



Meeting Agenda- Revised

The Provincetown Board of Selectmen will hold a public meeting on Monday, September 12, 2016, at 6:00 p.m. in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.

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

- A. *Treasurer's Transfer – Library Gift Fund – to pay Staples Credit Plan, Inc. for invoices for office supplies and printing purchases, in the amount of \$122.91.*
- B. *Treasurer's Transfer – Library Gift Fund – to pay Blackstone Audio, Inc. for invoices for audiobook purchases, in the amount of \$517.45.*
- C. *Parade Permit submitted by James Winfield, on behalf of the Lambda Car Club, P.O. Box 3296, Wakefield, MA 01880, to be held on Saturday, September 17, 2016 from 1:30 p.m. to 2:30 p.m.*
- D. *Parade Permit submitted by Provincetown Recreation Director Brandon Motta, for the Recreation Department's Halloween Parade & Greet N' Treat, 2 Mayflower Street, Provincetown, MA 02657, to be held on Friday, October 28, 2016 from 3:30 p.m. to 4:30 p.m.*

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:
 - A. Review of Finance Department and Financial Activities – The Abrahams Group.
 - B. Joint Meeting with the Provincetown Housing Authority to appoint Charlene Parris as a member of the Provincetown Housing Authority with a term to expire May 2, 2017 – Provincetown Housing Authority.
 - C. Joint Meeting with the Cultural Council – General Updates to including discussions on the AIDS Memorial and Cultural District – Cultural Council Chairman Robert Speiser.
5. Appointments - Votes may be taken on the following items:
 - A. Approve Appointment of Guy Barbarulo as a regular member to the Licensing Board with a term to expire on either December 31, 2016 or December 31, 2017, as determined by the Board.
6. Requests - Votes may be taken on the following items:
 - A. Execute a grant in the amount of \$243,900 from the FAA for the Army Corps. of Engineers Environmental Mitigation for upcoming environmental projects at the Provincetown Municipal Airport – Airport Commission & Airport Manager Butch Lisenby.

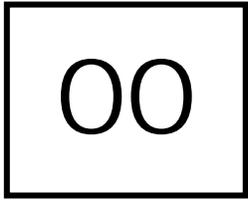
- B. Execute an agreement in the amount of \$312,688 to transfer unused Federal FY2013 AIP Funds from Provincetown Municipal Airport to Barnstable Municipal Airport per FAA Agreement and Approval – Airport Commission & Airport Manager Butch Lisenby.
- 7. Town Manager / Assistant Town Manager - Votes may be taken on the following items:
 - A. Town Manager's Report – Administrative Updates:
 - i. Contract extension of Interim Finance Director Ruth Lewis;
 - ii. Legislative updates, and
 - iii. Provincetown 400 - First Pilgrims' Landing Park Grant Agreement.
 - B. 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.
 - i. Authorization for water system studies grant and match - Town Manager David B. Panagore.
 - 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. *See Notes from Kick-off Meeting re: The Gerry E. Studds Stellwagen Bank National Marine Sanctuary Visitor Center Advisory Committee.*
 - B. *Thank you letter to Jim Woods who resigned from the Planning Board effective August 25, 2016.*
 - C. *Thank you letter to Amy Howell who resigned as the Provincetown Representative to the Barnstable Human Rights Commission effective August 29, 2016.*

Posted: www.provincetown-ma.gov 9/8/16 4:30 pm dj
REVISED: 9/9/16 9:35 am dv



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016



CONSENT AGENDA

Approval required for the following items:

Requested by: BOS Chair Raphael W. Richter

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 – to pay Staples Credit Plan, Inc. for invoices for office supplies and printing purchases in the amount of \$122.91.*
- B. *Treasurer’s Transfer – Library Gift Fund – to pay Blackstone Audio, Inc. for invoices for audiobook purchases, in the amount of \$517.45.*
- C. *Parade Permit submitted by James Winfield, on behalf of the Lambda Car Club, P.O. Box 3296, Wakefield, MA 01880, to be held on Saturday, September 17, 2016, from 1:30 p.m. to 2:30 p.m.*
- D. *Parade Permit submitted by Provincetown Recreation Director Brandon Motta, for the Recreation Department’s Halloween Parade & Greet N’ Treat, 2 Mayflower Street, Provincetown, MA 02657, to be held on Friday, October 28, 2016 from 3:30 p.m. to 4:30 p.m.*

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, September 12, 2016

00A

TREASURER'S TRANSFERS

Library Gift Fund

Requested by: John O'Buck, Treasurer

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 Fund (#1107) to pay \$122.91 for the attached invoices from Staples Credit Plan, Inc.

Additional Information

This Motion will allow the Town Treasurer to transfer money from the Library Gift Fund – (#1107) to pay for office supplies and printing purchases. The Library Gift Fund will have a balance of \$63,830.65 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: September 12, 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 \$122.91 for office supplies and printing purchases.

The Honorable Board of Selectmen:

Raphael Richter, Chair

Erik Yingling, Vice Chair

Cheryl Andrews, Selectman

Tom Donegan, Selectman

Robert Anthony, Selectman



moreACCOUNT

Remit payment and make checks payable to:
STAPLES CREDIT PLAN
DEPT. J1 - 0008219711
PO BOX 9001036
LOUISVILLE, KY 40290-1036

INVOICE DETAIL

BILL TO:
Acct: 6011 1000 6219 711
PROVINCETOWN LIBRARY

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$35.05	06/18/16	08/15/16	81205
PO:		Store: 100011162, ORLEANS	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
SMOOTHMOVE MD BOXES 3PK	1669032	1.0000 EA	\$12.00	\$12.00
SPLS 3TAB REC FF LTR MAN	246850	1.0000 EA	\$20.99	\$20.99

SUBTOTAL	\$32.99
TAX	\$2.06
SHIPPING	\$0.00
TOTAL	\$35.05

BILL TO:
Acct: 6011 1000 6219 711
PROVINCETOWN LIBRARY

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$95.54	06/21/16	08/15/16	81693
PO:		Store: 100011162, ORLEANS	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
HP564XL564 HY BLK/STD CMY	1989983	1.0000 EA	\$60.99	\$60.99
SWIFFER DUSTERS REFILL 12	1432894	1.0000 EA	\$9.99	\$9.99
1-50 CLR 28LB PREM	429791	1.0000 EA	\$20.70	\$20.70
CUSTOMER BASED PRICING	429791	1.0000 EA	\$4.14	\$4.14
1-50 CLR 28LB PREM	429791	1.0000 EA	\$0.69	\$0.69
CUSTOMER BASED PRICING	429791	1.0000 EA	\$0.14	\$0.14
LAMINATING LETTER 7 MIL	648740	1.0000 EA	\$2.29	\$2.29
CUSTOMER BASED PRICING	648740	1.0000 EA	\$0.46	\$0.46

SUBTOTAL	\$89.92
TAX	\$5.62
SHIPPING	\$0.00
TOTAL	\$95.54

0-2

21935961.1

90126

BULKHEAD 10/0 BING CPM064 07 155717
PAGE 00066 OF 00006
04007886



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

00B

Monday, September 12, 2016

TREASURER'S TRANSFERS

Library Gift Fund

Requested by: John O'Buck, Treasurer

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 Fund (#1107) to pay \$517.45 for the attached invoices from Blackstone Audio, 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 \$63,313.20 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: September 12, 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 \$517.45 for audiobook purchases.

The Honorable Board of Selectmen:

Raphael Richter, Chair

Erik Yingling, Vice Chair

Cheryl Andrews, Selectman

Tom Donegan, Selectman

Robert Anthony, Selectman



31 Mistletoe Rd. Ashland OR, 97520
 P: (800) 729-2665 / F: (541) 482-9294

Page	Customer ID	Invoice ID
1	123607	842044
Ref Date	Invoice Date	Ship Date
	6/28/2016	00/00/00

Ship To ID: 123607

842044

INVOICE

Sold To: Provincetown Public Library *
 356 Commercial St
 Provincetown, MA 02657

Ship To: Provincetown Public Library
 356 Commercial St
 Provincetown, Massachusetts 02657

Customer PO #	Payment By	Rep	Shipped Via	Terms	Ordered By
			Media Mail-FREE	Net 30 Days	

ProdCode	Title	List Price	Ordered	Shipped	BO	Disc	Net Price	Extension
781504762274	Appointment with Death	49.99	1	1		25.00%	37.49	37.49
781504762304	At Bertram's Hotel	49.99	1	1		25.00%	37.49	37.49
781504762908	Death on the Nile	59.99	1	1		25.00%	44.99	44.99
781504762397	Body in the Library, The	49.99	1	1		25.00%	37.49	37.49

Product Total	Sales Tax	Shipping	Invoice Total	Pre-Paid	Paid With Order	Balance Due
\$157.46	\$0.00	\$0.00	\$157.46	\$0.00	\$0.00	\$157.46



31 Mistletoe Rd. Ashland OR, 97520
 P: (800) 729-2665 / F: (541) 482-9294

Page	Customer ID	Invoice ID
1	123607	843525
Ref Date	Invoice Date	Ship Date
	7/7/2016	00/00/00

Ship To ID: 123607

843525

INVOICE

Sold To: Provincetown Public Library *
 356 Commercial St
 Provincetown, MA 02657

Ship To: Provincetown Public Library
 356 Commercial St
 Provincetown, Massachusetts 02657

Customer PO #	Payment By	Rep	Shipped Via	Terms	Ordered By
			Media Mail-FREE	Net 30 Days	

ProdCode	Title	List Price	Ordered	Shipped	BO	Disc	Net Price	Extension
306433	Harry Potter and the Sorcerer's Stone	62.99	1	1		28.56%	45.00	45.00
306430	Harry Potter and the Chamber of Secr	103.99	1	1		56.72%	45.00	45.00
306431	Harry Potter and the Prisoner of Azkal	111.99	1	1		59.81%	45.00	45.00
306432	Harry Potter and the Goblet of Fire	135.99	1	1		66.90%	45.00	45.00
306435	Harry Potter and the Deathly Hallows	152.99	1	1		70.58%	45.00	45.00
306434	Harry Potter and the Order of the Pho	144.99	1	1		68.96%	45.00	45.00
306436	Harry Potter and the Half-Blood Princ	144.99	1	1		68.96%	45.00	45.00

Product Total	Sales Tax	Shipping	Invoice Total	Pre-Paid	Paid With Order	Balance Due
\$315.00	\$0.00	\$0.00	\$315.00	\$0.00	\$0.00	\$315.00



31 Mistletoe Rd. Ashland OR, 97520
 P: (800) 729-2665 / F: (541) 482-9294

Page	Customer ID	Invoice ID
1	123607	846838
Ref Date	Invoice Date	Ship Date
	7/25/2016	00/00/00

Ship To ID: 123607

846838

INVOICE

Sold To: Provincetown Public Library *
 356 Commercial St
 Provincetown, MA 02657

Ship To: Provincetown Public Library
 356 Commercial St
 Provincetown, Massachusetts 02657

Customer PO #	Payment By	Rep	Shipped Via	Terms	Ordered By
			Media Mail-FREE	Net 30 Days	

ProdCode	Title	List Price	Ordered	Shipped	BO	Disc	Net Price	Extension
781504733571	Another Brooklyn	39.99	1	1			44.99	44.99

Product Total	Sales Tax	Shipping	Invoice Total	Pre-Paid	Paid With Order	Balance Due
\$44.99	\$0.00	\$0.00	\$44.99	\$0.00	\$0.00	\$44.99



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016

00C

PARADE PERMIT REQUEST

Yankee Lambda Car Club

Requested by: James R. Winfield., Yankee Lambda Car Club

Action Sought: Approval

Proposed Motion(s)

MOVE that the Board of Selectmen vote to approve the Parade Permit Application submitted by James R. Winfield, on behalf of the Yankee Lambda Car Club's Annual Antique Car Parade to be held on Saturday, September 17, 2016, starting at 1:30 p.m. to 2:30 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: Police Chief James Golden 
Subject: Staff Report Parade Permit Yankee Lamda Car Club
Date: September 07, 2016

Attached please find a completed parade permit on behalf of James Winfield for the Yankee Lamda Car Club event scheduled on Saturday September 17th.

The event is generally a two-stage event, with a static display of no more than 60 cars on Macmillan Pier followed by an escorted procession from 2:00pm to 3:15pm down Macmillan Pier, up Standish Street onto Bradford Street, then follows a course down the length of Commercial Street coming to an end near the Provincetown Inn rotary.

The first stage of this event (the static display) has been coordinated with Rex McKinsey the Pier Manager.

The second stage of the event, the car procession, is outlined in the parade permit.

This is an annual adult event and has been well coordinated in past years.

They have already contracted for one police officer for 4 hours for the escort procession. They have been advised that this will cost them approximately \$202.40.

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

RECEIVED
BOS ✓

SEP 06 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: YLCC Yankee Lambda Club
Address: Po Box 3296 Phone: 401 680 2582
City/Town: wakefield State: MA Zip Code: 01880
Email: ylcc President@gmail.com

Applicant is: Private Individual Business Non-Profit Corp

Individual Responsible: Name: (YLCC) James Winfield
Address: Po Box 3296 Wakefield MA 01880
Phone: 401 680 2582
Email: YLCC President@gmail.com

Will charges or fees be collected? Yes No

Name & Purpose of Parade: (Fun) Yankee Lambda Club
Date of Parade: 9-17-2016 Rain Date (if any): ☑
Schedule: Start Time: 1:30 PM Finish Time: 2:30 P.M
Number of Marchers: 0 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: 9/6/16

Application received by: [Signature]

Date: 9/6/2016

(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 09-07-2016

Board of Selectmen

Chairman, Board of Selectmen

Selectman

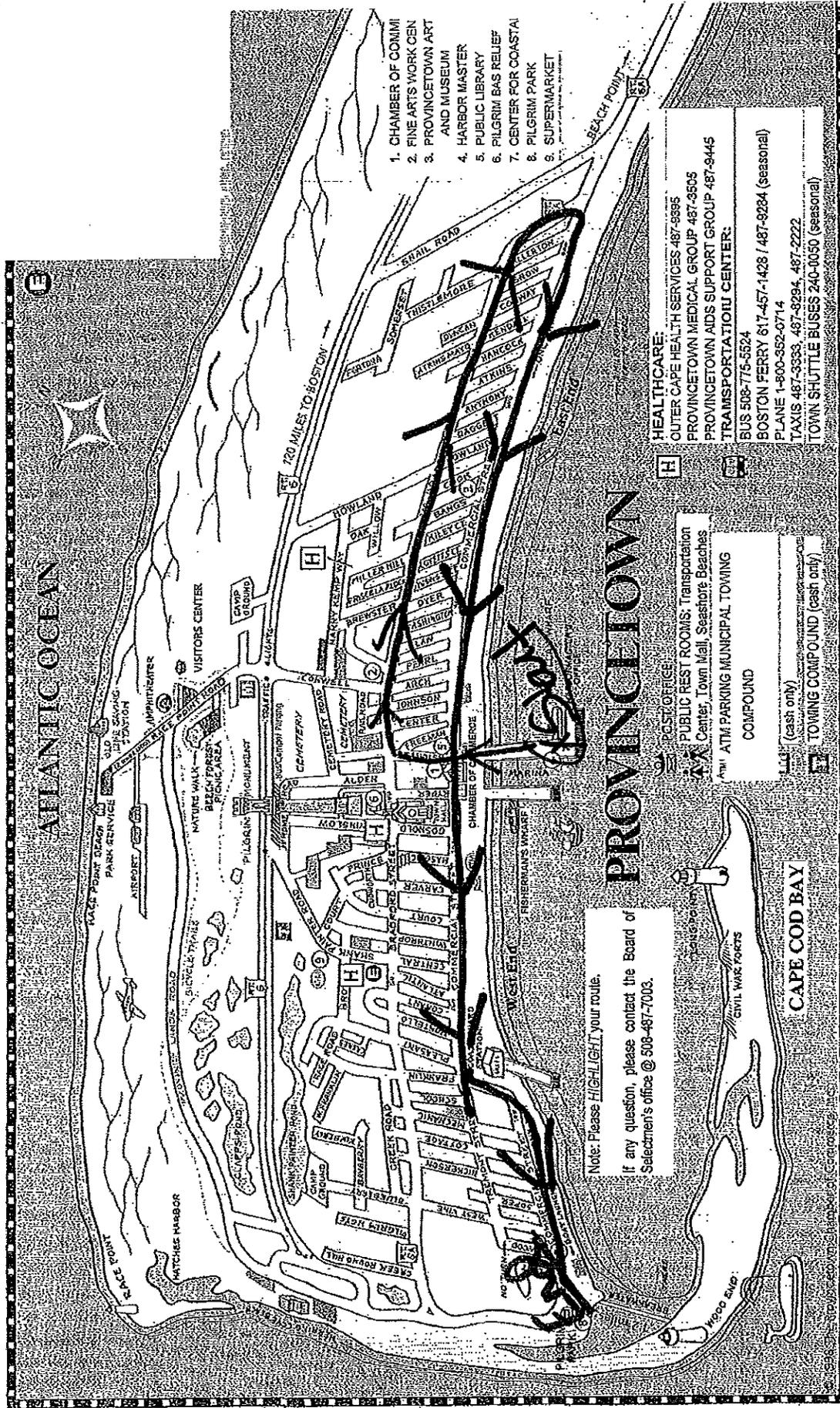
Selectman

Selectman

Selectman

Date: _____

Please highlight your Parade Route on the Map



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

HEALTHCARE:
 OUTER CAPE HEALTH SERVICES 487-9996
 PROVINCETOWN MEDICAL GROUP 487-9505
 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 487-9338, 487-9294, 487-2222
 TOWN SHUTTLE BUSES 240-0050 (seasonal)

PROVINCETOWN

POST OFFICE:
 PUBLIC REST ROOMS: Transportation Center, Town Hall, Seaside Beaches
ATM: ATM PARKING MUNICIPAL TOWING
 COMPOUND
 LIQUOR (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.



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

00D

Monday, September 12, 2016

PARADE PERMIT REQUEST

Annual Recreation Dept. Halloween Parade & Greet N' Treat

Requested by: Recreation Director Brandon Motta

Action Sought: Approval

Proposed Motion(s)

MOVE that the Board of Selectmen vote to approve the Parade Permit Application submitted by Brandon Motta, Director of the Provincetown Recreation Department, for the Annual Halloween Parade & Greet N' Treat, to be held on Friday, October 28, 2016, from 3:30 p.m. to 4:30 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 Jim Golden 
Subject: Staff Report Recreation Department Halloween Parade and Greet N' Treat
Date: September 06, 2016

Please know we have returned the parade permit for the Annual Provincetown Recreation Department Halloween Parade and Greet N' Treat.

