed in May.

The substantial completion date is actually on May 9<sup>th</sup>. But the schedule is, of course, governed by weather. Additional steps will be taken this time in order to address the issues with property boundary monuments. The team is to report back to the Selectmen on April 25<sup>th</sup>, and will include plan drawings and photos. Assessment of the water main is currently ongoing, and water main work could have an impact on the fall project construction schedule.

**MOTION:** Move that the Board of Selectmen approve the project schedule as presented, including a neighborhood meeting on Thursday before the Memorial Day weekend , May 26<sup>th</sup>, in the neighborhood to obtain abutter input.

**Motion:** Tom Donegan

**Seconded:** Cheryl Andrews

5-0-0 Motion passed.

**C. Police Report for the Month of February 2016**

Police Chief Jim Golden appeared before the Board to present the monthly police report. Report tracks statistics of a police activity, trends for calls for service, arrests, protective custody, domestic violence calls, intoxication, larceny, traffic accidents, collisions, traffic stops, and noise complaints. Also tracks park, walk and talks and calls regarding street performers.

The Board of Selectmen liked the new format of the report much better. They would like to see the arrests chart month by month with yearly comparison.

**D. Disclosure of Conflict of Interest:**

This agenda item was informational only. **No action was taken.**

**7. Town Manager / Assistant Town Manager:**

**A. Discussion of Winslow Farms & Old Community Center real estate transaction.**

The Town Manager presented a PowerPoint of the overview of the Winslow Farms/Old Community Center Real Estate transaction.

Winslow Farms highlights:

Winslow Farms property unlocks potential for the VFW development site, with or without the police station. Infrastructure in place includes power, water, cable, storm water, septic and roadway. Housing opportunity includes the existing 3 bedroom house that is move-in ready.

Old Community Center highlights:

In 2011 the Town authorized the Community center for sale. We have twice issued RFPs and both have been unsuccessful. There are repair and rehabilitation costs: \$413,100 to just maintain the building in the same condition +/- \$3 million to redevelop for housing. Infrastructure in place is power, water, sewer and cable. Density analysis of the potential of the Winslow Site/VFW based on the existing approved zoning for the Winslow site, the density allowed by zoning, the density comparable to that at Georges Path and density at 90 Shank Painter Road development was discussed.

There were discussions held on the evaluation of what the town could expect if the deal is rejected and what it might get if it is approved. What does the developer get out of the deal? A discussion on the permitting process if the deal was approved by Town Meeting, including public meetings with the community, Board of Selectmen and Planning Board, and on whether the town should sell or rent the 3 bedroom existing house.

Cheryl feels strongly that the Board has not made a decision yet as to the disposition of the house.

**B. Review of Police Station options:**

DPW Director Richard Waldo, Police Chief Jim Golden, Building Committee Chairman Tom Coen presented to the Board. David P. stated that they are establishing the project goals for the police station, including the baseline building program needs, and comparing new construction versus in-place rehabilitation. Comparisons of 3 potential projects: K&B design for a police station at 11,854sf as designed for Jerome Smith Road, the design for Shank Painter Road and the rehabilitation of the existing site.

Rich stated that the evaluation of the rehabilitation of the existing police station was not recommended because of the base flood elevation. The existing foundation would need to be replaced and raised. The cost of rehabilitation would not be cost effective, so it was determined that we would be rebuilding in place. The cost of renovation and new construction are about the same, but renovation has considerable restraints at the existing parcel. Also, the building program on the existing site would not satisfy the Department's space needs, and temporary quarters would be required, which would be a cost of \$9.2 million. An alternative plan with site acquisition of the adjacent medical office was considered which eliminates the need for temporary quarters to reduce cost and disruption to the department. The cost was estimated at \$10.5 million. The alternative with the building fronting on Shank Painter would require temporary quarters at a cost estimated at \$11.5 million. An alternative on Jerome Smith was also considered; does not require site acquisition; does not require temporary relocation, and allows for slightly greater square footage, at probably \$8.6 million.

Of the options, the Jerome Smith Road option was the most cost effective at \$722 per square foot for a total project cost.

Tom Coen stated that the Building Committee reviewed the presentation and voted that the square footage and program needs of the 12,000 sf building was adequate, and that the Jerome Smith location was preferred to the Shank Painter options. The cost of construction continues to increase over time and the longer we wait, the less building we can afford to build.

13

**C. Recommendations for the 2016 Annual Town Meeting Article 18-1 through 14, and Special Town Meeting Articles 10, 11 & 12, for the FY2017 Capital Improvements Program.**

**MOTION:** Move that the Board of Selectmen vote to reconsider STM 11.

**Motion:** Raphael Richter **Seconded:** Cheryl Andrews  
4-1-0 (Erik Yingling) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to recommend STM 11.

**Motion:** Raphael Richter **Seconded:** Cheryl Andrews  
4-1-0 (Erik Yingling) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to reconsider STM 12.

**Motion:** Raphael Richter **Seconded:** Cheryl Andrews  
4-1-0 (Erik Yingling) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to recommend STM 12.

**Motion:** Raphael Richter **Seconded:** Cheryl Andrews  
3-2-0 (Erik Yingling; Robert Anthony) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to indefinitely postpone ATM 18-3 and 18-4.