The event is scheduled for Friday October 28, 2016 from 3:30pm to 4:30pm and will navigate a route beginning at the Seashore Point complex on Alden Street and ending on Winslow Street at Motta Field.

This event can be supported by the on-duty police shift on Friday October 28th.

PARADE ROUTE

- Alden Street to Bradford Street
- Left Turn on Bradford Street
- Right Turn on Standish Street
- Right turn on Commercial Street
- Commercial Street to Gosnold Street
- Cross Bradford to Winslow Street
- Winslow Street and End at Motta Field

This event is recommended for inclusion to the consent agenda.

Please let me know what questions you may have.

RECEIVED
BOS ✓

SEP 06 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 four weeks prior to the date of your event.

Applicant's Name: Provincetown Rec Dept
Address: 2 MAYFLOWER ST Phone: 487-7007
City/Town: PROVINCETOWN State: MA Zip Code: 02657
Email: bmotta@provincetown-ma.gov

Applicant is: Private Individual Business Non-Profit Corp Town Rec Dept

Individual Responsible: Name: BRANDON MOTTA
Address: 2 Mayflower Street
Phone: 508.487.7007
Email: bmotta@provincetown-ma.gov

Will charges or fees be collected? Yes No

Name & Purpose of Parade: ANNUAL HALLOWEEN CHILDRENS PARADE

Date of Parade: 10/28/16 Rain Date (if any): 10/31/16

Schedule: Start Time: 3:30 PM Finish Time: 4:30 PM

Number of Marchers: 50 Number of Vehicles: 0

(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: 9/2/16

Application received by: [Signature] Date: 9.6.2016
(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.

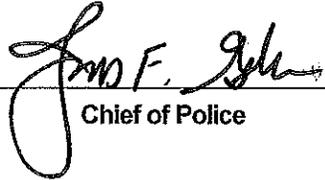
All parades will be assigned and will follow a police cruiser on the approved route. If the Chief of Police deems it necessary to assign additional officers as part of the parade permit, then the cost of such special duty officers will be borne by the applicant.

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)

START AT JACKSON POINT, DOWN ALDEN, ACROSS BRADFORD, DOWN
STANBISH ST, DOWN COMMERCIAL, UP BOWEN, END AT MOTT FIELD

APPROVALS



Chief of Police

Date 09-06-2017

Board of Selectmen

Chairman, Board of Selectmen

Selectman

Selectman

Selectman

Selectman

Date: _____



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 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>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 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, September 12, 2016

3

SELECTMEN'S STATEMENTS

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

Motions may be made and votes may be taken.

Robert Anthony

Erik Yingling

Tom Donegan

Cheryl Andrews

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, September 12, 2016

4A

THE ABRAHAMMS REPORT

Review of Finance Department and Financial Activities

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

Discussion Dependent – votes may be taken.

Additional Information

See attached Finance Department and Financial Activities Report submitted by The Abrahams Group.

Board Action

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

THE ABRAHAMS GROUP

FOR BETTER GOVERNMENTS

August 29, 2016

Mr. David Panagore
Town Manager
Town Hall
240 Commercial Street
Provincetown, MA 02657

Dear Mr. Panagore:

We have completed our work to conduct an organization and procedures review of the Town's Finance Department with the objective of improving the efficiency, effectiveness and internal controls of the financial operations. The attached report presents the background and objectives of the project and our findings and recommendations.

We are pleased to provide assistance to the Town of Provincetown on this important and challenging project. I will be pleased to discuss this report with you at your earliest convenience.

Sincerely yours,



Mark D. Abrahams, CPA
President

Attachment

Town of Provincetown

Review of Finance Department

and

Financial Activities

Final Report

The Abrahams Group

August 2016

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I. Introduction

The Abrahams Group was hired to conduct a review of the finance department. The town has a consolidated finance department under the management of a director of finance. The department includes nine (9.5) positions in the divisions of assessing, collecting, treasury and accounting. The finance director oversees all accounting functions including two FTEs, the accounts payable clerk and the payroll-benefits clerk. The collector function consists of the collector supported by one full-time position. Treasury includes the one (1) FTE Treasurer. The assessment division is comprised of the assessor, assistant assessor and an administrative assistant and seasonal part time staff to assist in the inspection function.

It is important to note that the town has recently had turnover in two key finance positions: the finance director (accountant) and the treasurer. The town has recruited and hired a new treasurer. After this review is completed, the town manager will recruit for the finance director. The town has executed a contract with an interim finance director/accountant in order to close the books for FY 2016 and perform accounting activities until a permanent finance director is hired.

The Town has been using the MUNIS financial management and accounting system for a number of years as well as some decentralized accounting systems. An overview of the finance department including its organization, staffing and delineation of financial activities within the department is presented in Section II.

The town had a review of financial activities conducted by the Department of Revenue – Division of Local Services in 2008. This report made thirty recommendations for consideration by town officials. Section III of our report includes a status of each of these recommendations.

Due to the vacancy in the finance director position the town requested that The Abrahams Group assess the status of the department in terms of staffing, workflow, activities and utilization of the MUNIS financial management system in advance of filling the position.

Approach

We have reviewed various information and documents including:

- Financial policies and procedures
- Finance department job descriptions
- Source documents, reports and manual logs for key activities: Departmental Payments to the Treasurer, Collector's Turnover, Leave balance records,

Certificates of Abatement, Commitments of Billings, Time and Attendance Reports, Payables Vouchers, Tax Recap Sheets, timing of submittals of key reports to the DOR (Department of Revenue – DLS (Division of Local Services))

- Prior year Audited Financial Statements and Management Letters
- MUNIS system roles, utilization and centralization vs. decentralization
- Budget document, Capital Improvement Plan, and Ten Year Financial Forecast
- Town Charter and applicable by-laws

We also distributed a survey to staff in the finance department in order to understand their responsibilities, time allocations, system issues, training needs and the like in advance of our interviews. We have interviewed all staff in the finance department, the town manager, and the information technology staff responsible for the MUNIS system and support as well as the school business officer/assistant.

We found the staff of the finance department who we interviewed to be very cooperative and helpful.

Findings and Recommendations

Our findings and recommendation are presented in two sections of this report. Section III presents our review of the status of the 2008 recommendations of the Department of Revenue's Division of Local Services. At that time the DOR – DLS made thirty recommendations for improvement in various areas of financial management and financial operations. That study was done due to weaknesses in the town's financial management, the inability to close the fiscal year in a timely manner, and to the inability to file key reports in a timely manner with the Department of Revenue.

Section IV of our report presents the findings and recommendations on the current finance department for consideration of the town manager and to present a baseline for the future finance director as to the status of the department.

Our principal recommendations relate to the enhanced utilization of the MUNIS financial management system in order to improve effectiveness and promote greater efficiency in the performance of many financial activities through greater decentralization of some activities and the elimination of duplications in the areas of time and attendance, payroll, accounts payable, cash receipts and procurement administration.

II. Overview of the Finance Department

Background

The Provincetown finance department is a consolidated department with responsibility for all financial activities under the direction and oversight of a finance director. The finance director is appointed by the town manager and oversees the assessing division, collection division, treasury division and the accounting function. The department is also responsible for development of the annual budget, coordination of the capital improvement program and five year capital plan, development and publication of the ten year financial forecast. The Department is staffed by 9.5 full time equivalent positions (FTEs).

The key positions responsible for the management and oversight of financial functions are: the finance director/accountant, the treasurer, the collector, and the assessor.

The finance director serves as the accounting officer for Provincetown and must fulfill all the accounting responsibilities required by the department of revenue, Massachusetts General Laws and sound accounting and financial reporting standards and requirements. As such this is the position that must sign and approve various documents and reports:

- Approves and signs all payroll warrants
- Approves and signs all accounts payable warrants
- Certifies funding for all contracts
- Signs certain grant reimbursement requests
- Signs and approves *Schedule A* filing to DOR
- Signs and approves the DESE (Department of Elementary and Secondary Education - the new name of the Department of Education) *End of Year Report* (in conjunction with school officials)
- Signs financial schedules of the *Tax Recapitulation Sheet* to DOR
- Signs the annual *Free Cash Worksheet* and Submittal to DOR
- Signs the Highway Report to Mass. Highway
- Signs the Community Preservation Report
- Signs the Snow and Ice Report and Submittal to DOR
- Signs the Cash Reconciliation Report and Submittal to DOR
- Signs the Accounts Receivable Reconciliation Report and Submittal to DOR
- Signs the Statement of Indebtedness Report and Submittal to DOR

The finance director is supported by the accounts payable clerk and the payroll/benefits clerk in the performance of the various accounting and general ledger activities. The finance director as accountant is responsible for the integrity of the general ledger and for the town's budgetary basis financial statements. The three full time equivalents (FTEs) in the accounting function accomplish the following for the town:

- Maintain the accuracy of the general ledger (the official legal record of all of the Town's assets, liabilities, fund balances, revenues and expenditures)
- Review and process accounts payable for all town departments and the school department
- Review and process payroll for all town departments and the school department, including review and reconciliation of departmental payrolls to third party payroll system and to MUNIS general ledger
- Record and maintain accumulated leave balances for many benefited town employees
- Review, record and post journal entries
- Set up new accounts and "funds" on the general ledger
- Verify and reconcile cash on the general ledger to the bank statements
- Reconcile accounts receivable
- Update and maintain fixed asset records
- Provide benefits and insurance administration and required state and federal reporting
- Oversee and enter budget amendments
- Prepare various schedules and reconciliations for the annual financial audit
- Prepare *Schedule A*, Financial Schedules of the *Tax Recapitulation Sheet*, Combined Balance Sheet for Free Cash Certification, *Free Cash Worksheet*, checklists, and other reports
- Provide support to the Board of Selectmen and the Finance Committee

In addition to the above and the development of the annual budget, the five year capital improvement program and the ten year financial forecast and the various accounting functions described above, the finance director oversees three functions: assessment administration, collections and treasury.

The *assessment division* is staffed by 3.5 FTEs: the assessor, the assistant assessor, the administrative assistant and part time contractual positions that assist in data collection and inspections of new properties and additions in support of the field assessment function.

The principal responsibilities of the division are:

- Administration and determination of property values
- Administration and determination of new growth
- Preparation of assessment schedules for Tax Recapitulation Sheet
- Inspection of properties and new additions
- Administration of revaluations
- Reviewing abatement applications and granting or rejection of abatements
- Providing support and documentation to board of assessors
- Providing testimony and documentation for Appellate Tax Board

- Reviewing and granting of personal exemptions
- Updating and maintaining the PK Assessment Administration database for all property related values and transactions (abatements and exemptions)
- Reviewing accuracy of Tax Commitment/Billing Database for purposes of Semi Producing Semiannual Tax Billings and produce Commitment for Collector
- Entering all MVX abatements to the MUNIS Accounts Receivable System

Based on the skill sets, expertise and training of the office, it operates independently of the finance director and does not require any significant degree of supervision.

The assessor's office also has several formal written policies and procedures, which delineate responsibilities and actions for many key assessment administration functions.

The *collection division* is staffed by two FTEs: the collector and the assistant collector. The principal responsibilities of the division include:

- Issuance and collection of real estate and personal property tax bills
- Issuance and collection of motor vehicle excise (MVX) tax bills
- Issuance and collection of boat excise bills
- Preparation and issuance of municipal lien certificates (MLCs)
- Processing and posting of payments for real estate tax, personal property tax, MVX, and boat, to the MUNIS Accounts Receivable systems (from window, lock box, tax service companies and on line payments)
- Posting of payments to the inHance water and sewer utility billing and receivable system
- Issuance of demands
- Issuance of refunds for credit balances
- Entry of all real estate and personal property tax abatements and exemptions to MUNIS accounts receivable system
- Tax title

The staff in the collector's office is cross-trained in most functions and activities such that more than one staff position can handle the activity in the event of absences. The office works closely with the assessor's office and it is relatively independent in terms of the level of direction or supervision needed by the finance director.

The *treasury division* is staffed by one FTE: the Treasurer. It is important to note that the former treasurer resigned four months ago and the town has a new treasurer, who does not have prior experience in municipal finance.

The principal responsibilities of the Treasury Division include:

- Recording of cash receipts and disbursements in the treasurer's Excel Cash Book
- Coordination with the Town's financial advisors for debt issuances

- Payment and reporting of state and federal taxes and other employee deductions
- Reconciliation of the Town's bank statements to the "Cash Book"
- Funding of payroll and accounts payable warrants
- Oversight of gift and trust bank accounts per donor and trust agreements

III. Status of Department of Revenue/Division of Local Services 2008 Recommendations

Overview

The following presents the status of each of the recommendations made by the Department of Revenue in their 2008 Financial Management Review Report. It is important to recognize that the town's finances and financial management have improved significantly since the 2008 review. In the past several years, the town has:

- Developed cash reserve policies, debt management policies and other financial policies
- Increased its Free Cash
- Established a General Stabilization Fund
- Established a Capital Project Stabilization Fund
- Closed the books timely, submitted the Balance Sheet, the Free Cash Worksheet and Schedule A to the DOR in sound timeframe
- Provided monthly budget to actual reporting to department heads, capital project managers and to the finance committee
- Published a multiyear (10 year) financial forecast with assumptions and projected financial position each year
- Published a multiyear capital improvement program and funding schedule
- Increased its Standard and Poor's credit rating from A- to AA, which was affirmed in June 2016

1. Reconcile Cash and Receivables

The 2008 DOR report recommended the monthly reconciliation of cash and receivables as they identified that cash and receivables were reconciled only at year end with the assistance of the outside audit firm.

Cash reconciliation improved in recent years and cash is currently reconciled as of April 30, 2016. The town has had turnover in the positions of treasurer and finance director. Currently the treasurer is working with the audit firm to revise the process for reconciliation of the treasurer's cash book (which was maintained in Excel workbooks) to the bank statements to a new system. At that point, cash will be reconciled for May 31st and June 30th.

The town bills real estate property, personal property, motor vehicle excise and boat excise in the MUNIS integrated financial management system. The general ledger receivable balances are posted from the detail records, the finance director/accountant should verify at the close of each month to assure that all transactions (payments, abatements, commitments) have been posted to the general ledger. The town does not bill water and sewer customers in the MUNIS system. The town uses the inHance Utility billing system to bill, apply payments and to record abatements. Currently there is no formal monthly process to reconcile the inHance balances to the MUNIS general ledger balances.

Section IV of this report contains recommendations regarding cash and receivable reconciliations.

2. Implement and Maintain the New Chart of Accounts

The redesigned chart of accounts and account coding structure to facilitate the school department's completion of the Department of Elementary and Secondary Education (DESE) required End of the Year Report was successfully completed. In concert with this initiative, the Department of Revenue had recommended that the school department have access to MUNIS for their processing of accounts payable to eliminate duplicate entry by the department of finance. This has been accomplished and is a positive step forward.

The Department of Revenue had also recommended that time and attendance (the front end) of payroll processing should be decentralized to the school department. This has not been accomplished and is discussed in Section IV of our report.

3. Maintain an Up to Date General Ledger

The Department of Revenue was concerned as to the currency of the general ledger with regard to the recording of departmental cash receipts, payroll transactions and accounts payable transactions. The department of finance today with respect to cash receipts, payroll and accounts payable maintains an up to date general ledger to accurately reflect transactions of the town. Cash receipts are entered by the treasurer or the assistant collector to MUNIS, the accounts payable transactions are entered by the school business office and by the accounts payable clerk for each weekly warrant; payroll transactions which initiate in Excel and are paid via the Harpers Millennium third party payroll system are recorded in MUNIS to the accurate accounts within the same bi weekly payroll cycle.

All of the transactions entered by staff are only posted to the general ledger after review by the finance director/town accountant in order to assure appropriate oversight and control. The general ledger reflects timely information; Section IV. of our report addresses the need for some additional efficiency in the processing of cash receipts, accounts payable and payroll.

4. Avoid Deficit Spending

The 2008 Department of Revenue Report discussed deficits that the town had incurred. We have reviewed the FY 2015 Free Cash Certification to review any deficits in any fund of the town. It is important to note that the major funds – the General Fund, the Water Enterprise Fund and the Sewer Enterprise Fund had sound fund balances. At June 30, 2015 the town had only some temporary deficits in grant funds. Temporary deficits are only due to timing of a grant receipt/reimbursement and are not of concern.

Also the accounts payable process requires that department heads transfer funds from one of their accounts to another so as not to allow deficit spending. Section IV of our report recommends the use of requisitions, purchase orders and encumbrance accounting to immediately post the contractual obligation to the general ledger at the time it becomes an obligation. Currently the encumbrances are not recorded on the general ledger. The town has the ability to encumber using the MUNIS system without incurring additional MUNIS costs.

The DOR report also recommended the use of independent ledgers in the departments which would be reconciled with the general ledger each month. This is not necessary and is time consuming. Section IV of our report recommends the enhanced, decentralized use and access to MUNIS which will facilitate appropriation control and manager's access to timely budget and financial information.

5. Plan to Submit Balance Sheet And Schedule A Timely

The 2008 Department of Revenue report identified the fact that the town was not able to close the fiscal year in a timely manner, could not submit a balance sheet to allow the certification of Free Cash and was late in filing the annual Schedule A (report of financial activity – all funds) to the DOR, which results in a penalty of not receiving state aid payments.

The town has remedied this situation for several years. Appendix A presents the significant progress in the timely certification of Free Cash since FY 2013 it has been certified in October which is very good and in FY 2015 and FY 2016 Free Cash was certified at the beginning of September which is excellent and attests to the timely close out of the fiscal years. Schedule A has been submitted by the October 31st deadline for several years per DOR records. Note that the State's Schedule A deadline is now November 30.

6. Prepare for Quarterly Tax Billing

The town has not implemented the Department of Revenue recommendation to implement quarterly tax billing. This is a policy decision of each community in the Commonwealth; to transition to quarterly tax billing would require a vote of town meeting and the quarterly billing system would need to remain in effect for three years. In the Commonwealth, 277 communities bill quarterly. Provincetown is one of nine communities which issues a preliminary bill, subsequently gets approval of the tax rate and then send one "actual" bill at the actual tax rate. The assessor has indicated that the goal is to have the DOR certify the tax recapitulation and tax rate early in the fiscal year to allow the mailing of two actual tax rate bills.