**Motion:** Raphael Richter **Seconded:** Erik Yingling  
5-0-0 Motion passed.

**MOTION:** Move that the Board of Selectmen vote to recommend ATM 18, all sections except 18-3 and 18-4.

**Motion:** Raphael Richter **Seconded:** Erik Yingling  
5-0-0 Motion passed.

**Items removed from Consents agenda:**

*G. Removal of Ballot Question previously approved by the Board of Selectmen for the May 3, 2016, Annual Town Election, regarding the proposition two and one-half to pay cost of making capital improvements to MacMillan Pier.*

**MOTION:** Move that the Board of Selectmen vote to remove the attached ballot question previously approved for the May 3, 2016, Annual Town Election, as presented by the Town Manager.

**Motion:** Raphael Richter **Seconded:** Robert Anthony  
5-0-0 Motion passed.

*H. Approval of Draft Policy Statement 2016-03-28 for restroom signage changes to Town owned single-stall restroom*

**MOTION:** Move that the Board of Selectmen vote to approve Policy Statement 2016-03-28, as revised TO INCLUDE VERBIAGE THAT THE SIGNS WILL SAY "UNISEX."

**Motion:** Raphael Richter **Seconded:** Robert Anthony  
5-0-0 Motion passed.

**D. Town Manager's Report – Administrative Updates:**

- A contract was signed this past week for the Case Manager (Navigator), for the Outer Cape Health.
- The pier finger replacement project will be moving forward immediately.
- Carpet is being ordered for the Library and for Town Hall hallways.
- BAS Relief Conservation services – the committee met and recommended Ray Dunetz' architect service to do the work there.
- The Coastal Studies moving into the VFW is being figured out. Staff met with them at the VFW and discussed some of the costs that may be incurred in getting the building up and running.
- The Local Comprehensive Plan Committee held the visioning session and is finalizing its Visioning Statement and working on posting online.
- Tomorrow night at the Sage Inn Provincetown 365 is holding another Town Meeting forum at 6 p.m. He welcomed any Board member's attendance.
- He attended a program last Thursday night sponsored by the Massachusetts Municipal Lawyers Association on municipal charters.
- Next Wednesday he, Cheryl and Candy from the Chamber of Commerce, Harbormaster Rex McKinsey, and a few other folks will be going to Plymouth for the 400 forum.
- Friday morning at 9 a.m. he will be on Town Talk at WOMR.

14

E. Other: None.

**8. Minutes:**

**MOTION:** Move that the Board of Selectmen approve the minutes of February 22, 2016 (Special) and March 04, 2016 (Special), as printed.

**Motion:** Raphael Richter

**Seconded:** Cheryl Andrews

5-0-0 Motion passed.

**9. Closing Statements/Administrative:**

Raphael asked if there has been any follow-up regarding the building of a grand staircase up to the monument.

David P. stated that he does not have any details at present.

Raphael wanted to encourage a joint meeting between the Board of Selectmen and the Monument Board to determine how the Town might be able to help with this project.

**MOTION:** Move that the Board of Selectmen vote to invite the Provincetown Monument and Museum Board to meet with the Board of Selectmen during the month of April or May, at the chairman's discretion, specifically to discuss BAS Relief improvements and any other identified needs.

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

5-0-0 Motion passed.

- A. *Thank you letter to Brenda Haywood who resigned from the Community Housing Council on March 7, 2016.*
- B. *Letter to Superintendent George Price, Cape Cod National Seashore, regarding Herring Cove Beach north parking lot.*
- C. *Letter of appreciation to Dennis Santos who just recently retired after 32 years with the Provincetown Dept. of Public Works.*

Without objection the meeting was adjourned at 10:10 p.m.

Minutes transcribed by: David Gardner & Loretta Dougherty (off video tape)



C. *Treasurer's Transfer – Library Gift Fund – to pay an invoice from Uline for Protective Transport Tubes for Moby-Dick Artwork prints, in the amount of \$52.14.*

**MOTION: MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift (#1107) to pay \$52.14 for the attached invoice from Uline.**

D. *Treasurer's Transfer – Library Gift Fund – to pay an invoice from Rachel Harrington d/b/a B-Xclusive for 39 Moby Dick Marathon t-shirts for resale, in the amount of \$468.00.*

**MOTION: MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift (#1107) to pay \$468.00 for the attached invoice from Rachel Harrington d/b/a B-Xclusive.**

E. *Treasurer's Transfer – John A. Henry Trust Fund – to pay an invoice from Cape Cod Children's Place, Inc. for reimbursements of tuitions, in the amount of \$3,250.00.*

**MOTION: MOVE that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the John A. Henry Trust Fund ( #1618) to pay \$3,250.00 for the attached invoice from Cape Cod Children's Place, Inc.**

F. *Treasurer's Transfer – Library Trust Fund – Flores Fund – to pay an invoice from 629 Ingram Library Services for books/videos, in the amount of \$2,580.75.*

**MOTION: MOVE that the Board of Selectmen vote, as Commissioners of the Library Trust Fund – Flores Fund (#1626), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Trust Fund – Flores Fund (#1626) to pay \$2,580.75 for the attached invoice from Ingram Library Services.**

G. *Appoint Provincetown Treasurer John O'Buck and Payroll/Benefits Coordinator Jody Hoffmann as representatives to the Cape Cod Municipal Health Group.*

**MOTION: MOVE that the Board of Selectmen vote to appoint John O'Buck to the position of Regular Member of the Cape Cod Municipal Health Group and Jody Hoffmann to the position of Alternate Member.**

Chairman Richter waived the reading of the consent agenda with unanimous consent, and the consent agenda was approved by unanimous consent by the Board.

#### 1. Public Hearings:

##### A. Public Hearing and presentation on the introduction to the Phase 3 (Howland Street to Johnson Street) Commercial Street Reconstruction Project.

Erik read the Public Hearing Notice. DPW Director Rich Waldo, GHD Manager Russell Kleekamp, Engineer Jessica Janney, and Designer Jim Fosdick. The Board was updated on March 28<sup>th</sup> and given the abutters notice and flyer that was sent out. Tonight is the first Public Hearing to be held out of three. The next meeting will be on Thursday May 26<sup>th</sup> at 5:00 p.m. at St. Mary's of the Harbor, and the third meeting will be on Monday, June 27<sup>th</sup> before the Board of Selectmen for the 95% final set of plans to be presented.

GHD Manager Russ Kleekamp gave the PowerPoint presentation with a general overview. This presentation in its entirety may be viewed on the Town's website under the PTV videoing of tonight's meeting. He described the efforts that are being made to contact and discuss any issue that abutters to the project may have. They will be replacing the water main on Commercial Street along with replacing of the sidewalks, repainting the crosswalks and parking space areas. The porous asphalt being used on Commercial Street will allow the rain water to seep through it much easier to prevent puddling and drainage runoff. They use it on highways and it will help with the individual flood concerns. He gave an example of some of the things they deal with regarding drainage problems. This finished product will be very pedestrian friendly for walking on smooth firm surfaces. The finished sidewalks will be brick and set in mortar this time for more secure footing. Every property owner on Commercial Street has their own property style and they will deal with each property owner individually. The porous asphalt will eliminate the wash off water from public property going onto private property. There has to be some of the private property owners that will take care of their own improvements as the cost will be prohibitive to the Town. They will identify these property owners, meet with them, draw up a design effort for them and then get their approval. All sidewalks will be ADA compliant for most of the sidewalks.

Cheryl asked them to let the Board know if parking spaces are going to be lost when putting sidewalks in. The rest of the Board was in agreement with Cheryl.

Russ will bring the 95% stripping plan which will show the sidewalks at the Board's meeting on June 27th. They will be starting with the replacement of the water main in September, and start with the road in November weather

17

permitting. Numerous residents have complained about ponding, which will be taken care of with the porous asphalt. At the next meeting there will be more information available.

Jessica went over the revised schedule due to the water main replacement. They should be at 95% design by end of June and go out for bidding in mid-July. This schedule in its entirety may be seen on the Town's website under the Board of Selectmen agenda packet for this evening.

Russ stated that there were 327 notices sent out to abutters of which they have received 250 green cards back; 83 undelivered notices were sent back to them. Only 21 requested personal meetings and he has had six personal meetings with individuals so far. He does not anticipate any significant design changes coming out of the upcoming meetings with property owners, but does want to meet with as many as he can. They are trying to minimize rumors and get out the facts as quickly as they can. In 99.9% of the cases the property owners will deal with their own updates. He asked how much detail the Board would like to see at the next meeting; more detail on the water main replacement; porous asphalt, etc.

#### **Public comments:**

**Mary-Jo Avellar** thanked Cheryl for not removing parking spaces. Public parking was taken away on the west end previously. She spoke about all of the lost parking in front of the public library and does not know why that happened. She hopes the Town will take a different approach with this phase of the process. She does have concerns about the brick sidewalks and thinks they are horrible. You cannot easily clear the snow from the brick sidewalks and they are difficult to walk on especially for people with disabilities. She hopes for concrete sidewalks to be put down this time. She also believes that east of Howland Street there is a need for new sidewalks on Commercial Street.  
Closed public comments.

**MOTION: Move that the Board of Selectmen vote to approve moving forward towards the 95% design plan.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

There was a discussion held regarding the types of sidewalks that should be considered. Cheryl asked the engineers not to assume that if they see brick sidewalks and they need to be replaced that brick should be used. She wants to have a discussion about not putting down brick; they are public sidewalks.

Rich stated that there has been no easy decision since Phase I. Previously, after much discussion, the Town had voted to use brick. The bricks will be set in concrete this time to minimize the movement starting from Johnson Street to Howland Street. It changes from brick to asphalt at Cook Street.

Russ stated that brick is more expensive and offered to get more detail on the pros and cons and bring that information back to the Board, if required at the next meeting.

Erik likes the brick as long as it is maintained properly; keep it even.

Tom stated that in the winter the brick freezes in certain areas.

Rich recommended getting a cut edged brick which would not allow the water to penetrate in between the cracks.

Robert agrees with Mary-Jo that they should be handicapped accessible. They are not a reliable source for public sidewalks. He agrees to get back to concrete or asphalt and does not want bricks.