We also reviewed whether the town needed to borrow funds (revenue anticipation notes) in order to meet expenses since there are only two annual tax billings; this is not the case. We reviewed monthly cash balances for the major funds: general and enterprise funds for each month for the past two fiscal years. The town has maintained a positive cash balance throughout the past two fiscal years and as such cash available has exceeded spending needs.

We recommend that the treasurer prepare a monthly cash flow analysis each fiscal year to demonstrate that the cash flow will meet spending needs; in the event that cash is insufficient in a future year, then the town may want to reconsider quarterly tax billing. Also as interest rates increase, the additional cash balances generated by the more frequent billings would yield additional interest earnings for the town.

7. Outline Town Manager Goals and Objectives

This recommendation focuses on defining the working relationship between the Board of Selectmen and the town manager in order to establish priorities and clear

expectations. The responsibilities of the town manager are wide-ranging as enumerated in the town charter, it is expected that the town manager will routinely receive selectmen requests to provide information, to take actions, and make decisions. DOR recommended that the board chair and town manager continually communicate to discuss the board's view of urgent matters, which would warrant an immediate response or update, and lower priority projects, which would require less frequent reporting. DOR further recommended that they should agree on each meeting agenda, not only to determine subjects to discuss, but which matters will not be raised. It should be noted that DOR's comments were a reflection of a previous town manager.

The board of selectmen has formalized goals for the town manager for FY 17. Also, the chair of the board of selectmen and the town manager now meet in advance of each board of selectmen's meeting to review the agendas for the meetings. The town manager solicits up to three update bullets from each department and collates and edits this into a memo in advance of each board of selectmen's meeting. The town manager routinely receives selectmen requests to provide information, to take actions, and make decisions, provided however that the selectmen be selective in their requests so as not to be overburdening.

8. Form Financial Management Team

DOR recommended that the town manager form a financial management team, including the accountant, treasurer, collector, principal assessor and MIS director, together with a representative from the school business office. Chaired by the town manager, it can serve as a forum to coordinate financial functions and discuss progress on finance-related deadlines. The team can identify critical junctures and offer strategies to deal with anticipated areas of concern, such as proposals on debt limits, reserve fund levels, revenue and expenditure estimates, and annual budget guidelines. It should be noted that DOR's comments were a reflection of a previous town manager.

The town has formed a financial management team under the finance director which includes the accountant, treasurer, collector, and principal assessor who report to the finance director. We recommend that when relevant the finance director should include the school business official and the MIS director in the meetings. We further recommend that the meeting include the town manager, as necessary and when there are strategic issues on the agenda.

9. Complete Revenue Projections

The Department of Revenue recommended that the town focus on revenue estimates for the next fiscal year in advance of department heads submitting their spending budgets as annual budgets are revenue driven.

In recent years the town has implemented this approach and has also followed the DOR recommendation that there be some conservatism in revenue estimations. In recent years for example, there has been some conservatism in the estimation of local receipts which has also allowed the town to build reserves: free cash and stabilization fund which is also consistent with sound financial management.

Moreover, the finance department has developed and publishes a Ten Year Financial Forecast each year. The most recent one is for the period of FY 2017 to FY 2026 and forecasts revenue and expenditure with stated assumptions in order to demonstrate the anticipated ability of revenues to provide for spending needs or to identify challenges in future years. The multiyear forecast is a valuable planning tool and a significant accomplishment.

10. Adopt Policies to Build Reserves

In 2008 the Department of Revenue identified that the town had negative free cash of \$1.6 million and had only \$75,177 in the Stabilization fund, a serious financial situation.

The town subsequently adopted a Cash Reserves Policy which was most recently updated in June 2011. It set forth policies and objectives for free cash, the annual general fund reserve, the overlay reserve and stabilization funds. It stipulated the importance of a general purpose stabilization fund as well as a capital improvement stabilization fund. Specifically the general purpose stabilization fund was adopted by a vote of the board of selectmen in December 2009; it has been funded principally by transfers from certified free cash and has a balance of \$1.137 Million. The town may want to consider if there should be limitations on the use of the stabilization fund such as to protect the town in times of economic downturn when the town may lose state aid or have declines in economically sensitive revenues such as motor vehicle excise tax, building permits etc.

The capital improvement stabilization fund was established per the April 2010 Special Town Meeting and the town's home rule petition to the Massachusetts Legislature allowing the deposit of room occupancy receipts as a funding source. All transfers must be approved by town meeting vote. The fund has a balance of \$503,271. We note that the town expends a significant of these funds annually. The finance committee and appropriate officials may want to revisit the need to

maintain a fund balance for specific targeted needs, such as a future spike in capital improvement needs instead of the use of funds on a recurring basis.

11. Assess the Impact of School Regionalization

The Department of Revenue recommended that an analysis be completed as to the cost of educating Provincetown students locally versus sending students to the Nauset Regional School District. The analysis was completed and the town subsequently transitioned students to Nauset, with the exception of elementary students. The analysis had shown that the annual savings were in the range of \$500,000.

12. Consider Residential to CIP Shift

The Department of Revenue recommended the consideration of a split tax rate in order to shift a portion of the tax burden from residential to commercial, industrial and personal property tax payers. The town has not adopted this recommendation, which is a policy decision of each community in the Commonwealth. We note that only 18% of total values are commercial and industrial.

13. Consider Adopting Residential Exemption

The town adopted a residential exemption in FY 2016 as provided for in MGL Chapter 59 Section 2C. The residential exemption allows a municipality to grant an exemption of a dollar amount that cannot exceed twenty percent of the average assessed value of all residential class property. Residential exemptions raise the residential tax rate and shift the residential burden from moderately valued homes to higher valued homes.

14. Adopt MGL c 32N s 18

The Department of Revenue recommended that the town adopt M. G. L. C 32B s 18 so that retirees would be required to enroll in a Medicare health benefits supplement plan. This recommendation was not approved by town meeting; it was indefinitely postponed by town meeting.

15. Modify Personnel Practices

The Department of Revenue recommended performance evaluations, up to date job descriptions and the consolidation of all town (non-school) personnel files within the town manager's office. These were accomplished with the exception of some job descriptions that were contracted out to a consulting firm for updating and were not delivered.

16. Establish an Audit Committee

The Department of Revenue recommended that the board of selectmen create an audit committee especially due to the fact that in 2008 there were many financial issues identified in the audit firm's management letter which were largely ignored. The town did not create an audit committee, which is a policy decision. The principal issue is that some committee needs to be responsible for monitoring resolution of management letter findings.

17. Build a Technology Plan

The Department of Revenue recommended that the MIS Director develop a formal technology plan. As of the current date the town does not have a formal written technology plan. This MIS Director is now responsible to prepare a Technology Plan during FY 17.

18. Improve Time Management

This recommendation in the DOR was specific to the finance director in 2008. The town is about to recruit for a finance director to fill the current vacancy. The priorities of the finance department as agreed to by the town manager and new finance director could be incorporated into a work plan and could incorporate recommendations in Section IV of our report.

19. Modify Payroll Procedures

The finance department has implemented the payroll procedures as recommended by the Department of Revenue with the exception of maintaining employee leave (sick, vacation, personal) accruals in the Harpers payroll system. Section IV of our report recommends several new changes to the time and attendance, leave

accrual and payroll procedures and process in order to more effectively use the MUNIS financial management system and to create greater efficiencies and eliminate duplications of effort. The town would have to purchase additional MUNIS modules to accomplish this; please refer to Section IV.

20. Generate Monthly Expenditure Reports

The assistant collector currently has the responsibility of sending monthly MUNIS Budget to Actual Reports to each department head so that they can monitor their spending to the adopted budget. The MUNIS reports are also sent to individuals and boards who are responsible for the oversight of capital projects.

Section IV of our report recommends that the town facilitate access of department heads to their accounts and make recommendations to allow real time budget to actual status for all their of funds (general fund budget, enterprise, agency, grants, capital projects) and specific accounts within each fund.

21. Maintain Debt Schedule and Reconcile with Treasurer

The Department of Revenue recommended that debt including all debt outstanding by project and authorized and yet unissued debt be recorded on the general ledger in the long term debt/obligations account group. The treasurer must maintain separate records of the same information.

The records of each official are important for the preparation of the annual Statement of Indebtedness which is required to be filed with the DOR at the close of the fiscal year. As we have referenced, the town has had turnover in the past few months in the positions of treasurer and finance director/town accountant; this remains outstanding.

22. Simplify Cash Book

In 2008 the Department of Revenue recommended that the Treasurer maintain a more simplified cash book to record departmental turnovers, collector turnovers, wire transfers etc. as well as all disbursements: payroll, accounts payable etc. The cash book provides up to the minute information on the town's cash position.

The town has a new treasurer. The former treasurer maintained a more complex cash book that worked for the former treasurer. The new treasurer is working with the audit firm to develop a cash book that is more understandable. As of the

date of this report, cash has not been reconciled to the bank statements for May 31st or for June 30th.

After the cash book and bank statements are reconciled, the finance director/accountant will need to reconcile the cash per the MUNIS general ledger to the actual bank statements. The final reconciliation of “cash” must be the bank statements to the general ledger.

The current delay in reconciliation of cash is a result of the turnover in the positions of treasurer and the recent temporary hiring of an acting accountant/finance director.

Section IV of our report presents recommendations regarding the cash reconciliation process.

23. Complete Internal and External Reconciliations

The Department of Revenue identified that in 2008 the treasurer’s cash book was not reconciled to the bank statements and that the cash book was not reconciled to the general ledger. These are serious issues as cash should be reconciled on a monthly basis. In recent years there has been a process to reconcile cash on a timely basis.

In the past few months there has been turnover in the positions of treasurer and finance director/accountant, the two principals to assure that cash is reconciled each month. Currently the treasurer is working with the audit firm to develop a simpler cash book for recording all cash transactions (turnovers from the departments, turnovers from the collector, payable warrants, and payroll warrants etc.). It is anticipated that this will be accomplished in the near future.

Section IV of our report makes some additional recommendations in this area as this is essential to sound financial management. Delays in the reconciliation of cash can prevent the timely close out of the fiscal year and the DOR’s certification of free cash.

24. Implement Cash Controls

The Department of Revenue had recommended in 2008 that the finance department create a standardized departmental receipts to the treasurer form with the department’s specific account codes, etc. This has been accomplished and also a copy of the turnover independently goes to the finance director/accountant, which is very important for sound controls and to assure that cash is recorded accurately on the general ledger.

The DOR also recommended that the turnover sheets be the basis for recording to the cash book instead of the MUNIS system. This is important because the turnovers are the true source document and if there is an error in data entry to MUNIS, the treasurer would be using an incorrect source, so the original documents should be the source of all entries to the cash book.

With respect to cash controls, DOR also recommended that departments that turnover funds to the treasurer's office receive a receipt immediately at the time of turnover. Currently departments receive a receipt when the turnover is recorded in MUNIS which may be a day or two later. Consistent with DOR's original recommendation, the cash and checks should be counted at the time of turnover and a receipt should be provided immediately. Also the turnovers are currently accepted by the assistant collector and the collector. They should also be counted and accepted by the treasurer to assure someone is always available to provide a receipt.

25. Consolidate Debt Schedule

The Department of Revenue recommended that the treasurer develop and maintain a long term debt schedule. This has been accomplished and the finance department also publishes this schedule as part of the Multiyear Financial Forecast which presents: principal payments by fiscal year, interest payments by fiscal year, the future year principal and interest payments for debt authorized and unissued, debt service fees by year as well as outstanding debt at the close of each fiscal year.

26. Research Returned and Unclaimed Checks

The Department of Revenue recommended that the treasurer take steps under MGL Ch. 200A S 5 to advertise unclaimed checks, hold hearings and settle claims. This has not been done in the past few years. According to the records we reviewed, there is approximately \$15,000 of uncashed checks and some go back to 2012.

Section IV of our report presents recommendations on recovering unclaimed checks or tailings.

27. Reconcile Receivable Control

The town bills committed receipts (real estate, personal property, motor vehicle excise and boat excise) in the MUNIS tax billing system which is integrated with the MUNIS general ledger. Billing in an integrated system facilitates that the detail will reconcile with the balances on the general ledger. At the end of each month the finance director/accountant should simply verify that every batch commitments, payments and abatements is posted before the close of the month.

It is important to note that the finance director/accountant and the collector need to formally reconcile the water receivable and the sewer receivable at the end of each month due to the fact that water and sewer are billed in a separate utility billing program: inHance. Each period the DPW bills/commits to the detailed individual users account. The collector's office will post payments to the detailed account in inHance as well as record abatements to inHance. The summary level transactions need to be posted in MUNIS each day. Since there are two systems of record, it is important that all activity be reconciled at the close of each month.

28. Accept Town Collector Local Option Statute

The Department of Revenue recommended that the town per M.G.L. C 41 S 38A to authorize the tax collector to collect all committed receipts instead of only taxes. This would allow the collector the ability to pursue delinquent water and sewer charges and lien them to taxes.

The Special Town Meeting of November 2008 voted to accept the local option statute to give the collector this expanded responsibility.

29. Emphasize Sales Inspections

The Department of Revenue recommended that the assessors emphasize sales inspections over cyclical inspections. We have not done a detailed review of the assessor's inspection practices; the director of assessing has indicated that the department uses both approaches: sales and cyclical inspections.

30. Reduce Returned Tax Bills

The Department of Revenue recommended that the assessors regularly report changes in property title to the collector in order to reduce the amount of returned tax bills via a report of deed changes from the PK property database to allow updating by the Collector's Office to update the owner in the MUNIS.

The process has been improved; the Assessor's Office updates both systems of record when there is a deed change.

IV. Current Findings and Recommendations

A. Financial and Accounting Work Processes and Systems

This section presents recommendations for improved work flow in order to eliminate redundant systems and work processes between the finance department and the various municipal departments as well as the school department. The principal focus of this section is the elimination of redundancies, the decentralization of MUNIS to user departments, the elimination of various Excel record keeping systems, and enhancement of MUNIS as the system of record in the areas of procurement, encumbrances, time and attendance, payroll, human resources, cash receipts and various miscellaneous billing activities. The town owns the MUNIS general ledger, accounts payable, budgeting, purchase order and encumbrance, and the property tax billing modules of MUNIS. We are recommending the addition of the human resource, payroll and miscellaneous billing modules; the benefits of which are explained below.

Decentralization of the MUNIS Financial Management System and Improvements in Division of Work

The Town of Provincetown uses the MUNIS Financial Management software for the general ledger, budget administration, accounts payable and tax billing functions. The MUNIS system is not decentralized to Town departments, which would allow department heads and their administrative assistants the ability to enter transactions to MUNIS (for review and approval by Finance/Accounting) and to enter their annual budgets for review and approval. The decentralized approach allows the transaction to immediately be recorded into MUNIS the system of record, when the transaction occurs, minimizes duplicate data entry, and minimizes the use of other systems and spreadsheets.

The current centralization of MUNIS with finance department staff means that all transactions at the departmental level (police, public works etc.) need to be transmitted manually via paper and via Excel spreadsheets. Many financial and human resource and time and attendance transactions are processed in duplicate or in triplicate due to multiple systems to compensate for the current configuration of MUNIS no decentralization and the use of a third party (Millennium) payroll system. There is also recognition by many staff within the finance department that the design and utilization of the MUNIS system should be reconfigured.

It is important to note that the MUNIS system is a “batch processing” system. When data entry for requisitions/purchase orders, payables and time and attendance, budget development are decentralized, it does not create weaknesses in internal controls. The “batches” of transactions, entered by decentralized staff, then flow in MUNIS to the appropriate reviewers/controllers in the finance department who will only approve the “batch” if it meets appropriate standards and requirements of the finance

director/accountant. The following documents findings by specific work process and activity and the related recommendation(s) for change.

1. Accounts Payable and Invoices

Finding:

All municipal departments enter all of their invoices by vendor, description of the service and the amount into an Excel spreadsheet each week for each warrant. All MUNIS municipal accounts payable activity is performed by the accounts payable clerk in the finance department which duplicates every entry that has already been made town wide into Excel spreadsheets. This position is responsible for the data entry of thousands of invoices for the town and is simultaneously supposed to perform a review function and preparation of the warrant. This can be a time consuming function when all invoices are processed and data entered by one person and does not facilitate an independent review.

Recommendation:

MUNIS accounts payable is or can be decentralized to administrative assistants' town wide to eliminate the use of Excel spreadsheets. MUNIS is a batch processing system and the departmental staff would have no additional control or authority by doing this. The delegation of data entry simply provides that several people will do the data entry of their own department's invoices for that week. Several people entering just their own more limited payables is more efficient and not a major processing activity as is the current centralized approach. It creates no additional work as they enter payables to MUNIS instead of Excel.

The invoice batch will queue to the accounts payable clerk for independent review (checking that there is no sales tax, extension are correct, it is charged to an appropriate account, to the correct remittance address, etc.) It is a more checks and balance approach vs. an intensive data entry/processing activity that may not support the best approach to assure a sound accounts payable function.

When MUNIS is decentralized to the town departments, it can be phased in with perhaps the largest volume departments transitioning first (i.e. public works, police). Since the town owns the account payable module there is no additional costs, we also recommend that town staff: the accounts payable clerk or the finance director/accountant train departmental staff in accounts payable data entry.

Also we note that the school department does enter its own invoices into MUNIS and this approach has been successful and eliminated duplication in this area.

2. Requisitions and Purchase Orders

Finding:

The town and school department currently do not utilize MUNIS requisitions and purchase orders and as such the MUNIS system cannot encumber (reserve) funds for

various vendors for which there is a legal contract/obligation to reserve the funds. When there is no formal reservation of funds in MUNIS there is the risk that an account or appropriation could be exceeded; departments have to manage this outside of the MUNIS system.

Recommendation:

The town should purchase the MUNIS Requisition/Purchase Order module and decentralize the front end entry to the school department and town departments/responsibility areas to make the process more efficient and assure better control of encumbrances. MUNIS is a “batch” processing system and as such departmental staff have data entry rights but no review, approval and posting authority which is the role of the Town’s finance/accounting department. Also, the MUNIS requisition system will automatically notify the finance department (reviewer) of pending requisitions for review and conversion/approval to purchase orders. In brief, the school/municipal department would:

1. Prepare a MUNIS system Requisition
2. Code to the correct account; if funds are inadequate MUNIS will reject the Requisition
3. Prepare a MUNIS budget transfer if necessary, with required approvals
4. Transmit evidence of quotations, compliance with procurement laws to the finance department (accounts payable clerk).