Raphael feels that he has received more complaints on the brick sidewalks. He wants to find savings for the Town and what works best for everyone. He would like to consider cement. He would like for the Board to get more feedback on the types of sidewalks from the engineers.

Russ will meet with the abutters and ask what their preferences are as well.

**5/0/0 Motion passed.**

#### **2. Public Statements:**

**Sherry Dranch** spoke about protecting the Route 6 greenway. She asked the Board for their support in continuing to protect the integrity of the greenway. She proposed a by-law regarding political signs not being allowed on the greenway and asked the Board to sponsor an article for such a by-law.

**Clarence Walker** spoke on behalf of the Fisherman's Wharf development plan. He has thoroughly read the documents and is in full agreement that this proposal. He hopes that the Board helps to make this system work. He asked to give support wherever it is needed, and thanked Mr. Lagasse.

**Rik Ahlberg** member of the bicycle committee stated that the Disability Committee is perfectly happy with the brick sidewalks as long as there is concrete put under the bricks to keep them stable. He feels that people in the east end would feel short-changed if they did not get the brick sidewalks. He would like an update on the \$1.6 million project connecting the bike paths into Provincetown and asked if Superintendent George Price could speak on that.

**Mary-Jo Avellar** does not want asphalt sidewalks as they reflect heat in the summertime. She also asked how we might solve the problem of amplified music that is being played in front of Town Hall. She can hear it all the way in her home and believes there should be some way to have the music at a lower level. We need some kind of a by-law that would have the level of music at a lower level.

**Representative Sarah Peake** congratulated Tom and Cheryl on their reelection and Raphael for his election as Chairman to the Board. She stated that the County is taking the lead regarding the bicycle path project and they are working closely with Truro and Wellfleet. Representative Peake requested that she be copied on any correspondence being sent to MassDOT by the Bicycle Committees, as this is not being handled by the Legislature and she wants to keep up-to-date with what is happening. She finds it heartbreaking to see the condition of the Herring Cove beach parking lot area. She appreciates all of the National Seashores efforts to date, and asked them to think of creative ways that they may join efforts with the Board to make sure that the target date of 2018 for full replacement of Herring Cove is met and to possibly have it moved closer to 2017. She will do everything she can to help work towards that goal.

### **3. Selectmen's Statements:**

Erik congratulated Tom and Cheryl on their re-election, and Raphael for his appointment as the Chairman.

Cheryl does not like campaigning but was out in the inclement weather doing so. She mentioned some of the things she had done over the past three years. She was the Liaison to the Pier Corp./Harbor, part of a small group to help get organized for 2020, chaired the Town Manager Search Committee, and set on the sub-committee who hired the Board of Selectmen's Secretary. She asked the public to feel free to contact her for anything they need.

Robert congratulated Tom and Cheryl on their re-election. He stated that this Board has been trying to move Provincetown forward over the past three years and was saddened by not getting the land swap. The Board needs to have an action plan and move forward with community housing, a new police station, and look at our financial situation for the next 10 years during the budget process.

Tom wanted to make a motion for the Community and Government Service Award to be given to Rachel White.

**MOTION: Move that the Board of Selectmen vote to give the Community and Government Service Award to Rachel White.**

**Motion: Tom Donegan**

**Seconded: Cheryl Andrews**

**5/0/0 Motion passed.**

Tom thanked Representative Peake for being here tonight. He thanked the Town Clerk and the entire staff for all of the efforts they put into the election process, and all the voters for their confidence. He talked about the need to start working on developing all types of housing; affordable, community, and market rate as well as about the need for creating jobs within the community and helping to treat our less fortunate neighbors with all the social services they need. He is looking forward to providing any help he can. He thanked the Asst. Town Manager and Town Manager for all of the lessons they taught him during his previous term and looks forward to working closely with them again.

Raphael wished all the mothers a Happy Mother's Day. He congratulated both Tom and Cheryl on their reelections. He thanked the Board for their vote of confidence in being elected as Chairman.

### **4. Joint meeting / Presentations:**

#### **A. Presentation/Status Updates including but not limited to the former N. Truro Air Force Station, Race Point parking lot, and the Herring Cove north parking lot.**

CCNS Superintendent George Price, Deputy Superintendent Kathy Tevyaw, Park Ranger Frank Patrick, Cape Cod Commission Representative Mary-Jo Avellar, and State Representative Sarah Peake were present before the Board. George congratulated the Board on their reelections and chairman appointments. He gave a brief overview of the cost to repair the Herring Cove beach north parking lot. This year they have been approved to spend \$300,000, similar to previous years. The plan is to repair as many spaces as they can and safely block off the other areas to allow passage through the lot. They will convert the lot to a one-way traffic flow from the ticket booth and install an automated gate, similar to the exit for the south parking lot. They believe they can salvage close to 210 spaces. An estimated full repair of the north parking lot for this season is over \$874,000 and climbing. There is a full replacement of the lot anticipated in 2018, if the priority holds, for \$5.4 million. The full lot replacement is what is needed for

sustainable parking facilities. He reminded everyone that there are still 392 parking spaces at the south parking lot. A public discussion will be held on Wednesday, May 11<sup>th</sup> from 4:00-6:00 p.m. at the Council on Aging, to give a presentation and answer any questions the public may have.