The finance department would:

1. Review the Requisition for procurement law compliance
2. Verify that the account to be charged is correct
3. Review Transfer (if necessary, if account had inadequate balance)
4. Approve the batch transaction in MUNIS which will convert the Requisition to a system generated Purchase Order
5. Email the electronic Purchase Order to the vendor

Benefits:

- Eliminate the records at the departments to manage legal obligations/contracts
- Immediately rejects a Requisition at the site/responsibility area if there are inadequate funds and prompts a transfer.
- Transaction automatically via MUNIS queues to the finance department for review/approval, providing on line work flow and electronic sign off capabilities
- Assures that all purchases are captured in MUNIS and funds are immediately encumbered on the general ledger.

3. Budget Development

Finding:

The town's annual proposed budget document is prepared in Excel and contains budget statement narratives, staffing tables, some program measures and information to make it an understandable document for the board of selectmen and residents. It is important to have a clear understandable budget document.

The departmental budgets are not developed and entered into MUNIS by each department to reconcile to the Excel document. MUNIS is the official budget.

Recommendation:

We recommend that the budgets by account be entered by each department and that any modifications by the board of selectmen be entered to MUNIS at the time of the action and in advance of the end of the fiscal year when the new budget would need to be loaded to MUNIS by central finance staff.

When MUNIS budget entry is decentralized to the municipal departments and school department, this will allow the finance department to review the budgets for accuracy and then officially post the new budget to the general ledger. The overall division of work and responsibility would be improved and departments proposed MUNIS budget would be consistent with the Proposed Budget document (in Excel) which is presented to the board of selectmen. We also recommend that the school department enter its proposed budget to MUNIS at the time of development for ease of posting to the general ledger by the finance department at the beginning of the new fiscal year.

4. Budget Administration and Monitoring

Finding:

The municipal departments do not have MUNIS access to their budgets, to the actual expenditure charges against their budgets or to receipts (revenues) related to their departments. Some departments have Excel records of their spending and have two systems of record for spending. The finance department (assistant to the collector) does send monthly budget to actual printed reports to the various departments.

Recommendation:

Decentralize MUNIS budget module/general ledger to the municipal departments so that they have direct online access to MUNIS. This recommendation will eliminate the Excel spreadsheets and any duplicative bookkeeping and budget tracking systems.

This recommendation will also eliminate the need for reconciliations between two budget tracking systems as there will be one integrated system. Appropriate municipal managers and administrative support staff provided with requisite training will be able to more effectively and efficiently administer and monitor their budgets. They will also be able to verify that receipts (revenues collected) for their respective department has actually been

booked to the general ledger based on the Turnover Reports that they submit to the Treasurer and to the Director of Finance/Accountant.

There is no MUNIS cost to accomplish this as the town owns the general ledger and budget modules. The training for staff can be done in house by finance department staff that is knowledge in the budget module.

5. Staff Time and Attendance

Finding:

Staff absences are recorded at the sites/responsibilities centers in Excel spreadsheets or other systems and the time and attendance of several town staff is maintained by the finance department (accounts payable clerk) in Excel spreadsheets. Time and attendance (vacation, sick, personal etc.) is not maintained in MUNIS the financial management system nor are balances maintained in the Millennium (3rd party) payroll system.

Recommendation:

Implement the MUNIS time and attendance module and decentralize it to the sites/responsibilities centers. Eliminate Excel and other system recording of employee attendance record keeping.

Municipal and school staff would:

1. Enter staff attendance/absences in MUNIS.

Payroll in the finance department would:

1. Review the time and attendance MUNIS batch for appropriateness
2. Approve the batch and queue to Payroll (in Town Finance/Accounting)

Benefits:

- Establishes one system of record
- Eliminates multiple recording of attendance/hours in Excel and other systems
- Staff at site/responsibility center do data entry and payroll operates in a review/approval role and as such utilizes on-line workflow and electronic sign off capabilities

6. Payroll

Finding:

The payroll process is the most inefficient, time consuming and redundant processes that we have reviewed in a municipality. It is important to note that the payroll/benefits manager appears to complete the process and the payrolls effectively and accurately but there appears to be a broad awareness by staff that it needs to be streamlined.

In summary the current payroll process involves the following key steps (this is not every step):

- Town departments and the school department enter hours worked and set up rates of pay (regular, overtime, shift differentials etc.) in an Excel spreadsheet. This is the first system of record.
- Finance Department's payroll/benefits manager prepares an Excel Payroll Summary to total the payroll of all departments
- Finance Department's payroll/benefits manager enters the payroll to the Harper's Millennium third party payroll system.
- If Payroll Summary and Millennium Payroll do not balance, the payroll/benefits manager must go back into detail for specific departments to see if they have calculations or pay rates that are in error in their Excel transmittal (this can be time consuming)
- Reconcile payroll deduction variances
- When internal Excel Payroll Summary and Harpers Millennium balance, make a copy of internal Payroll Summary as the baseline for the next payroll
- At this point, there is a payroll in Excel, there is a payroll in Harpers' Millennium, however there is no record by department and object code so for example: Police regular salary, Police Overtime, Police Holiday, DPW regular salary, DPW Overtime etc. etc.; this must be aggregated in an Excel spreadsheet which becomes the basis via a journal entry to post each payroll to the respective MUNIS general ledger department and organization and object code in MUNIS. This can take time to reconcile as a person who is normally charged to "Highway" may have worked on "Snow and Ice" or someone may have to be charged to an Enterprise Fund (i.e. Water). This is done for all town departments and the school department

- When the Excel MUNIS Journal Entry worksheet reconciles, then the payroll/benefits manager begins the process of entering the payroll to the MUNIS financial management system so that the general ledger is accurate in terms of wages and salaries paid to date
- When MUNIS and Millennium balance, the payroll/benefits manager can transmit the payroll batch to Harper's Millennium. If the transmission fails then wait one hour to resend
- At this stage, the payroll/benefits manager completes additional required Excel spreadsheets including the town school payroll record, the Great West Transmission spreadsheet
- Harper's produces the payroll checks and couriers them to the finance department for distribution.

Recommendation:

We recommend the redesign of the payroll process which will allow the better utilization of staff and allow the finance department to operate more appropriately in a review and pre audit function versus a processing role that requires multiple steps and multiple reconciliations.

Specifically, we recommend that the town purchase the MUNIS time and attendance/payroll module, which will cost \$61,000; and that the various departments enter hours worked: regular, overtime, shift differential etc. directly to MUNIS, this will eliminate all of the departmental Excel spreadsheets and other systems and will eliminate all the reconciliations when Millennium does not agree with Excel due to an error in the department's Excel rates of pay.

The finance department will have sole control over the rates of pay for each employee and control of all deductions. The individual departments (town and school) will solely enter time worked and also time used for vacation, personal, sick etc.) so that all leave accruals will exist in MUNIS and will appear on the employee's MUNIS generated pay stub.

The MUNIS system will link the individual employees with pay codes and deduction codes to the correct MUNIS general ledger account to record the payroll expenditure and charge the relevant payroll deductions (state and federal taxes, health insurance, retirement, etc.) to the correct agency fund.

MUNIS will produce the payroll checks or pay stubs for those on direct deposit. The Harper's Millennium system is no longer necessary and any departmental payroll records are no longer necessary as MUNIS is the one system of record for all time and attendance, leave balances, deductions and payroll (personal service) expenditures. MUNIS is responsible for

assuring that the payroll software is updated to be compliant with any state or federal requirements.

7. Cash Receipts

Finding:

At the present time, departments deliver their receipts (cash and checks) to the collector/treasurer's office. The receipts are often not counted at the time of delivery and the department receives a receipt of the transaction one or two days later. At present the receipts have not been reported independently to the accounting officer. The collector's office staff is responsible for all the data entry of the "receipts" by general ledger account.

The process can be improved in order to eliminate data entry into Excel by the departments and to allow the collector staff or the treasurer to review the MUNIS batch and verify that the cash and checks agree to the total and to the deposit slip.

Recommendation:

The finance department should consider decentralizing the MUNIS entry of "cash receipts" and allowing departments to simply make the deposit at the bank themselves. Many departments are located in relatively close proximity to the bank.

Under the new process, the department would:

- Enter the receipts by MUNIS code to the MUNIS system and print the MUNIS *Payment Proof*
- Attach the *Payment Proof* to a *Turnover Sheet* signed by the department head
- Submit the signed turnover and the deposit slip stamped by the bank to the finance director/accountant and to the treasurer
- The turnover and deposit slip when reconciled would be the basis for the entry by the treasurer to the treasurer's cash book.

At that point:

- The finance director/accountant will review the documentation and if it is order will post the transaction to the general ledger
- The treasurer who has done an independent check of the documentation will then enter the transaction to the cash book.

Also and importantly, the departments will have online access to their MUNIS revenue codes to review and check that the deposit (receipts) is posted by the finance officer/accountant (or designee) to their account consistent with their submittal and they will have timely access to the revenue activity related to their department.

8. Departmental Billings and Receivables

Finding:

Certain departments such as the school department (various fee based programs) and the police department (police details) bill various customers. As such the billings and collections are monitored by the individual department in separate billing systems instead of the MUNIS integrated financial management system and as such do not post to the general ledger. The individual departments have to transmit their records to the finance department, which may or may not happen nor happen timely.

Recommendation:

We recommend that individual departments stop using independent billing systems and that they use the MUNIS miscellaneous billing module. Use of this module will allow one system of record – MUNIS and will allow the finance department to have improved information and greater control in monitoring collections and in accuracy of financial reporting. The annual MUNIS cost is \$5,700.

B. Position Responsibilities, Reconciliations and Other Recommendations

9. Position of Finance Director

Finding:

The position of finance director in recent years has served as the accounting officer of the town, an important role with many statutory authorities. The charter or bylaws of Provincetown do not stipulate or specifically require certain key duties of the director of finance. The major three options for the role of the finance director are as:

- Finance director/accounting officer (with all statutory authorities of the accountant)
- Finance director/treasurer (with all statutory authorities of the treasurer)
- Finance director (with no accounting or treasurer statutory authorities and focus on big picture of budget, capital planning and multiyear financial forecast)

What should be the focus and major responsibilities of the incoming finance director?

Recommendation:

The treasurer could serve as the finance director and this option could allow the town to hire an accountant as a contractor for less than full time to maintain the general ledger and accomplish all required financial reporting. The town has a new incumbent in the position of treasurer and we do not recommend the transition of the position of treasurer as the combined position (finance director/treasurer).

We believe the workload of the department does not justify a finance director who would not have either the statutory authorities or responsibilities of the treasurer or accounting

officer. As such, we recommend that the finance director position continue to serve as the chief accounting officer of Provincetown as well as be a key official in the preparation and development of the annual proposed budget, the multiyear financial forecast and the capital improvement program, as well as all of the duties listed in Section II of this report.

We also recommend that the treasurer take the lead in debt management, cash reconciliations, investment monitoring and reporting cash flow forecasting. The role of the treasurer is discussed in the next recommendation.

Also the new finance director will be responsible for the improved utilization and decentralization of the MUNIS financial system and implementation of the eight recommendations that we have presented above to improve the effectiveness and efficiency of the department.

This will include the department's new role in recording all encumbrances (contractual obligations) of the school and municipal departments on the general ledger at the time of the obligation and to assure that the procurement was consistent with state procurement requirements. This is an important change as it will transfer the compliance aspect of procurement to the finance department. The recording of the encumbrance on the general ledger at the time of obligation will improve budget administration and control as all obligations will be recorded against the specific municipal department or school department budget on the general ledger instead of in records at each department.

We note that the finance director (the department) is also responsible for benefits administration of school and town employees which is not typical, but it appears to be working well and should continue.

10. Role and Duties of the Treasurer

Finding:

The job description for the position of treasurer presents five responsibilities and they are not clearly delineated. The incumbent in the position is also new to the role of treasurer and does not have municipal experience.

Recommendation:

The position of accountant as well as the position of treasurer have responsibilities consistent with Massachusetts General Laws and the two positions are a check and balance on each other. Although the treasurer in Provincetown reports to the finance director/accountant it is important that the treasurer perform many tasks and activities as independently as possible. We recommend the following as key duties within the job description of the treasurer.

- Development of an investment policy for approval by the board of selectmen/town manager

- Preparation and maintenance of a current cash budget in sufficient detail to adequately plan the annual investment and debt program and to assure that since the town bills taxes only twice a year that there are no cash flow issues in light of pending cash needs
- Preparation of a monthly cash analysis report for the finance director/accountant
- Preparation of a quarterly investment report at least quarterly to the town manager and finance director which reports at a minimum:
 - The cash balance by bank
 - The total assets of each bank
 - The cash balance in each bank as a percent of town deposits
 - The cash balance vis a vis the limits identified in the investment policy
 - The excess problem loan (EPL) as a percent of each bank's assets.
- Periodic reconciliation of the treasurer's debt schedule records to the finance director/accountant's records of debt by project and outstanding debt as recorded in the long term debt account group on the general ledger to allow ease of completion of year end statement of indebtedness to the Department of Revenue
- Coordination of long term and short term sale of debt and completion of Preliminary Official Statement
- Monthly reconciliation of the cash book to the bank statements with identification of all variances and confirming that accountant's general ledger cash matches the bank (finance director actually does this portion of the reconciliation)
- Payment and reporting of all employee payroll deductions (state and federal taxes, retirement, Medicare, 403Bs, 457s etc.)
- Fund the payables and payroll warrants
- Assure that gift and trust funds are invested consistent with requirements
- Oversee tax title proceedings, tax takings and foreclosures

11. Need to assign “Assistant Treasurer” from current staff

Finding:

At present the position of treasurer is the only one in the finance department that can sign checks of the Town of Provincetown and is the only one who can transfer funds from bank accounts to provide funding for the payroll warrant and the accounts payable (vendor) warrants. If the treasurer is absent or on vacation there is no back up position with authority to sign checks or with authority to transfer monies between bank accounts in order to fund the warrants.

Recommendation:

We recommend that pursuant to M.G.L. Chapter 41, Section 39A that the treasurer, with the approval of the board of selectmen, appoints an “assistant treasurer”; the assignment could be to the collector. Per statute the position need not be a member of the treasurer’s staff and based on sound division of responsibility to assure sound segregation of duties it should not be anyone who works in the accounting division nor the finance director (who is the accounting officer of Provincetown).

Again the assignment of responsibility is solely in the absence of the Treasurer. The “assistant treasurer” would serve solely as a backup position to sign any needed checks and to authorize the transfer of monies between bank accounts to fund warrants. The “assistant treasurer” would need to be bonded and sworn in to office.

12. Manage the Tailings Process on a Timely Basis

Finding:

The finance department does not investigate “uncashed” checks on a timely basis. In addition the Town has not published a listing of “uncashed” checks for several years in order to determine if they are still a liability or whether they can be recorded as revenue. It is important to monitor tailings (“uncashed” checks) on a timely basis and to return funds that are no longer a liability to the general ledger as revenue.

Recommendation:

The treasurer should identify and research all “uncashed” checks (tailings) as a part of the timely reconciliation of all bank accounts. All checks that are not cashed within 60 days of the date of issuance should be investigated. After sixty days, the treasurer should send a notice of the “uncashed” check and the amount to the recipient of the check at their last known evidence of this mailing. Also, the monthly report of treasurer’s cash that must go to the finance committee as part of our Recommendation No.13 will report any checks that have not been cashed after 60 days. Checks that are not cashed after 120 days should be reported to the finance director/accountant as “uncashed” so the general ledger can be adjusted to increase “Cash” and to record a corresponding liability.

13. Cash Reconciliation Report to Town Manager and Monthly Budget Report to Finance Committee

Finding:

An issue facing the finance department is the reconciliation of cash. This had been resolved but at the present time there has been a change in treasurers and at this point the treasurer is working with the audit firm to design a new process for reconciling the cash book to the bank statements which is an essential monthly activity. This may involve a transition from the previous Excel workbooks used for this purpose to QuickBooks, which is a relational database. As of the date of this report, the cash book needs to be reconciled to the bank statements for the month of May and for the month of June as one important step in closing the books for the fiscal year. When the bank statements are reconciled to the cash book then the interim finance director/accountant will have to reconcile cash on the general ledger to the bank statements.

With respect to sound reporting we also note that the finance committee does not currently receive budget to actual reports or reports of projected position at the close of the fiscal year.

Recommendation:

Once FY 2016 cash is reconciled, in our view the treasurer and finance director/accountant should reconcile cash for each month in FY 2016 within 20 days of the close of the month to stay current and prove that “cash” is reconciled. To promote accountability they should submit a *Monthly Cash Reconciliation Report* to the town manager by the 20th of each month.

First, the *Treasurer’s Reconciliation to the Cash Book* should present all of the following for each bank account:

- The bank statement balance
- Outstanding current checks
- Outstanding checks more than 180 days
- Unwarranted disbursements (current month)
- Unwarranted disbursements (more than 30 days)
- Deposits in transit (current month)
- Deposits in transit (more than 30 days)
- Other adjustments (current month)
- Other adjustments (more than 30 days)

A sample of the Treasurer’s Reconciliation of bank statements to the Cash Book is presented in Appendix B.

The finance director should present a cash report identifying the cash transactions booked to the general ledger for that month. Specifically, daily cash receipts, vendor warrants,

payroll warrants, journal entries recorded to “Cash” and any other adjustments on the G.L.

The report should be published and submitted with a cover letter signed by the treasurer and the accounting officer with any items of note to the town manager as evidence of the monthly reconciliation. This report should include a schedule similar to the one presented in *Appendix B*.

With respect to budget performance and reporting we recommend that there be monthly budget to actual reporting by the finance director to the town manager and to the finance committee. The monthly report should include revenues by major category:

- Property \Taxes
- Motor Vehicle taxes
- Meals Tax
- Hotel Tax
- Boat Tax
- State Aid
- Local Receipts
- Interest Income
- Transfers

And it should include all appropriated budgets which would include the general fund, water fund and the sewer fund. The departmental budget to actual should be reported by:

- Personal Services
- Purchase of Service
- Supplies
- Capital Outlay

We also recommend that at mid-year and then at the end of the third quarter that the finance director submit a projection of both revenues and expenditures at June 30th versus the adopted revenue budget and the adopted expenditure budget and explain any notable variances.

14. Reconciliation of Receivables

Finding:

All real estate tax, personal property tax, motor vehicle excise tax and boat excise tax transactions (commitment/billing, payments, refunds and abatements) are recorded in the MUNIS billing system detail by taxpayer account. The summary transactions must be posted by batch to the MUNS summary for the general ledger. As such all activity detail and summary is recorded in MUNIS. The town currently uses the inHance Utility Billing System for processing the billings, payments and abatements by water customer and

sewer customer, as such all the detail and summary balances are in inHance. The finance department does record water and sewer commitments, summaries of daily payment batches in MUNIS there is no formal monthly reconciliation in place to assure that the water receivable and sewer receivable as recorded in inHance agrees with the receivable in MUNIS (the official ledger of the town).

Recommendation:

At the close of each month we recommend that the collector verify that the finance director/accountant has posted all the MUNIS detail batches for all categories of taxes to the general ledger to verify that the detail and summary are in sync as all batches have been posted.

With respect to the water receivable and the sewer receivable we recommend that the collector and the finance director reconcile the MUNIS receivables to the inHance receivables each month and also assure that there is proper documentation for any water or sewer abatements.

15. Set up of Employees and Vendors Presents Internal Control Weakness

Finding:

The school department can create and set up vendors in the MUNIS system, they also pay various vendors and release checks to vendors. This is an internal control weakness as only someone who cannot pay a vendor should create a vendor and a vendor file. The ability for the same person to set up vendors, approve a payable or refund, and control the release of the check to vendor or taxpayer presents risks, as duties are not segregated to prevent the potential for fraud. Specifically, a fictitious vendor could be set up and payments processed to the fictitious vendor. Many times someone in a procurement office will set up vendors to provide a sound segregation of duties.

Additionally in the finance department/accounting office the accounts payable clerk can set up a vendor which presents a weakness in internal control since this position has authority to process payments.

Recommendation:

MUNIS rights and access to set up vendors should be removed from the school department. The vendor set up authority should be removed from the accounts payable clerk and transferred to the another position, perhaps in the town manager's office or to the accounting division – payroll and benefits manager which will have some reduction in work load after the implementation of recommendations for streamlined time and attendance and payroll processing. This position should only create the vendor based upon appropriate documentation: the Federal tax identification form (W-9).

16. Need for Training in MUNIS Financial Management System

Finding:

During our study many staff indicated that they knew the basics (or more) in terms of performing their responsibilities in the MUNIS financial and accounting system. They also believed that there could be more efficient ways of operating if they understood more about MUNIS processing and various MUNIS reports etc.

Recommendation:

We recommend that staff receive additional training in MUNIS capabilities. Since we have recommended many changes in the utilization of MUNIS and decentralization of MUNIS to town departments and to the school department there would be various needs for training of existing employees and employees new to MUNIS. This can be structured in various ways: for example, to the extent one employee or someone such as the interim finance director/accountant has MUNIS expertise then this person can serve as the trainer for most others in order to minimize payments to MUNIS for training

Town of Provincetown

APPENDIX A

**History of
Key Financial Indicators**

	FY 16	FY 15	FY 14	FY 13	FY 12	FY 11	FY 10	FY 09	FY 08
Free Cash Certification Date	9/3/2015	9/8/14	10/11/13	10/18/12	11/29/11	11/8/10			
General Fund Free Cash	\$1,043,844	\$1,226,463	\$1,547,258	\$1,603,657	\$1,232,373	\$223,640	\$1,336,501	\$1,617,625	(\$1,698,737)
Water Enterprise Fund Free Cash	\$848,260	\$623,826	\$819,674	\$1,387,424	\$1,232,373	\$368,685			
Sewer Enterprise Fund Free Cash	\$2,150,991	\$959,813	-\$36,046	\$32,936	-\$592	-\$408,763			
Stabilization Funds (General and Capital)	\$1,640,637	\$1,804,327	\$1,671,594	\$1,543,875	\$918,377	\$1,041,018	\$579,200	\$327,005	\$75,177
Timley Submittal (prior to Oct. 31st) of Schedule A to DOR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Tax Rate Approval	12/15/2016	10/29/2014	12/6/2013	1/7/2013	12/6/2011	4/5/2011			
Tax Rate	\$7.80 Residential and \$7.31 Commercial	\$7.38	\$7.25	\$7.34	\$7.20	\$6.81			
Overlay Reserve	\$249,065	\$222,226	\$157,954	\$220,000	\$180,000	\$175,474			
New Growth	\$165,534	\$222,211	\$161,877	\$200,722	\$144,139	\$134,479	\$116,658	\$184,858	\$159,597
New Growth as % of Prior Year Tax Lev	0.95	1.33	1	1.29	0.96	0.92	0.84	1.39	1.24
Standard & Poors' Credit Rating	AA	AA	AA	AA	AA -	AA -	AA -	A	A

15-Jun-16

**Town of Provincetown
Monthly Bank Statement Reconciliation
to Treasurer's Cash Book**

Appendix B

	Bank Statement Balance	Outstanding Checks (Current)	Outstanding Checks More than 180 days*	Unwarranted Disbursement (Current Month)	Unwarranted Disbursement (More than 30 days)*	Deposits in Transit (Current Month)	Deposits in Transit (More than 30 days)*	All other Adjustments (Current Month)	All other Adjustments (More than 30 days)*	Adjusted Bank Balance	Treasurer's CASH BOOK Balance	Va
nts												

* Detail Attached



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016

4B

JOINT MEETING – PROVINCETOWN HOUSING AUTHORITY

Appointment of Charlene Parris as a Member

Requested by: Provincetown Housing Authority

Action Sought: Discussion/Approval

Proposed Motion(s)

Move that the Board of Selectmen vote to appoint Charlene Parris, as a member of the Provincetown Housing Authority, with a term to expire on May 2, 2017.

(Roll Call Vote)

Raphael Richter:

Erik Yingling:

Thomas Donegan:

Cheryl Andrews:

Robert Anthony:

Additional Information

See attached application. She will be replacing Diana N. Fabbri who resigned on July 21, 2016.

Board Action

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



Board of Selectmen

Public Notice

Housing Authority Vacancy

The Provincetown Board of Selectmen is seeking applicants to serve on the Provincetown Housing Authority, pursuant to MGL Chapter 41, §11. This is an interim appointment for a term to expire at the May 2, 2017 Annual Town Election.

Applicants must be registered voters of the Town of Provincetown. Applications can be obtained in the Office of the Town Manager/Board of Selectmen, 260 Commercial Street, Provincetown, MA 02657 or downloaded from the Town's website (go to www.provincetown-ma.gov and click on Town Boards). Completed applications should be returned to the Town Clerk in Town Hall by Monday, August 29, 2016 by 5:00 pm for consideration.

Raphael Richter, Chair

Posted: Town Hall www.provincetown-ma.gov 7/27/16 1:00 pm dj
Published Banner: August 11 & 18, 2016

Provincetown Housing Authority

44 Harry Kemp Way
Provincetown, Massachusetts 02657
Tel: 508) 487-0434
Fax: 508) 487-2262
E-Mail: pha@capecod.net

August 15, 2016

Raphael Richter, Chair
Board of Selectmen
Town of Provincetown
260 Commercial Street
Provincetown, Ma. 02657

The Board of Commissioners of the Provincetown Housing Authority is providing notification to the Board of Selectmen of the resignations of Diana Fabbri on July 21, 2016 as members of the PHA Board of Commissioners. The PHA Board is providing notification to the BOS within the 30 day period required to reserve the PHA Board's participation at a Joint Meeting with the BOS for an appointment to fill the vacant PHA Board positions prior to the May 2017 elections.

The Department of Housing and Community Development has implemented a new requirement that Housing Authorities have a tenant on the Board of Commissioners. The Board appointment application for Charlene Parris is attached. Charlene is a tenant of the Provincetown Housing Authority and has submitted her application to the Town Clerk.

Nancy Jacobsen is the current State Appointee to the Provincetown Housing Authority and has announced to the Board her plan to not request being re-appointed. Fran Coco who is a neighbor of Maushope and is a founding member of the Friends of Maushope has agreed to request to the Governor's office to be appointed as the State Appointee to the Provincetown Housing Authority's Board of Commissioners. The PHA Board and Fran agree she would be ideal at this time that PHA is exploring the expansion of Maushope. The PHA Board of Commissioners request the support of the BOS for the appointment of Fran Coco as the State Representative to the PHA Board of Commissioners.

Thank you, 
Patrick J. Manning, Executive Director
Provincetown Housing Authority

Cc: Town Clerk



TOWN OF PROVINCETOWN

Application for Town Board Membership

Name: Charlene Parri's

Please type or print

Resident Address: 42 1/2 Harry Kempway Provincetown, MA 02657

Mailing Address (if different): _____

Telephone #: 508 487 4287 Work # (508) 487 0200

Email address: charleneparri's2@msn.com

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

1. Fill in Deanna Fabu seat Housing Authority
2. _____
3. _____

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

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

Charlene Parri's 8/11/16
Signature of Applicant Date

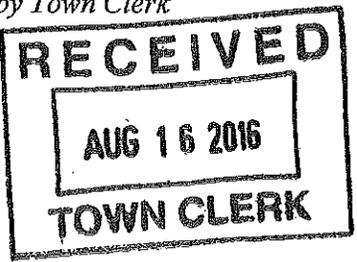
TO THE APPLICANT: FILE COMPLETED FORM WITH THE TOWN CLERK

Town Clerk Certification: Applicant is a registered voter:
 Yes No
[Signature]
 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: 8.15.2017

Date Received by Board of Selectmen

Date Received by Town Clerk



Housing Authority				
	First	Last	Position	Term End
1	Jennifer	Germack		May-20
2	Elaine	Anderson		May-19
3	DF 7/21/16			May-18
4	Kristin	Hatch	Vice Chair	May-17
5	Nancy	Jacobsen	State Appointee	07/27/16

~~Only til 5/1/16*~~

Doug Johnstone

From: dianafabbri1@verizon.net
Sent: Thursday, July 21, 2016 4:18 PM
To: Doug Johnstone
Subject: Request for a medical resignation from PHA

To: Doug Johnstone, Town Clerk

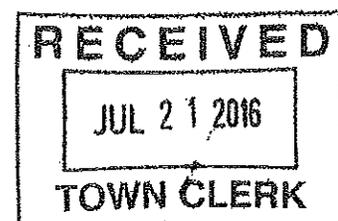
There being no other choice for me, I am requesting a resignation from the Provincetown Housing Authority, effective immediately, due to severe medical issues.

I believe in affordable housing and look forward to seeing more of it for our seniors. Also looking forward to the expansion of Maushope. Wish I could be a part of it but I will always carry the Board with me in spirit. I will continue to champion for people who need to live in low-income, affordable and safe housing.

Thank you for the opportunity to have served these few years.

Respectfully submitted,

Diana N. Fabbri





Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016

4C

JOINT MEETING – CULTURAL COUNCIL

General Updates from Council

Requested by: Board of Selectmen

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, September 12, 2016

5A

BOARD OF SELECTMEN APPOINTMENT

Licensing Board

Requested by: Town Clerk Doug Johnstone

Action Sought: **Approval**

Proposed Motion(s)

Move that the Board of Selectmen vote to approve Guy Barbarulo be appointed as a Regular Member to the Licensing Board with a term to expire on December 31, (2016) or (2017).

Additional Information

See attached application and roster. The Board of Selectmen will determine the expiration date as there are two regular positions to be filled with difference expiration dates.

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: GUY BARBARULO
Please type or print

Resident Address: 145 COMMERCIAL ST M3 Provincetown, MA 02657

Mailing Address (if different): P.O. Box 1308 PROVINCETOWN MA 02657

Telephone #: 917. 446. 9256 Work # (774) 538. 6269

Email address: guyb1965@gmail.com.

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

- 1. TOWN OF PROVINCETOWN LICENSING BOARD.
2.
3.

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

PLEASE SEE RESUME ATTACHED.

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

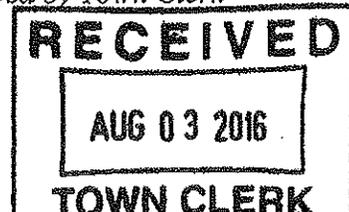
Signature of Applicant: [Signature] Date: 8. 3. 2016

TO THE APPLICANT: FILE COMPLETED FORM WITH THE TOWN CLERK

Town Clerk Certification: Applicant is a registered voter: [X] Yes [] No
Name of Town Clerk: [Signature]
This application will remain on file in the Town Clerk's Office for 364 days from the date received.
Application Termination Date: 8.2.2017

Date Received by Board of Selectmen

Date Received by Town Clerk



GUY BARBARULO

145 Commercial St M3 | guyb1965@gmail.com | 917-446-9256
PO Box 1308 Provincetown MA 02657-5308
DOB 11-29-1965 Registered Voter as of October 30 2014 PRECINT 1

OBJECTIVE | Respectful consideration of Provincetown's current Licensing Board's Chair, Vice-Chair and Members of appointing myself to serve on the Licensing Board fulfilling one of two current vacancies as noticed in an effort to discharge some civic responsibility as a concerned and forthright year-round citizen, resident, professional and shopkeeper.

SKILLS & ABILITIES | *Ample* to study and learn the Town of Provincetown's Board Member Handbook as well as the ancillary rules, regulations and variety of laws pertinent to the discharge of the Licensing Board's Mission including the Licensing Board's historic protocols and traditions in a fair and common sensed approach commensurate with senior board member leadership, collaboration and advice.

Understanding and willingness to devote the expected time and effort pertinent to the duties and responsibilities involved in an appropriate demeanor.

EXPERIENCE | RESIDENTIAL INTERIOR DESIGNER WITH GALLERY & STORE

Developed & sustain since the Spring of 2014, a boutique shop & studio featuring fine mid-century vintage furnishings and decorative arts in the West End known as Sixty Special Home Store. The establishment encompasses the caliber of Provincetown's world class East End Art Community's mercantile and product traditions consistent to the esoteric historical allure underwriting Provincetown's attraction for resident and visitor alike.

RESIDENTIAL INTERIOR DIRECTOR BLOOMINGDALES

At the flagship store 59th and Lexington Ave in Manhattan for 15 years prior to prematurely fulfilling my life-long dream to live here in Provincetown due to a Macy's Inc. restructure. I served the store furniture departments and numerous national and international luxury residential design projects.

REFERENCES

- Patricia Brooks -The Bradford House and Motel 508-487-0173
- Linda Vital -The Coffee Pot 508-487-2580
- Michael Fernon – Meryl Lynch/FAWC/PAMM 617-921-9979
- Marie Boni- Seamen's Bank 508-487-0035

Licensing Board				
	First	Last	Position	Term End
1	Michelle	Foley	Regular, Vice Chair	12/31/17
2	Frank	Thompson	Regular, Chair	12/31/16
3	KH 7/19/16		Regular	12/31/16
4	Shawn	Byrne	Regular	12/31/18
5	BA 7/29/16		Regular	12/31/17
Alt	Zachary	Luster	Alternate	12/31/17
Alt	Regina	Binder	Alternate	12/31/17

*
*
*

Loretta Dougherty

From: Doug Johnstone
Sent: Monday, August 08, 2016 9:00 AM
To: David Panagore
Cc: Loretta Dougherty; David Gardner; Elisabeth Verde; Aaron Hobart
Subject: Barbarulo Application to Licensing Board
Attachments: Barbarulo Application to Licensing Board.pdf; lb.xls

FYI – Attached please find an application to join the Licensing Board submitted by Guy Barbarulo. Currently there are two regular member vacancies, both of which the Selectmen have the authority to appoint the vacancy (highlighted in yellow on the roster attached) should they choose to do so.

Please add to the Selectmen's agenda when possible.

Thank you.
dj

RECEIVED
BOS ✓
AUG 08 2016
CC: BOS/TM/ATM

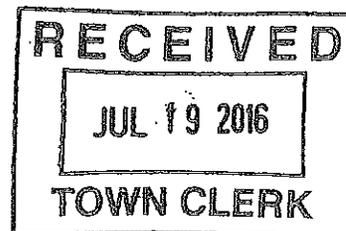
Doug Johnstone

From: barrettalley@aol.com
Sent: Wednesday, July 13, 2016 1:37 PM
To: Doug Johnstone
Cc: Aaron Hobart
Subject: Resignation

Doug: I will be moving to Kingston, NY on July 29th which means I will have to resign from the License Board and the Personnel Board.

I will attend the July 26th meeting of the license board and that will be my last meeting.

Barrett Alley



Doug Johnstone

From: Kristinhatch@gmail.com
Sent: Tuesday, July 19, 2016 12:29 PM
To: FrankThompson; Doug Johnstone; Aaron Hobart
Subject: Licensing Board Resignation

Hello there,

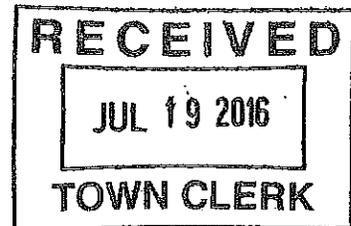
As much as I love to be on the Licensing Board I am respectfully submitting my resignation. My new job will make it difficult to make any of the meetings as well as create conflicts of interest for me at work.

If at some other time my schedule will allow I would love to be able to serve again.

Thank you so much for accommodating my schedule these past couple years. I wish the best to all.

Sincerely,

Kristin Hatch





Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016

6A

AIRPORT COMMISSION

Environmental Mitigation

Requested by: Airport Commission & Airport Mgr, 8/2016

Action Sought: Execute Grant

Proposed Motion(s)

MOVE that the Board of Selectmen vote to execute a grant in the amount of \$243,900.00 from the Federal Aviation Administration (FAA) for the Army Corps. Of Engineers Environmental Mitigation for the upcoming environmental projects at Provincetown Municipal Airport.

Additional Information

The project involves the payment of a calculated fee to the United States Army Corps of Engineers in-lieu of performing additional environmental mitigation related to a set of planned FAA approved Capital Improvement Plan (CIP) projects. The fee is determined by calculations, value thresholds and ratios accounting for direct and indirect impacts to wetlands and other environmentally sensitive areas on the airport property. These impacts result from the proposed work required to complete the approved CIP projects. The application of the in-lieu fee was determined during the CIP Environmental Permitting and Environmental Impact Study project.