He also included a document for the Board which identified over \$24 million National Park Services federal dollars that have been spent in the Provincetown area of the seashore since 2008. This document in its entirety may be viewed on the Town's website in the Board's agenda packet.

Cheryl appreciates the one-way they will be going with. She asked whether we should have a bigger area where parking is not allowed so that buses and taxis can have a space to drop off their passengers (disabled, elderly, and wheelchair bound). Consider making the entrance for the lot at the opposite end and have a bigger drop off area.

Raphael believes that it would be most sensible to have the campers going into the larger parking lot.

In a letter to Superintendent Price dated April 15, 2016, from District Highway Director Mary-Joe Perry (MassDOT), they are proposing to provide bicycle lane pavement markings and associated signage along Route 6, beginning at the School Street/Lawrence Road intersection in Wellfleet, continuing northerly into Truro to South Highland Road. The project continues northerly on South Highland Road to Highland Road, then westerly on Highland Road to Route 6A. This letter with a scope of the work may be found on the Town's website in the Board's agenda packet.

Representative Peake stated that the County is taking the lead on the Wellfleet project, and she has requested that she be copied on all documents so as to be kept abreast of things and keep everyone in the loop.

Tom stated that in 2013, the Board approved a path from the forest down to the pier and they also approved a 10% matching fund for the breakwater at the west end to change the ecology.

David G. stated that it was done with the Army Corps. of Engineers. We have the feasibility study and will put it on a future agenda for discussion. He asked that staff get all the past information to the Bicycle Committee for their review.

Erik asked about uses being considered for the former Truro Air Force Station.

George stated that they are moving forward on a small basis. Presently the park services have small facilities; Payomet is located out there, and Castle Hill has put some artwork out there. They have had numerous conversations with higher education facilities over the years. The area still has a lot of hazardous waste that needs to be removed such as asbestos, and other variables to consider which are costly.

Tom would like to see the buildings be retrofitted rather than demolished to provide housing for workforce and seasonal workers.

Erik asked for a Joint Meeting with Superintendent Price and both Truro and Provincetown Boards relating to the former Truro Air Force Station.

Tom stated that there will be a Joint Meeting with the Board of Truro on June 14<sup>th</sup> at 6:00 p.m., in Truro, to discuss this issue as well as regionalization.

**No action taken on this item.**

#### **B. Presentation on the proposed expansion of the Provincetown Marina at Fisherman's Wharf.**

Mr. Lagasse is proud to be in Provincetown. It will be a long process to get the marina put together. Everyone in town has been very friendly and helpful. His family has a long history of planning both wharfs and piers that offer amenities to not only boaters but to downtown. Fisherman's Wharf is a gem, and he has the honor of being able to work on it over the long-term and improve the wharf. They are not going to come in to town and develop something the Town does not want and then move on. He and his wife Ann are looking forward to becoming a part of the community. Most of the people will be local hires and they will provide their own housing. This is going to be a process; a complicated process because there are other agencies that are trying to help manage it. There is a very complicated permit process which starts with the state; convincing the state that our ideas are good. State, federal and local government boards will be met during this process. He is very positive and very excited about this project. He is trying to get the marina open and accept boats beginning Memorial Day. They will be rehabilitating the buildings and restrooms. Three non-profits will be using the building at the very end of the harbor. He presented the diagram showing the harbor walk which will give the public open access to the pier. They do a lot of public/private partnerships to create direct access and that is being discussed. He asked for the Board's input as they review the diagram. The existing marina will be open for the summer. The harbor walk will be open next summer. He offered to answer any questions the Board might have.

28

The Board members thanked him for his presentation and voiced their concerns about the possibility of temporarily losing parking spaces in the lot.

**MOTION:** Move that the Board of Selectmen write a letter to DEP and any other elected officials to oppose the temporary harbor walk and not remove any parking spaces in anticipation of a new harbor walk in 2017.

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

David P. stated that staff can craft the language.

5/0/0 Motion passed.

**C. Joint meeting with the Visitor Services Board to approve FY2017 Tourism Promotional Grants and FY2017 Tourism Cooperative Grants with the Provincetown Business Guild and Provincetown Chamber of Commerce (ATM Article 4).**

VSF was called to order at 9:00 p.m. Chairman Bakker presented the Board with the FY2017 recommended Tourism Promotional Grant Awards.

Tom asked to postpone item 21 as he wanted to make sure that the funding for the Provincetown Monument and Pilgrim's Museum for \$4,000 was not being used for the same items that the Economic Development Committee's \$5,000 grant to them was being used.

David P. checked online and stated that there were no duplications of the use of the funds.

Erik was glad to see more focus on the shoulder seasons.