Funding Breakdown is: FAA Grant 90%, (\$243,900.00)
MassDOT Aeronautics Grant 5%, (\$13,550.00)
Town of Provincetown (Airport budget) 5%, (\$13,550.00).
The grant has been approved as to form by Town Counsel.

Board Action

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

August 10, 2016

John W. Giorgio
jgiorgio@k-plaw.com

BY FEDERAL EXPRESS

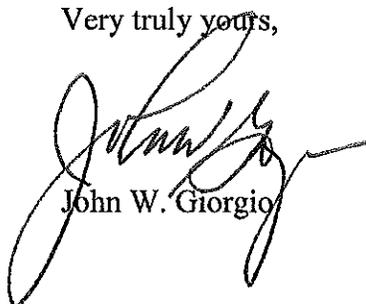
Mr. Arthur Lisenby
Provincetown Airport Manager
Provincetown Municipal Airport
Race Point Road
P.O. Box 657
Provincetown, MA 02657

Re: Federal Aviation Administration Grant Agreement – 3-25-0043-033-2016
Environmental Mitigation

Dear Mr. Lisenby:

Enclosed please find two originals of the Sponsor's Attorney Certification, which I have signed and approved as to form.

Very truly yours,



John W. Giorgio

JWG/bp
Enc.

cc: Town Manager (w/o enc.)
561382/24203/0001



U.S. Department of Transportation
Federal Aviation Administration

GRANT AGREEMENT

PART I – OFFER

Date of Offer AUG 01 2016

Airport/Planning Area Provincetown Municipal Airport

AIP Grant Number 3-25-0043-033-2016

DUNS Number 088522842

TO: Town of Provincetown, Massachusetts
(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated July 21, 2016, for a grant of Federal funds for a project at or associated with the Provincetown Municipal Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Provincetown Municipal Airport (herein called the "Project") consisting of the following:

Environmental Mitigation,

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, and the Sponsor's acceptance of this Offer, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$243,900.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):

- \$243,900 for planning
- \$0 for airport development or noise program implementation
- \$0 for land acquisition.

2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the project period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.

The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).

The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.

3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs – Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application and as accepted by the FAA to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies and procedures of the Secretary. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor **on or before September 6, 2016**, or such subsequent date as may be prescribed in writing by the FAA.

9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.**
- A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- B. Requirement for Data Universal Numbering System (DUNS) Numbers
1. The Sponsor must notify potential subrecipient that it cannot receive a contract unless it has provided its DUNS number to the Sponsor. A subrecipient means a consultant, contractor, or other entity that enters into an agreement with the Sponsor to provide services or other work to further this project, and is accountable to the Sponsor for the use of the Federal funds provided by the agreement, which may be provided through any legal agreement, including a contract.
 2. The Sponsor may not make an award to a subrecipient unless the subrecipient has provided its DUNS number to the Sponsor.
 3. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum

obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.

14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this grant.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
17. **Maximum Obligation Increase For Primary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
 - A. May not be increased for a planning project;
 - B. May be increased by not more than 15 percent for development projects;
 - C. May be increased by not more than 15 percent for land project.
18. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit in accordance with 2 CFR Part 200. The Sponsor must submit the Single Audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. The Sponsor must also provide one copy of the completed 2 CFR Part 200 audit to the Airports District Office.
19. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - A. Verify the non-federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if non-federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
 - B. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
 - C. Immediately disclose to the FAA whenever the Sponsor: (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debar a contractor, person, or entity.
20. **Ban on Texting While Driving.**
 - A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:

1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

21. Trafficking in Persons.

- A. Prohibitions: The prohibitions against trafficking in persons (Prohibitions) apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors (private entity). Prohibitions include:
 1. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;
 2. Procuring a commercial sex act during the period of time that the agreement is in effect; or
 3. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.
- B. In addition to all other remedies for noncompliance that are available to the FAA, Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity –
 1. Is determined to have violated the Prohibitions; or
 2. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either:
 - a. Associated with performance under this agreement; or
 - b. Imputed to the Sponsor or subrecipient using 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 2 CFR part 1200.

22. AIP Funded Work Included in a PFC Application:

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

23. Exhibit "A" Property Map. The Exhibit "A" Property Map dated November 2001 is incorporated herein by reference and made part of this grant agreement.

24. The FAA, in tendering this offer on behalf of the United States, recognizes the existence of an agency relationship between the Town of Provincetown, Massachusetts, as principal, and the Massachusetts Aeronautics Commission, as agent, created by an Agreement of Agency dated March 13, 1971, which is incorporated herein by reference. The sponsor agrees that said Agency Agreement will not be amended,

modified or terminated without the prior written approval of the FAA.

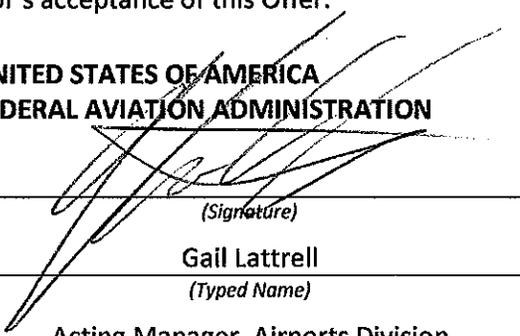
- 25. **Environmental.** The environmental approval for this project was issued on May 24, 2012. This project includes the following mitigation measures:

\$270,000 In-Lieu Fee Payment for USA Corps of Engineers Permit.

The Sponsor understands and agrees to complete the above-listed mitigation measures to standards satisfactory to the FAA. It is further mutually agreed that the reasonable cost of completing these mitigation measures is an allowable cost within the scope of this project.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



(Signature)

Gail Lattrell

(Typed Name)

Acting Manager, Airports Division

(Title of FAA Official)

7

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____, 2016.

Town of Provincetown, Massachusetts

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By:

(Typed Name of Sponsor's Authorized Official)

Title:

(Title of Sponsor's Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:
(Typed Name of Sponsor's Attorney)

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the Commonwealth of Massachusetts. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____, 2016.

By:

(Signature of Sponsor's Attorney)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

SIGNATURE PAGE

**BETWEEN: PROVINCETOWN AIRPORT COMMISSION / TOWN OF PROVINCETOWN
AND FEDERAL AVIATION ADMINISTRATION (FAA)**

REF: GRANT AGREEMENT: ENVIRONMENTAL MITIGATION

DATED:

PROJECT # 3-25-0043-033-2016

CONTRACT #

BOARD OF SELECTMEN APPROVAL

Raphael Richter, Chairman

Erik Yingling, Vice Chairman

Cheryl Andrews

Thomas Donegan

Robert Anthony

TOWN COUNSEL
As to Form



Provincetown Board of Selectmen
AGENDA ACTION REQUEST

Monday, September 12, 2016

6B

AIRPORT COMMISSION

Transfer of Unused Federal FY2013 AIP Funds

Requested by: Airport Commission & Airport Mgr. 8/2016

Action Sought: Execute Agreement

Proposed Motion(s)

MOVE that the Board of Selectmen vote to execute an agreement in the amount of \$312,688.00 to transfer unused Federal FY2013 AIP Funds from Provincetown Municipal Airport (PVC) to Barnstable Municipal Airport (HYA) per FAA Agreement & Approval.

Additional Information

This agreement transfers expiring unused Federal FY2013 AIP funds from Provincetown Municipal Airport (PVC) to Barnstable Municipal Airport (HYA) for Barnstable's use in their upcoming airport projects.

This Transfer Agreement has been approved as to form by Town Counsel.

Board Action

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



AIRPORT COMMISSION

Town of Provincetown

The First Landing Place of the Pilgrims



MASSACHUSETTS

PROVINCETOWN MUNICIPAL AIRPORT

Race Point Road, P.O. Box 657

Provincetown, MA 02657

(508) 487-0241

fax (508) 487-4110

MEMO:

To: Board of Selectmen / Town Manager

From: Butch Lisenby, Provincetown Airport Manager.

08/31/2016

UNUSED FAA AIP FUNDING

The Airport has \$312,688.00 in unused funds from the FAA Airport Improvement Program (AIP) Entitlement Funding for this Federal Fiscal Year. This is a result of projects returning at lower values than originally anticipated and delayed notices due to the prolonged environmental permitting review process occurring throughout the year. The *Runway 7-25 Runway Light Replacement Project*, planned under the FY 2016 Capital Improvement Projects (CIP) estimated budget, was awarded at a lower total value than estimated due to reduced contractor prices which were influenced by advantages realized through work crew base location and supplier connections. The *Army Corps In-Lieu Fee* planning project, also programmed under the FY 2016 CIP estimated budget, has been reported at a lower fee due to corrected revised calculations by Army Corps for the mitigation efforts. These changes resulted in the \$312,688.00 of funding that is unused. Per the FAA we are able to transfer this unused funding to another Airport instead of returning it to the general fund at FAA and will be transferring the funding to the Hyannis Airport (HYA) for their FAA approved projects per FAA approval.

August 22, 2016

John W. Giorgio
jgiorgio@k-plaw.com

BY FEDERAL EXPRESS

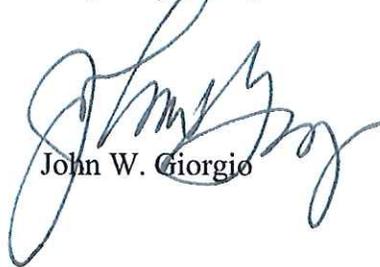
Mr. Arthur Lisenby
Provincetown Airport Manager
Provincetown Municipal Airport
Race Point Road
P.O. Box 657
Provincetown, MA 02657

Re: Agreement to Transfer Unused Federal FY2013 AIP Funds between:
Provincetown Municipal Airport (PVC) and Barnstable Municipal Airport (HYA)

Dear Mr. Lisenby:

Enclosed please find three originals of the above-referenced contract which I have signed and approved as to form.

Very truly yours,



John W. Giorgio

JWG/bp

Enc.

cc: Town Manager (w/o enc.)
562239/PROVAIR/0001

Request for FAA Approval of Agreement for Transfer of Entitlements

In accordance with 49 USC § 47117(c)(2),

Name of Transferring Sponsor: Town of Provincetown, Massachusetts

hereby waives receipt of the following amount of funds apportioned to it under 49 USC § 47117(c) for the:

Name of Transferring Airport (and Locid):

Provincetown Municipal Airport (PVC)

for each fiscal year listed below:

Entitlement Type (Passenger, Cargo or Nonprimary)	Fiscal Year	Amount
Primary Non-hub	2013	\$312,688
Total		\$312,688

The Federal Aviation Administration has determined that the waived amount will be made available to:

Name of Airport (and Locid) Receiving Transferred Entitlements: Barnstable Municipal Airport (HYA)

Name of Receiving Airport's Sponsor: Town of Barnstable, Massachusetts

a public use airport in the same state or geographical areas as the transferring airport for eligible projects under 49 USC § 47104(a).

The waiver expires on the earlier of August 25, 2016 or when the availability of apportioned funds lapses under 49 USC § 47117(b).

For the United States of America, Federal Aviation Administration:

Signature: _____

Name: Ms. Gall Lattrell

Title: Acting Manager, Airports Division

Date: 8-17-16

Certification of Transferring Sponsor

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of _____, 2016.

Name of Sponsor: Town of Provincetown, Massachusetts

Name of Sponsor's Authorized Official: _____
(Typed/Printed Name)

Title of Sponsor's Authorized Official: _____
(Typed/Printed Title)

Signature of Sponsor's Authorized Official: _____

Certificate of Transferring Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do
(typed/printed name of Sponsor's Attorney)

hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing Agreement under the laws of the Commonwealth of Massachusetts. Further, I have examined the foregoing Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and 49 USC § 47101, et seq.

Dated at _____ (City, State), this _____ day of _____, 2016.

Signature of Sponsor's Attorney: _____

4

SIGNATURE PAGE

BETWEEN: **PROVINCETOWN AIRPORT COMMISSION / TOWN OF PROVINCETOWN**
AND **FEDERAL AVIATION ADMINISTRATION (FAA)**

REF: **AGREEMENT TO TRANSFER FEDERAL UNUSED FY2013 AIP FUNDS**
to BARNSTABLE MUNICIPAL AIRPORT (HYA)

DATED: PROJECT # **HYA AIRPORT**

CONTRACT # **FORM 5100-110**

BOARD OF SELECTMEN APPROVAL

Raphael Richter, Chairman

Erik Yingling, Vice Chairman

Cheryl Andrews

Thomas Donegan

Robert Anthony



**Provincetown Board of Selectmen
AGENDA ACTION REQUEST
July 8, 2013**

6D₁

AIRPORT COMMISSION

Transfer of Unused Federal FY2010 AIP Funds

Requested by: Airport Commission & Airport Mgr., 6/27.13

Action Sought: Execute Agreement

Proposed Motion(s)

MOVE that the Board of Selectmen vote to execute an agreement in the amount of \$46,998.00 to transfer unused Federal FY2010 AIP Funds from Provincetown Municipal Airport to Barnstable Municipal Airport per FAA Approval; and approved to form by Town Counsel.

Additional Information

This agreement transfers expiring unused Federal FY2010 AIP funds from Provincetown Municipal Airport to Barnstable Municipal Airport for Barnstable's use in their upcoming airport projects.

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, July 27, 2015**

00E

Airport Commission

Transfer of Unused Federal FY2012 AIP Funds

Requested by: Airport Commission & Airport Mgr. 7/2015 Action Sought: Execute Agreement

Proposed Motion(s)

MOVE that the Board of Selectmen vote to execute an agreement in the amount of \$749,787.00 to transfer unused Federal FY2012 AIP Funds from Provincetown Municipal Airport to Barnstable Municipal Airport per FAA Agreement & Approval.

Additional Information

This agreement transfers expiring unused Federal FY2012 AIP funds from Provincetown Municipal Airport to Barnstable Municipal Airport for Barnstable's use in their upcoming airport projects.

This Transfer Agreement has been approved as to form by Town Counsel.

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, September 12, 2016

7A

TOWN MANAGER'S REPORT

Administrative Updates

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

- i. **Move that the Board of Selectmen vote to affirm the contract extension for Interim Finance Director Ruth Lewis, commencing on September 13, 2016, for an additional six-week period ending October 25, 2016.**
- ii. **Discussion dependent – votes may be taken.**
- iii. **Move that the Board of Selectmen vote to approve the Agreement with the Pilgrims' First Landing Park , acting as fiduciary of Provincetown 400 , in the amount of \$49,688.00 , for the purpose of employing a part-time Executive Director for Provincetown 400.**

Additional Information

- i. Contract Extension of Interim Finance Director Ruth Lewis (attached);
- ii. Legislative Updates, and
- iii. Provincetown 400 - First Pilgrims' Landing Park Grant Agreement. (Passed at Special Town Meeting Article 6.)(Agreement handed out at meeting.)

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, September 12, 2016

7B

OTHER

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

Discussion dependent – votes may be taken.

Additional Information

See attached materials.

Board Action

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



PROVINCETOWN DEPARTMENT OF PUBLIC WORKS

Memo

To: David Panagore, Town Manager
From: Cody J. Salisbury, Water Superintendent
CC: Richard J. Waldo, DPW Director
Date: September 9, 2016
Re: WMA Grant Funding opportunity

The Water Department seeks to apply for grant funding through the Massachusetts Department of Environmental Protection Water Management Act (WMA) Grant Program. This grant funding would be utilized for two main tasks; one, procuring permanently deployed leak loggers/correlators (such as those currently being piloted in the distribution system) and second, to perform pipe assessment on approximately two miles of asbestos cement pipe throughout the system.

The leak noise loggers will provide the Water Department with data related to leak noise characteristics in specific areas of the distribution system in an effort to reduce water losses. A set of approximately thirty (30) loggers would be deployed to capture data for three to four months. After this time period passes, the loggers would be strategically moved to a different zone to capture data for another three to four months. Ultimately the data will provide field staff with focused approach to leak detection. If the loggers report an area is "tight", traditional acoustic leak detection methods can be carried out in other areas.

The asbestos cement (AC) pipe assessment is an effort to evaluate the current structural integrity of various AC water mains in the system. The goal is to assess approximately two miles of pipe, with a total of one mile within the Truro portion of the system, which contains the oldest AC pipe according to our records. The remaining one mile would assess various AC water mains within Provincetown, generally consisting of water mains five hundred feet (500') in length. The distribution system is comprised of approximately twenty miles of AC pipe. The assessment report provides the Water Department with an understanding of the remaining structural integrity of the AC pipe in the system, and identifying priorities for rehabilitation or replacement. Further, this assessment also performs leak detection on the pipe simultaneously if performed using state of the art, non-invasive acoustic methods.

Both tasks can be performed, including any engineering services, for \$94,500, and therefore would be the total grant request. The grant is structured such that successful applicants will provide a twenty-percent (20%) match, equating to \$18,900. However, in-kind services provided by Water Department staff contribute to the match, and therefore the contribution can be reduced to \$7,629. A grant budget outline is attached for an overview of the tasks and associated costs, as well as the in-kind services required. Fiscal year 2017 may be the final year for the WMA funding, and our request should prove favorable for seeking actions to reduce water losses and assess aging infrastructure.

BUDGET FOR WMA GRANT 2016

	TASK	COST	DESCRIPTION
<u>GRANT REQUEST ITEMS</u>	Permanently deployed data loggers (approx 30 loggers)	\$30,000	Procure approximately 30 permanently deployed data loggers to capture leak noise within specified distribution system zones. This is the same procedure under the pilot program with Gutermann currently in place.
	A.C. Pipe Assessment, 2 miles	\$55,000	Perform Asbestos Cement (A.C.) pipe assessment on approximately two miles of distribution system pipe. Approximately one mile of pipe would be located within the Truro portion of the system, with the remainder for various lengths/size pipe within Provincetown. This assessment will provide valuable insight to the current remaining structural integrity of the asbestos cement pipe and a tool for future capital planning.
	Environmental Partners Group, engineering services	\$9,500	Provide support and engineering services for grant documentation, and provide support for A.C. pipe assessment
	TOTAL GRANT REQUEST	\$94,500	
	TOTAL MATCH REQ'D (20%)	\$18,900	

**IN-KIND SERVICES BY
PROVINCETOWN WATER**

Initial layout of project area related to deployment of leak noise loggers.

review as-built drawings; locate, mark, and clean/repair gate valve boxes. Locate and mark sign poles to co-locate radio transmitter, install new poles if necessary.

Data Logger data analysis,
operation & maintenance

\$4,671.00 6 hrs per week for 4 month deployment

Project management and
administration

documentation, drawing review, drawing submissions, project
oversight

\$3,000.00

TOTAL IN-KIND SERVICES

\$11,271.00

**TOTAL MATCH REQ'D LESS IN-
KIND SERVICES**

\$7,629



Provincetown Board of Selectmen

AGENDA ACTION REQUEST

Monday, September 12, 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:

- November 9, 2015 (Regular) as printed with changes so noted
- November 10, 2015 (Regular) as printed with changes so noted
- June 30, 2016 (Special) as printed with changes so noted
- July 25, 2016 (Regular) as printed with changes so noted
- July 29, 2016 (Special) 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
REGULAR MEETING MINUTES
MONDAY, NOVEMBER 09, 2015 6:00 p.m.
TOWN HALL – JUDGE WELSH ROOM
DRAFT**

Chairman Tom Donegan convened the open meeting at 6:00 p.m. noting the following:

Board of Selectmen attending: Tom Donegan, Erik Yingling, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Other attendees: Town Manager David Panagore; Asst. Town Manager David Gardner; Police Chief Jim Golden; DPW Director Richard Waldo; Asst. DPW Director Eric Larsen; Environmental Partners Group (EPG) Engineer James Fitzgerald; Cape Light Compact Administrator Maggie Downey; Harbormaster Rex McKinsey; Harbor Committee members John Santos, Susan Avellar, Laura Ludwig, & Victor Seltsam, and Scholarship Committee Chairman Robert Speiser.

Recorder: Loretta Dougherty

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

A. *Approval of the Board of Selectmen's 2016 Meeting Calendar.*

No motion made.

B. *Treasurer's Transfer – Library Gift Fund – to pay for invoice(s) totaling \$881.83, for the Rose Dorothea Award event held on September 9, 2015.*

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 \$881.83 from the Library Gift Fund to pay for the attached invoice(s).

C. *Parade Permit submitted by Bill Sykes, on behalf of the National MS Society – Greater New England Chapter for the MS Cape Cod Getaway, to be held on Sunday, June 26, 2016, from 8am to 2pm.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Bill Sykes, 13 River Street, Plymouth, MA 02360, on behalf of the National MS Society – Greater New England Chapter, 101A First Avenue, Suite 6, Waltham, MA 02451, to be held on Sunday, June 26, 2016, starting at 8AM to 2PM.

D. *Parade Permit submitted by Emily McGranachan, East Coast Regional Manager for Family Equality Council's 2016 Family Week Parade, to be held on Friday, July 29, 2016, from 3pm to 4pm.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Emily McGranachan, 225 Franklin Street, Suite 2660, Boston MA 02110, on behalf of the Family Equality Council, to be held on Friday, July 29, 2016, starting at 3PM to 4PM.

E. *Massachusetts Cultural Council contract to be signed by BOS Chairman Thomas Donegan, to transfer state funds to our local cultural council account, for the Provincetown Cultural Council, in the amount of \$4,400.00 for the period of July 1, 2015, through June 30, 2016.*

MOTION: MOVE that the Board of Selectmen vote to accept the 2016 Local Cultural Council funds contract from the Massachusetts Cultural Council, in the amount of \$4,400.00 for dates of service from July 1, 2015, through June 30, 2016, to be placed in the Town's cultural council account for the Provincetown Cultural Council.

F. *Approval of the Executive Office of Public Safety – State 911 Department Training and EM/Regulatory Compliance Grant, in the amount of \$14,285.71.*

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

G. *Appoint Selectman Erik Yingling as a Trustee of the OPEB Trust Fund with a term to expire on May 27, 2016.*

MOTION: Move that the Board of Selectmen vote to appoint Selectman Erik Yingling as a Trustee of the OPEB Trust Fund with a term to expire on May 27, 2016.

H. *Approve Affordable Housing Deed Restriction for 12 Standish Street for 15 years under the Regional CDBG Housing Rehab Program.*

MOTION: Move to approve the Affordable Housing Rental Restriction for 12 Standish Street, Provincetown, under the Regional MCDBG Housing Rehabilitation Program for a period of fifteen years and any and all other documents necessary or convenient to accomplish the foregoing.

Tom asked that the reading of the consent agenda be waived.

Cheryl asked to pull item A from the consent agenda. She wants to discuss the Traffic Hearing dates.

Tom moved without objection the consent agenda be unanimously approved with the exception of Item A.

Item A was pulled and placed on the Tuesday, November 10th agenda.

1. Public Hearings:

Raphael recused himself on the first two public hearings and left the room at approximately 6:05 p.m.

A. Economic Development Permit 15-04, 293 Commercial – Sweet Waves Yogurt. Jason Aubee (applicant), o.b.o. Hake Nominee Trust Stephen Boggess TTEE (property owner), to increase the assigned Title 5 flow to the property by 98 gallons per day to increase the number of fast food restaurant seats (20 seats x 20 gpd) from 2 to 7 (140 gpd minus existing credits for a total of 98 gpd).

Erik read the Public Hearing Notice.

Jason Aubee's business has been open for one full season now. He applied last year for the increase in seating and gallons, but the town was very limited in capacity. He understands that the gallons are now available so he is applying again. The Town has given nothing but positive feedback to them since they opened their business. They are very supportive and conscious of having availability for handicapped access. He believes they are doing something different for the Town. People love Commercial Street, and they want to have them linger and enjoy the overall experience. It is a very calming, soothing, and friendly place for people and they want to add the seating so people can relax.

David G. stated that this is a relatively small request. There is a credit associated with this unit. Jason has received his zoning approval already. The property will accommodate the additional flow. The permit is being processed through the Board's criteria and the conditions are included in the documents as stated in the packet. The award is made on the proposed use which is for a restaurant.

No public comments were made or correspondence received.

Erik asked if more seats would help them extend their season or stay open all year round.

Jason stated they opened in April and the goal was to close on Columbus Day but the rain caused them to close early. Their seasonal target is April through October. More advanced weekends may be considered. The business does not support year round due to the product being sold. He employs eight seasonal workers.

Erik stated that the Board will have an agenda item to reevaluate the Economic Development Permit (EDP) form in the future.

Cheryl wants to have the EDP put off until the Board has discussed it further. She stated that this is a problem and she is drawing a line in the sand and does not want to continue. This is being complained about by some citizens.

Robert agrees that the Board should have a discussion on it, but since gallons have opened up he believes we can enhance economic development. He asked that the Board put it in perspective. He is not in favor of stalling any economic growth.

Tom asked to condition this for one year and have Jason come back next year.

Erik asked if Jason could make it through the shoulder season.

Jason stated if we have activities going through Thanksgiving, he has no problem staying open on weekends.

MOTION: Move that the Board of Selectmen vote to approve Economic Development Permit 15-04 for 293 Commercial Street, Unit C, by Jason Aubee, applicant on behalf of Hake Nominee Trust Stephen Boggess, property owner, based on findings that the proposed use is consistent with the criteria set forth in Selectmen's Policy 2009-02-09, specifically:

- *Create or enhance employment opportunities, and*
- *Help to diversify Provincetown's economic base, and*

subject to the attached permit with conditions as revised with the following conditions added: The business be open for an extended season between April 1st and October 31st, and the permit shall be reconsidered after one year on or before December 2016.

Motion: Erik Yingling

Seconded: Robert Anthony

3/0/1 (Cheryl Andrews-Abstained; Raphael Richter-Recused) Motion passed.

B. Economic Development Permit 15-05, 52 Ships Way – Brass Key Housing. Thomas Walter (applicant/owner), to increase the assigned Title 5 flow to the property by 330 gallons per day to increase the bedrooms (110 gpd) in the single family home from 3 to 6.

Erik read the Public Hearing Notice.

Elliott Marchurst and Thomas Walter are asking for this increase as they employ 102 people and supply subsidized housing for as many as possible. This increase is so they can offer subsidized housing to more seasonal employees. The floor plan of the house will remain the same there is only an increase in the number of rooms that will be available for employees. They cannot afford to pay the fees and deposits that are required to house their seasonal workers.

David G. stated that this property is on the sewer. This is a unique EDP criteria under seasonal, year-round housing. We are trying to get property owners on Commercial Street to convert their upstairs into housing. This property is not in the commercial district, but it is clear that the applicant is a very large employer and staff feels that this will comply with the Board's findings. Additional gallons will be specifically used as proposed. There will be no non-employee weekly rentals and they will need to maintain an active rental certificate.

No public comments were made or correspondence received.

Erik is very much in favor of year-round housing and will support this application. The property is not getting any larger only

adding more bedrooms.

Thomas stated that within the footprint of the building we can make six legal bedrooms. They own a number of businesses in town and seasonal versus year-round properties change yearly based on what is needed. They operate their seasonal businesses for a long season and can never have enough housing. They charge \$100 per week and in the high season \$140 per week.

Cheryl has no background material on this type of EDP and asked about deed restrictions. She also asked what prevents someone from selling this property.

David G. stated that it would be sold as a legal three bedroom home not a legal six bedroom.

Cheryl she does not want to support this until we figure out how to do it properly. She does not want to see a property sold as having three bedrooms when there are six bedrooms available.

MOTION: Move that the Board of Selectmen vote to approve Economic Development Permit 15-05 for 52 Ships Way, Brass Key Hospitality Group, LLC, by Thomas Walter, applicant/owner, based on findings that the proposed use is consistent with the criteria set forth in Selectmen's Policy 2009-02-09, specifically:

- *Support year-round incomes and/or*
 - *Create or enhance employment opportunities and/or*
 - *Feature solutions to known barriers to year-round economic success e.g. Transportation, energy cost, water consumption, housing cost and/or*
 - *Create seasonal or year-round employee/business owner housing above and associated with existing businesses throughout the Commercial District*
- subject to the attached permit with conditions as submitted.

Motion: Erik Yingling

Seconded: Robert Anthony

3/0/1 (Cheryl Andrews-Abstained; Raphael Richter-Recused) Motion passed.

Raphael returned to the meeting at approximately 6:46 p.m.

C. Review and discussion of the preferred 30% design configuration for the Conwell Street Bicycle Improvements Project.

Erik read the Public Hearing Notice.

David P. stated that this Public Hearing was requested by the Board. There was not an initial notice to the abutters but we will make sure that we do maximum outreach, in the future. He has recommended that there be more touch points between now and the final bid; this involves only the public right-of-way, no encroachments onto public property.

Tom stated that the abutters came to the Board and asked to have Conwell Street fixed.

DPW Asst. Director Eric Larsen and **James Fitzgerald** of Environmental Partners Group (EPG) appeared before the Board. James stated that he is here to listen to the Board's input. He gave a brief description of the existing conditions and then presented three proposed alternative design options for the Board's review. Alternative #1 proposes a 30-foot roadway in compliance with MassDOT requirements for a five-foot bicycle lane and a 10-foot vehicle travel lane in both directions. This alternative also provides for a sidewalk along the western side of the road where businesses are located. Alternatives #2 and #3 are of like design but without sidewalks.

David G. reminded the Board that this project goes back to the 2010 Integrated Bicycle Plan. We submitted a joint grant with the Cape Cod National Seashore Park for \$107,000 in 2011; it was approved in 2013, and in June we entered into the contract.

James has met with the Cape Cod Commission, and their Executive Director Paul Niedzwiecki has written a letter to the Board expressing their preference for design option Alternative #1.

Roger Chauvette, Bicycle Committee Chairman, believes this is a very nice fit and it is important for us to do this now. It is a safe way to have people coming into town. It also fits in with the rail trail to bring people back out to Beach Forest. The Bicycle Committee has not as yet voted on these particular plans.

Public Comments:

John Santos recommended the wider layout for the sidewalk. He stated that Cemetery Road is too narrow; no one wants it to be a one way. He believes the design needs a little more work. He stated that this is a complex issue, and there may be other alternatives that suit us better.

Susan Avellar is a bicyclist, walker, and driver in this area. She reminded the Board that there is a stop sign on the north side of Standish Street that empties into Cemetery Road, and a stop sign on the west side of Cemetery Road that empties into Alden Street. She stated that 95% of the people who are travelling just go through these stop signs. She just wanted the Board to be aware that the stop signs are not being used.

No further public comments.

Erik read the Cape Cod Commission's letter supporting Alternative #1.

Eric Larsen stated that the actual alignment of the road is the same in Alternatives #1 & #2.

Cheryl stated that she cannot make a decision tonight. The idea of the sidewalk makes it much more difficult to do.

David P. asked about curb cuts.

James stated that once they establish the diagrams they will look at the curb cut openings. They want to make sure they

leave wide enough curb cut openings so businesses are not adversely impacted. Semi-concrete sidewalks can be discussed (driveway aprons) as opposed to blacktop.

Erik likes Alternative #1. He wants pedestrians to have sidewalks. He asked if there would be room for trees or nature barriers.

James stated that there is not much space for that; not enough width for grass. He stated that any alternations to the landscaping would be replaced.

Raphael concurs that Alternative #1 is very good. He does agree with Cheryl about the sidewalks and wants to make sure that we are engaging the public.

Robert concurs that Alternative #1 is the best choice and sees it as a public safety issue. He does have concerns about bicycles crossing at the crest of the hill on Cemetery Road. A brief discussion was held about the inability to have a clear view on the top of the hill. Robert and Cheryl are concerned about the site view and the public safety issue.

David P. stated that this is a state highway, and they are following state highway rules. He stated that there will be two more sessions to go over the design phase. This is really just the concept phase. If a sidewalk and bike lanes make sense, he requests approval with the caveat for two design phase check-ins for input.

MOTION: Move that the Board of Selectmen forward all public comments to the Dept. of Public Works and accept the staff's recommendation of the PREFERRED 30% Design configuration for the "Conwell Street Bicycle Improvements Project" with two (2) additional design phase check-ins and final approval by the Board of Selectmen.

Motion: Raphael Richter

Seconded: Erik Yingling

5/0/0 Motion passed.

David P. wants to improve our relations with the state and when at Plymouth last week for the awarding of the grant to do Commercial Street, Housing and Economic Development Secretary Jay Ash and Governor Charlie Baker appeared very interested in Provincetown. On December 17th Secretary Ash will be visiting Provincetown. David P. is working with staff to prepare a presentation on housing, economic development and transportation.

2. **Public Statements:** None.

3. **Selectmen's Statements:** None.

4. **Joint meeting/Presentations:**

A. Cape Light Compact 2016-2018 Energy Efficiency Plan and general update presentation – Maggie Downey.

Tom disclosed that he is the Town's Representative to the Cape Light Compact (CLC).

CLC Administrator **Maggie Downey** gave the background on a 3-year energy efficiency plan. There is a strong public policy; all funds for energy efficiency stay on the Cape. Budgets went from \$5 million to \$40 million this year. They have very aggressive savings and budget goals. They have been meeting in small community groups since May to get input from the public about what they like, what is working and what they would like to see offered. Towns are entitled to an audit every year to make sure they are taking advantage of all the savings for both residential and businesses. She gave a brief description of the differences in services available to large and small businesses and non-profits and left the report for the Board to review.

No action taken on this item.

B. Joint Meeting with the Harbor Committee regarding the houseboats in the Harbor and follow-up on kayak rack development.

The Harbor Committee was called to order at 8:10 p.m. Members in attendance were John Santos, Susan Avellar, Laura Ludwig, and Victor Seltsam. Harbormaster Rex McKinsey was also in attendance.

John stated that he is part owner of a houseboat.

Raphael abstained on recommendation A.

Rex McKinsey acting as the Manager of McMillan Pier gave a brief definition of what houseboats are considered to be; They are vessels which are to be used for accommodations. Any vessel over 20 feet or 25 horsepower has to have insurance. He touched upon the need to reconsider at some point allowing jet skis into the harbor as we presently have to escort them out past the #3 marker in order for them to be used. The kayak racks are being set in place and the stickers will be going on sale. Charts of available racks will be put out. Rex will also be getting comparison costs for moorings from other towns to present to the Board at a Public Hearing.

Cheryl wants to postpone the Public Hearing portion. She asked for clarity on where houseboats fit in to item A. Houseboats are big; if a hurricane comes they can't be moved. It makes sense we would require insurance; should it be \$300,000 or \$500,000? She recommended tightening up the description.

Erik wants to look at an increase in the mooring fees. He wants to see the rates raised. He does not want to vote these on the CIP.

Susan stated that we are not providing the boaters any services such as does a marina.

Tom wants to see the breakdown of what services we are providing.

4

MOTION: Move that the Board of Selectmen ask the Harbor Committee & Pier Manager to return to the Board with a full report on moorings in Provincetown Harbor including three years of historical data, current and past policies, and comparisons to other Cape towns.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Robert Anthony

A discussion was held with regards to recommendations A, B, C, and D and it was agreed that the Harbor Committee will package up a document and come back with some historical data on mooring fees and recommendations for increases. The Board was fine with recommendations A-C, with recommendation A 3-4-6 Insurance Requirements to be amended to correct the date from January 1, 2015 to January 1, 2016.

A second motion was made approving the expenditure from the Harbor Access Gift Fund as follows:

MOTION: Approve an expenditure from the Harbor Access Gift Fund of an amount not to exceed \$15,000 for materials and labor to construct or purchase up to 5 additional kayak racks, as presented.

Motion: Cheryl Andrews
5/0/0 Motion passed.

Seconded: Raphael Richter

5. **Appointments:** None.

6. **Requests:**

Raphael asked to take 6B out of order and without objection 6B was taken before 6A.

B. Town scholarships – Chairman Town Scholarship & John A. Francis Scholarship Committees Robert Speiser.

Tom gave a brief overview of what has occurred with the two scholarship funds relative to some people being eligible and some people are not. The benefactors' wills have language in them so some people are benefiting and others are not.

Mr. Speiser had a meeting with two citizens who would not be eligible for scholarships. The rules changed from having to graduate from a Provincetown high school to finishing the highest grade possible which was the 8th grade. He asked the Board how they want to proceed.

Cheryl respects the intent of the wills, but asked to look at what makes sense as to where we are now. Any student who matriculates for four or more years is eligible. She asked for the Town Manager's advice.

Erik stated that it sounds like it would go beyond the intent.