**MOTION:** Move that the Board of Selectmen vote to approve funding for \$151,413, from the Tourism Fund, for the FY 2017 Tourism Promotional and Enhancement Grants, as recommended by the Visitor Services Board, excluding numbers 8, 9, 13, 21, 23, 35, and 36.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

5/0/0 Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for FAWC Radio Ads for Summer Workshop (# 8), as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

4/0/1 (Tom Donegan – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for Great Provincetown Schooner Regatta (# 13), as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

4/0/1 (Cheryl Andrews – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for PAAM Mobile Museum (# 21), as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

4/0/1 (Raphael Richter – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for Peregrine Theater Ensemble (# 23)8, as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

4/0/1 (Raphael Richter – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for Swim for Life & Paddler Flotilla (# 35), as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

4/0/1 (Raphael Richter – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for Tennessee Williams Theater Festival – 11<sup>th</sup> Annual (# 36), as recommended by the Visitor Services Board.

**Motion:** Erik Yingling

**Seconded:** Cheryl Andrews

4/0/1 (Raphael Richter – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to approve funding for the FY 2017 Tourism Promotional and Enhancement Grant for the Film Festival-Provincetown International (# 9), as recommended by the Visitor Services Board.

**Motion:** Raphael Richter

**Seconded:** Cheryl Andrews

4/0/1 (Erik Yingling – Recused) Motion passed.

Tourism Director Anthony Fuccillo presented the Chamber of Commerce and Provincetown Business Guild grants for \$20,000 each.

There were some questions as to how the non-profits were being handled and Chamber of Commerce Director Candy Collins-Biden stated that she has 15 non-profits presently and they pay a lower membership price (\$250) to join both the Chamber and PBG, but they do have to become members to be listed. VSB member Rick Murray stated that they always list the non-profits on their calendar.

Raphael encouraged the Board to support as presented, but have a Joint Meeting with both the Chamber and PBG at a future date.

**MOTION:** Move that the Board of Selectmen vote to approve the FY 2017 co-operative marketing grant agreements with the Provincetown Chamber of Commerce for \$20,000 and the Provincetown Business Guild for \$20,000 as recommended by the Visitor Services Board.

**Motion:** Cheryl Andrews

**Seconded:** Robert Anthony

Tom wants to give our non-profits as much support as we can.

4/0/1 (Erik Yingling – Abstained) Motion passed.

VSB adjourned at 9:19 p.m.

5. **Appointments:** None.

6. **Requests:**

**A. Adoption of Local Multi-Hazard Mitigation**

DPW Director Rich Waldo, Harbormaster Rex McKinsey, and CCC Planner II “Cally” Harper were present.

Cally stated that FEMA has completed its review of the 2016 Provincetown Hazard Mitigation Plan and found them approvable pending adoption, and according to an email from a member of the MA Emergency Management Agency our plan is the first plan that has received approval pending adoption from FEMA, on the first review.

Raphael asked for a brief overview of any changes.

Cally noted that this is the first round of edits from MEMA which included some stakeholders’ comments; how the plan was integrated into other town plans and better data relating to wildfires and winter plans. They also had to do a capability plan based on the last plan and include a draft letter from the Board adopting the plan.

**MOTION:** Move the Board of Selectmen vote, as required by the Federal Emergency Management Agency under the Disaster Mitigation Act of 2000, to adopt and approve the 2016 Provincetown Hazard Mitigation Plan as approved by FEMA on April 27, 2016 and furthermore to sign the Certificate of Adoption.

**Motion:** Erik Yingling

**Seconded:** Tom Donegan

5/0/0 Motion passed.

**B. Approve GHD, Inc. contract amendment for Commercial Street Water Main Replacement, in the amount of \$75,000.**

DPW Director Rich Waldo appeared before the Board and stated that a technical report prepared by Echologics, LLC had determined that the water main on Commercial Street is in poor condition. This amendment is to include the water main replacement into the Commercial Street Phase III project.

**MOTION:** MOVE that the Board of Selectmen vote to approve a contract amendment in the amount of \$75,000.00 between the Town of Provincetown and GHD, Inc., 1545 Ivannough Road, Hyannis, MA 02601 for engineering services associated with water main & service replacement within the area of Phase III reconstruction of Commercial Street.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

5/0/0 Motion passed.

**C. Approve the contract change order with AECOM Inc., for sewer service connections relating to Economic Development Permits and public health failures, in the amount of \$158,000.**

DPW Director Rich Waldo appeared before the Board and stated that this amendment is for design and construction services to provide additional sewer service connections for properties associated with the

22

Commercial Street Phase III project. The betterments that will be received will pay for this contract.

**MOTION: MOVE that the Board of Selectmen vote to approve Contract Amendment #13-3 with AECOM in the amount of \$158,600 for sewer service connections associated with the Final Area of Concern (FAOC), Economic Development Permits (EDP), and Public Health Priority Determinations.**

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

5/0/0 Motion passed.

**D. Approve Release Deed for the discontinued portion of Harry Kemp Way, requested by Attorney Jay Murphy, on behalf of the owners of 34A Pearl Street.**

David G. followed up on approval by Town Meeting of Article 19. The documents were drafted by Town Counsel and accepted by the property owners, and two checks were received; one for the property and the other for fees related to the use of Town Counsel.

**MOTION: Move that the Board of Selectmen vote to approve the Release Deed for the portion of Harry Kemp Way identified as "Excluded Portion Parcel 1 on a plan entitled "Plan of Land in Provincetown As surveyed for Jeffrey D. Mulliken and Elbert Ruff" dated December 2015 and prepared by William N. Rogers, Professional Civil Engineers and Land Surveyors; as approved by the April 4, 2016 Annual Town Meeting Article 19 and approved to form by Town Counsel.**

**Motion:** Cheryl Andrews

**Seconded:** Erik Yingling

5/0/0 Motion passed.

**7. Town Manager/Assistant Town Manager:**

**A. Town Manager's Report – Administrative Updates.**

- Housing Specialist Michelle Jarusiewicz is still in the process of meeting with others and presenting the Housing Playbook. She will be bringing this information back to the Board at a future date.
- The Town will be converting from Code Red to Civic Plus/Civic Ready. It is a cost savings to the Town. On Wednesday anyone interested in signing up for the new system will be offered the opportunity to do so until May 25<sup>th</sup> on the Town's website. We did not own the data on the Code Red system which would have allowed us to transfer data onto the new system, so everyone will need to sign up again. We will own the data on our new system.
- Our Comcast contract with PTV will run out at the end of June and David P. will be meeting with the Board to discuss this.
- The next meeting regarding the Commercial Street Phase III project will be held at St. Mary of the Harbor church on Thursday, May 26<sup>th</sup> at 5:00 p.m.
- Finance Director Dan Hoort has been offered the position of Town Administrator for the Town of Wellfleet, and pending final contract negotiations will be leaving us on July 1<sup>st</sup>. David P. will be meeting with Dan to take a quick look at what the organizational structure is at present and what it should be, if different. David P. stated that Dan has done tremendous work in the Finance Department, and he has had an excellent working relationship with him and wishes him well.
- David P. congratulated Tom and Cheryl on their reelection to the Board, and stated that while he will miss Tom as the Chairman, he is looking forward to graduating up a level with the new Chairman.

**B. Others:** None.

**8. Minutes:** The Board reviewed the minutes and Cheryl moved them as presented.

**MOTION: Move that the Board of Selectmen approve the minutes of: January 25, 2016 (Regular); February 11, 2016 (Special); March 11, 2016 (Special); April 11, 2016 (Regular); April 25, 2016 (Special), and April 25, 2016 (Regular), as presented**

**Motion:** Cheryl Andrews

**Seconded:** Erik Yingling

5/0/0 Motion passed.

**9. Closing Statements/Administrative Updates/Closing Statement from the Board:**

Cheryl would like to have a Round Table meeting regarding the Economic Development Permitting process including discussions on gallonage and how that works; looking at guidelines and how to make it easier for those coming in front of us, and what conditions may be put on them. She would also like to have a meeting regarding signs; a comprehensive discussion on rules about unattended signs on private property; where you can place signs, and hang banners downtown. Also, she would like to have a small discussion regarding consensus building; is there a different way to do it.

Raphael believes that the results of the Round Table would then be brought back into a regular Board meeting for a larger discussion.

Tom agrees that we should talk about how the Board engages and prepares.

**A. Approval of schedule for adoption of the Board of Selectmen's Rules of Procedure.**

Cheryl moved the Rules of Procedure, as presented.

**MOTION: MOVE that the Board of Selectmen vote to schedule adoption of the Rules of Procedure at its regular meeting on Monday, June 27, 2016, with any proposed amendments to be submitted in writing to the Board of Selectmen's Secretary by 12 Noon on Thursday, June 16, 2016.**

**Motion: Cheryl Andrews**

**Seconded: Robert Anthony**

Raphael would like to see the Board meet in Executive Session earlier in their meetings.

Erik would like the Executive Session meetings to be held earlier in the week so he can be in attendance from the beginning.

**5/0/0 Motion passed.**

**B. Approval of schedule for review and adoption of the FY2017 Town-wide Policy Goals.**

**MOTION: MOVE that the Board of Selectmen vote to approve the schedule for review of the FY2017 Town-Wide Policy Goals.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

Cheryl stated that we had a process a number of years ago that involved getting goals from the staff and boards.

David P. is in the process of working on a schedule that carries us through Town Meeting next year which will help in keeping the financial forecast from being buried in the Fall Town Meeting process. He is trying to organize and separate these two processes. He is also making sure goals are in place before departments start figuring their financial forecast preparing for the budget. He will be presenting this to the Board for their input.

Cheryl would like for the Board's Chair and Vice-chair to work with the Town Manager and hold one Public Hearing on goals. She asked staff to look into this.

Raphael agrees. He would like to see some sort of memo from staff, at the next Board meeting on May 23<sup>rd</sup> showing those goals that have been accomplished and those that have not. The Board can then move forward in preparing the goals for FY2017. He asked staff to prepare the goals for the next regular meeting May 23<sup>rd</sup>, even if just in draft form.

Cheryl would like to have the Public Hearing for adoption of the Town-wide Goals on June 27<sup>th</sup>.

**Erik withdrew the motion and no action was taken at this time.**

Without objection the meeting was adjourned at 10:05 p.m.

*Minutes transcribed by: Loretta Dougherty*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Monday, May 23, 2016

9

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## CLOSING SELECTMEN'S STATEMENTS

### Administrative Updates

Requested by: Town Manager David Panagore

Action Sought: Discussion

#### Proposed Motion(s)

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

**Erik Yingling**

**Tom Donegan**

**Cheryl Andrews**

**Robert Anthony**

**Raphael Richter**

#### Additional Information

- A. Thank you letter to Amy Germain who resigned from the Zoning Board of Appeals effective May 9, 2016.
- B. Letter to Representative Theodore C. Speliotis regarding H.3742-Funding for Year-Round Rental Housing from Board Chairman Raphael Richter and Town Manager David B. Panagore.

#### Board Action

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



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

May 17, 2016

Ms. Amy Germain  
150 Commercial Street  
Provincetown, MA 02657

Dear Ms. Germain;

The Board of Selectmen has received notice of your resignation from the Zoning Board of Appeals effective May 9, 2016. We want to extend our thanks to you for your dedicated service and expertise during the time that you have served on the Zoning Board of Appeals.

We wish you the very best in your future endeavors, and would not be disappointed should time and circumstances permit you to once again serve on any of our town boards or committees, in the future.

On behalf of the Board of Selectmen,

Raphael W. Richter, Chairman  
Provincetown Board of Selectmen

*Thank you VERY much  
for your service!*

RWR:ld

**Doug Johnstone**

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**From:** amygermain@aol.com  
**Sent:** Monday, May 09, 2016 1:55 PM  
**To:** Doug Johnstone  
**Subject:** ZBA Resignation

Hi Doug,

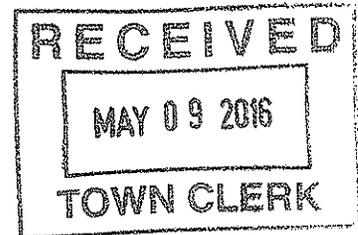
I notified David Nicolau last week that I need to resign my position on the ZBA. As much as I want to attend meetings, my health seems to have different ideas for my evening hours.

Do I need to let anyone else know?

And can you please have the Parking Department remove me from the Board List so that I can purchase my parking permit.

Thank you so much,

Amy



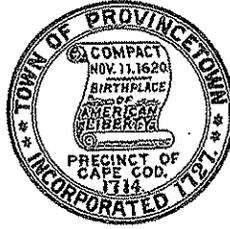
RECEIVED  
BOS - ~~Vernon~~ *JD*

MAY 10 2016

CC: BOS/TM/ATM

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*Town of Provincetown*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7000

May 11, 2016

Honorable Theodore C. Speliotis  
Massachusetts House of Representatives  
State House, Room 20  
Boston, MA 02133

Re: H.3742 – Funding for Year-Round Rental Housing

Dear Rep. Speliotis:

We write to you today in support of House Bill 3742. Recent action by our community underscores our need and reflects our commitment to remedying the serious housing crisis facing our residents.

Enclosed please find the certified vote for the Provincetown Annual Town Election held on May 3, 2016 which contained one (1) Proposition 2½ Ballot Question (Ballot Question 2), which passed by majority vote.

Also enclosed please find the certified vote of Article 33: *Funding for Year-Round Rental Housing* from the Annual Town Meeting held on April 4, 2016 related to Ballot Question 2 that also passed in the May 3, 2016 Annual Town Election. The Ballot Question required acceptance by both Town Meeting vote and ballot vote and the question passed in both Town Meeting and by Town Election.

We encourage you and your committee to expedite and approve this legislation. Thank you for your timely consideration of this important matter. Please let us know if you need further information.

Respectfully submitted,

Raphael Richter  
Chair, Board of Selectmen

David B. Panagore  
Town Manager

Enc.

cc: Rep. Sarah Peake  
Board of Selectmen  
Town Counsel

*Town of Provincetown*  
*Office of the Town Clerk*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

**ANNUAL TOWN ELECTION**  
**TUESDAY, MAY 3, 2016**

**Question 1:** Shall a commission be elected to revise the Charter of Provincetown?

**Yes 644**  
**No 268**  
**Blank 128**

**Question 2:** Shall the Town of Provincetown be allowed to assess an additional \$500,000 in real estate and personal property taxes for the purpose of creating year-round rental housing in the Town, for the fiscal year beginning July first, two thousand and sixteen?

**Yes 538**  
**No 473**  
**Blank 29**

*Doug Johnstone*  
**A TRUE COPY ATTEST**  
**TOWN CLERK, PROVINCETOWN**

*Town of Provincetown*  
*Office of the Town Clerk*



Town Hall, 260 Commercial Street  
Provincetown, Massachusetts 02657  
Facsimile (508) 487-9560  
Telephone (508) 487-7013

## **Annual Town Meeting – Monday, April 4, 2016**

**Article 33. Funding for Year-Round Rental Housing.** To see if the Town will vote to raise and appropriate the sum of \$500,000 for the purpose of funding year-round rental housing in the Town, provided that such appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion ballot question; or to take any other action relative thereto.  
*[Requested by the Finance Committee]*

**Board of Selectmen Recommends: 4-0-1**  
**Finance Committee Recommends: 6-0-0**  
**Housing Authority Recommends: 3-0-0**

Tony Valentino moved that the Town vote to approve Article 33 as printed in the warrant.  
**Motion Passed.**

A TRUE COPY ATTEST  
*Doug Johnstone*  
TOWN CLERK, PROVINCETOWN