Tom wanted a recommendation from the Committee so that we have more latitude with Town scholarships.

Raphael acknowledged that this is a tough, challenging situation, and is going to affect people for many years to come. There seems like there is not much we can do. It seems impossible that this third generation family all went to Provincetown schools and his daughter is not eligible. He asked to go over this with Town Counsel.

Mr. Speiser will have the Committee submit recommendations vetted by Town Counsel to the Board.

No action was taken on this item.

A. Police Report for the month of October 2015 – Police Chief Jim Golden:

Chief Golden gave a brief overview of the monthly police report for October 2015. The police report can be found in its entirety on the Police Department's web page.

Robert wanted to know if citations had been written on any alarm calls.

The Chief stated that seven had been written within the last 30 days.

Tom would like to see the four outer cape towns get together and talk about a program such as the Gloucester Police Dept. has put into place; the Police Assisted Addiction and Recovery Initiative (P.A.A.R.I.). He wants the public to understand that we are going forward with this, and let them know exactly what we are doing.

The Chief stated that Police Chiefs in Wellfleet, Truro, and Provincetown are holding meetings with Gosnold to provide field clinicians who will be available to come out for interventions. There is a protocol in place where a policeman can call a clinician and they will then go that night or the next day. There is national attention for Gloucester as they are referring those in need to facilities located in the states of Arizona and Florida. They have their own resources. This is not quite in reach for us at present.

7. Town Manager / Assistant Town Manager:

A. Draft Selectmen's Policy Statement re: Town Grant Acceptance and Contract Authority:

David P. pointed out that this policy has been discussed in the past. It defines which grants and contracts need to be approved by the Selectmen and which could be approved and signed off by the Town Manager. The General Bylaws grant contract and grant authority to either the Board of Selectmen or the Town Manager as Chief Procurement Officer, but it does not define under what circumstances it would be appropriate for either to act. A brief discussion was held and it was agreed that having this policy in place would allow the Town the ability to move forward through the grant and procurement process more quickly in certain circumstances. A copy of the Policy in its entirety may be found on the Town's website in the Board of Selectmen's agenda packet.

MOTION: Move to approve Policy Statement 2015-11-09, as drafted.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Erik Yingling

B. 2015 Special Town Meeting – Follow up:

Tom asked about the Substance Abuse Consultant position.

David P. stated that the RFP should be going out around the first of March. He also reported the following:

- Condo Conversion Bylaw (new draft) will be brought before the Board for feedback at a Public Hearing;
- Residential Exemption is on the December 15th agenda as a Public Hearing, and
- A Business Calendar will be brought before the Board laying out a schedule from the budget all the way to Town Meeting. This will be our strategic roadmap in helping get everything done in a timely and efficient manner.

C. Town Manager's Report – Administrative Update(s):

David P. reported:

- Housing and Economic Development Secretary Jay Ash will be coming to Provincetown on December 17th;
- He is talking to NEA for grant possibilities;
- Goals for the next six months will be housing, economic development, operations, and transportation;
- He will be meeting with Town Planner Gloria McPherson and expects to have a schedule drawn up for the Local Comprehensive Planning Committee by the end of the month, and
- The Inclusionary Zoning Bylaw is being laid out and staff will be getting the proper input from boards and other interested parties. He will get back to the Board on the organizational pieces.

D. Other: None.

8. Minutes:

The Board reviewed the minutes and corrections were made to minutes of June 24, 2014 and November 10, 2014.

MOTION: Move that the Board of Selectmen approve the minutes of June 24, 2014 (Special), as revised; November 10, 2014 (Regular), as revised; September 21, 2015 (Exec. Session–Open), as presented, and October 26, 2015 (Special), as presented.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Erik Yingling

9. Closing Statements/Administrative Updates:

The Board reviewed letters that had been sent out.

- A. Thank you letter to Heath Gatlin who resigned from the Airport Commission.
- B. Thank you letter to Director John DeGutis, who retired from the Massachusetts Police Training Committee.
- C. Thank you letter to April Baxter who resigned from the Open Space Committee.
- D. Thank you letter to Ilona Royce Smithkin for the gift of her portrait of Grace Gouveia to the Town of Provincetown.
- E. Thank you letter to Rachel White for her service to the Town of Provincetown.
- F. Thank you letter to Donna Szeker who resigned from the Community Housing Council.

The Board motioned to go into Executive Session at approximately 9:58 p.m.

MOTION: Move that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1, 2, 3, 5, 6, & 8 for the purposes of:

Clause 6 - To consider the purchase of, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. VFW (3 Jerome Smith Road) and related parcels. Old Community Center (46 Bradford Street). Votes may be taken.

Clauses 1, 2, 3, 5, 6, & 8 – To consider the approval and/or release of BOS Executive Session minutes for August 18, 2014; April 27, 2015; September 14, 2015; September 21, 2015; October 5, 2015, and October 13, 2015. Votes may be taken.

and not to convene in open session thereafter.

Motion: Erik Yingling
(Roll Call Vote)

Seconded: Cheryl Andrews

Tom Donegan: Yes
Erik Yingling: Yes
Cheryl Andrews: Yes
Raphael Richter: Yes
Robert Anthony: Yes

Yea: 5 Nay: 0 Motion passed

The Board went into Executive Session at approximately 10:00 p.m.

Minutes transcribed by: Loretta Dougherty

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 10, 2015 5:00 p.m.
TOWN HALL – JUDGE WELSH ROOM
DRAFT**

Chairman Tom Donegan convened the open meeting at 5:00 p.m. noting the following:

Board of Selectmen attending: Tom Donegan, Erik Yingling, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Other attendees: Town Manager David Panagore, Asst. Town Manager David Gardner, Police Chief Jim Golden, Cape Cod Commission Technical Services Director Glenn Cannon and Cape Cod Commission Transportation Planner Patrick Tierney, and Scholarships' Chairman Robert Speiser.

Recorder: Loretta Dougherty

1. Presentation of the Provincetown Parking and Circulation Study for the Town of Provincetown:

Glenn Cannon & Patrick Tierney told the Board that they are in the process of analyzing data. They are looking at alternatives now and hope to have them finalized by January and brought back to the Board before the spring traffic hearing is to be held. They are looking at different travel patterns into town; parking issues downtown relating to residents; utilization of parking throughout town; pricing schemes; roadways and intersections. How a one-way on Alden Street reversing the direction and a one-way on Conwell would impact the Town. They will be doing traffic counts using Bluetoad machines; getting parking data from the Parking Department, and working with the Bicycle Committee. Glenn gave an overview on PowerPoint noting that Conwell is the most active street coming into Town. McMillan Pier parking lot is utilized more for parking than the Grace Hall parking lot. They will present more data on the bicycle/pedestrian recommendations for the Town as well. All information will be available on the Cape Cod Commission's website and put on PTV. There was a brief discussion of the levels of service. These levels may be found on the PowerPoint presentation on the Town's website under the Board of Selectmen's section. They will bring back their findings to the Board at the first of February.

Patrick stated that there is a survey on the Cape Cod Commission website for anyone to fill out.

2. Public Hearing: 2015 Fall Traffic Hearing:

Item 1. Proposal by Gordon Siegel to extend the "no parking area" around the driveway at 18 Pleasant Street (Bradford Street side) for another foot in order to allow greater access to the driveway.

Team Recommendation: NOT RECOMMEND

Gordon Siegel presented his proposal to the Board. Anyone parking pulls up to the line and their car extends into his driveway. They do not have the ability to ask for a curb cut. He asked for a favorable vote.

Tom read correspondence; one in favor and several against.

Erik believes that this is an enforcement issue based upon review of the materials.

Cheryl asked Chief Golden for clarity regarding the legality of the vehicle hanging over the yellow line.

Chief Golden explained that if four tires are inside the legal footprint of the parking space they generally do not take any enforcement action. Only if there is another violation existing is it enforced.

Robert stated that the photo shows the car is impeding into the driveway. He believes that this could be an enforcement issue.

Tom stated we need to enforce it not move the line.

David G. stated that the spaces are not delineated; proponent has a good point. The front of the vehicle is going out into the driveway even though the tires are in back of the line.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal #1.

Motion: Raphael Richter

Seconded: Robert Anthony (for discussion)

Raphael stated that he appreciated the proponent bringing this item forward but it appears to him that this is an enforcement issue. This is an item for another season and we should keep it on the minds of the parking enforcement staff. He asked that the proponent make sure he calls for such enforcement when needed and hopefully this can be resolved without the need to take away parking.

Public Comment:

Devon Ruesch spoke out against this proposal.

Donna Cooper spoke out against this proposal.

Chris Snow spoke in favor of this proposal.

No further public comments.

David G. stated that we did not delineate spaces there. It is 49 linear ft. If we delineate, we will lose parking spaces. He stated that there is already a regulation that if you obstruct a driveway it is a violation.

Tom will vote to deny this proposal. He stated that we need to add a parking regulation which creates enforcement for these types of situations.

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4/1/0 (Robert Anthony) Motion passed.

Item 2. Proposal by Dan Squire, Sean Kelly and Steve Munro to demark a "no parking area" and to remove two public parking spaces adjacent to 4 Bradford Street to allow gate access to the property for Unit #1 and Unit #2.

Team Recommendation: RECOMMENDS.

Dan Squire presented his proposal to the Board. He stated that only one parking spot was there when they moved in last year. A second one was added last winter. Unit #1 was blocked when he moved in. His front door had not been used for many years so there was a parking spot there. They have off street parking so they are not parking on Bradford Street

Sean Kelly stated that it is impossible to get out of the gate.

Cheryl is not in favor of removing any public parking spaces.

Tom would like to remove the spaces and do a study for bike racks to be put in. He recommends the Board approve and then refer to the Bicycle Committee for studying the possibility of putting bike racks there.

The proponents are in favor of bike racks.

MOTION: Move that the Board of Selectmen vote to eliminate two (2) parking spaces in front of 4 Bradford Street and refer this location to the Bicycle Committee for their recommendation for this location.

No public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

4/1/0 (Cheryl Andrews) Motion passed.

Item 3. Proposal by Joseph Federico and Peter Betit to demark a "no parking area" adjacent to 23A Winthrop Street to allow gate access to the property.

Team Recommendation: RECOMMENDS.

Joseph Federico presented his proposal to the Board and wants yellow lines painted in front of his gate. He gave the Board an overview of photos.

MOTION: Move that the Board of Selectmen vote to approve Traffic Proposal #3.

No public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 4. Proposal by Evelyn Gaudiano and Gary Vance to demark a "no parking area" adjacent to 3 Conant Street to prevent illegal parking in the Fire Lane from blocking walkway access to 3 Conant Street and to allow for proper back-out from the driveway across the street at 4 Conant Street. Request the installation of a "no parking" sign or demarcation in the street.

Team Recommendation: RECOMMENDS.

Gary Vance presented the proposal to the Board. He stated that even though it is a fire lane people continue to park there. They have called the Police Department and people do get ticketed, if they are caught. This proposal would help clarify that it is a no parking zone.

Erik is not in favor of this proposal.

Raphael suggested painting the fire lane; the fire lane painting appears to be inadequate.

David G. recommended putting up additional signage; staff supports being a part of the solution.

MOTION: Move that the Board of Selectmen approve traffic proposal #4.

No public comments.

Motion: Raphael Richter

Seconded: Robert Anthony

4/1/0 (Erik Yingling) Motion passed.

Item 5. Proposal by MaryJo Avellar to install a crosswalk on Bradford Street across from the stairway at Masonic Place.

Team Recommendation: NOT RECOMMEND.

Mary-Jo Avellar presented her proposal to the Board giving a brief description of how the public is coming out of the Grace Hall parking lot and walking down the sidewalk that stops in the middle of the hill. This causes them having to cross in the middle of the street where there is no crosswalk. People are always stepping out and then having to step back. There is no indication at the beginning of the sidewalk that they cannot continue all the way down the street. She believes that this is a very dangerous situation and is an accident waiting to happen.

Raphael stated that the problem is that we have a sidewalk to nowhere. He believes it would be very dangerous to cross there; but respects the intent of the proposal. Maybe we can do something with the sidewalk.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal #5, but refer potential changes to the Traffic Team for further review.

No public comments.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Cheryl Andrews

Item 6. Proposal by Kurt Reynolds and Richard Olson to install a "steep or blind slope ahead" and "speed limit 15 MPH" sign on Cemetery Road. Also consider the placement of removable-modular speed bumps on Cemetery Road during the high season.

Team Recommendation:

NOT RECOMMEND the installation of a "steep or blind ahead" sign.

RECOMMEND the installation of a 15 mph sign.

NOT RECOMMEND speed bumps.

Kurt Reynolds presented his proposal to the Board stating that there is always speeding on Cemetery Road and asked for the Board's support to help alleviate it.

Erik supports the speed limit sign but not the other two proposals.

Raphael agrees with adding the speed limit sign.

Cheryl wants to see fewer signs.

Tom wants signs; it is a safety issue.

David G. stated that everyone is in agreement that the lanes are narrow and there is an issue with speeding. Staff is happy to add additional signage to remind drivers to slow their speed down on Cemetery Road.

MOTION: Move that the Board of Selectmen vote to approve installation of a 15mph speed limit sign at either end of Cemetery Road with exact language to be determined by the Traffic Team.

No public comments.

Motion: Raphael Richter

Seconded: Robert Anthony

4/1/0 (Cheryl Andrews) Motion passed.

Item 7. Proposal by Donna Cooper to install a "yield" sign on Shank Painter Road at the entrance ramp onto Route 6 Westbound.

Team Recommendation: RECOMMEND. Install "Yield" sign on right side entrance ramp.

Donna Cooper presented her proposal to the Board and stated that there is not a yield sign at this location and bikes and pedestrians are crossing there. Vehicles are not yielding at this location.

The Board agreed this was a good proposal for public safety.

MOTION: Move that the Board of Selectmen vote to approve installing a yield sign, as presented.

No public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 8. Proposal by Donna Cooper to install a "yield" sign on Westbound Route 6 at the exit ramp at Conwell Street.

Team Recommendation: RECOMMEND. "Yield to Pedestrians" sign on right hand side prior to the exit ramp.

Donna Cooper presented her proposal to the Board asking to either replace the existing sign with a yield sign or to add a yield sign along with the existing sign which is a crosswalk sign only.

Tom is not opposed to this change.

Erik is not convinced that changing a sign is going to affect anything. Driver's need to be more cognizant of what is happening around them.

Raphael agrees with Erik. The existing sign is positioned in an awkward position; it is so far away from where you would normally consider slowing down as a driver as opposed to being closer to the roadway.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal # 8.

No public comments.

Motion: Raphael Richter

Seconded: Erik Yingling

4/1/0 (Tom Donegan) Motion passed.

Item 9. Proposal by Donna Cooper to remove the handicapped parking space adjacent to 10 Brewster Street so that it can revert back to public parking.

Team Recommendation: NOT RECOMMEND.

Donna Cooper presented her proposal to the Board stating that there is no longer a need for this handicapped parking space at this location. This space was created for a person years ago who is no longer at this location. This parking space is never used and needs to go back to resident parking only.

David P. stated that if there was a need before but that need no longer exists then we are on safe grounds.

Herbie Hintze, Chairman of the Disability Committee, stated that this parking space can only be removed under Title 2 of the ADA, if it is diminishing parking to less than 5%. He challenges the Board to prove we have less than 5%. The

Disability Committee wants to protect all citizens in Provincetown.

Chris Snow stated that if we are not reaching the 5% we should give this better scrutiny.

Cheryl wants feedback from the Town Manager on how this is done in other towns. Do other towns do this on an as needed basis, if someone is in need, or do they look at the whole town and lay out a plan? She understands Ms. Cooper's need to have a space that is not being used at present. Our map should be updated on a regular basis.

Raphael noticed the unused spot of this handicapped parking as well. He believes we should try to find somewhere else in the neighborhood for this handicapped parking space. He will support this proposal but wants to postpone it until the spring.

Erik believes this is a bad idea to remove the handicapped space. He will not support it.

MOTION: Move that the Board of Selectmen table Traffic Proposal # 9 until the next Traffic Hearing, at which time the Traffic Team can propose potential other spots for handicapped space.

Motion: Raphael Richter

Seconded: Robert Anthony

5/0/0 Motion passed.

Item 10. Proposal by Donna Cooper to limit parking on side streets to one week only for vehicles without parking permits.

Team Recommendation: NOT RECOMMENDED AT THIS TIME.

Donna Cooper presented her proposal to the Board stating that there has been a car parked for over six months without moving. She asked for consideration to make the entire side streets resident parking only from Memorial Day to Labor Day.

Chris Snow is in favor of this as it is a very sensible idea to have it resident parking. Let's generate revenues in our parking lots that have diminished over the years.

Erik agrees with this idea. He would like to do it as a policy so that it will be resident only parking. He wants a discussion about this.

Cheryl agrees with Erik.

Tom is in favor of this.

Raphael agrees having a timeframe in certain spots. He believes that it is unwise to vote on it tonight; but should revisit it at another traffic hearing. It will be a big change for people.

David P. thinks it should be studied; cost for signage; enforcement issue. No abandoned vehicle bylaw – put warning on car and then in one week if still there remove it.

Robert wants to define town residents. Is it just for residents of Pearl Street, etc.?

David G. stated that permit districts include residents; non-residents, and resident commercial. There is no such thing as a Brewster Street permit, etc. Just for the record Barbara Rushmore is opposed to this.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal # 10.

Motion: Raphael Richter

Seconded: Erik Yingling

4/1/0 (Tom Donegan) Motion passed.

MOTION: Move that the Board of Selectmen request staff to consider the conversation we just had under this item and make a proposal to us at the next Traffic Hearing, as they deem fit.

Motion: Cheryl Andrews

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 11. Proposal by Joerg Meixner to reduce the speed limit on Bradford Street to 25 MPH and to install a radar speed indicator sign Eastbound on Bradford adjacent to the existing Westbound sign on Bradford in the East End.

Team Recommendation: RECOMMEND installation of new radar speed indicator sign.

Joerg Meixner presented his proposal to the Board and stated that there is a yellow sign on the hill just before his house but it is obscured by plants. He is afraid to walk against oncoming traffic due to vehicles speeding. He actually feels vibrations in his house, especially from trucks.

Tom stated that the east/west bound traffic has different speed limits; 30 to 20 to 25 back to 30 at the east end. This makes no sense to him as a driver and believes we are solving a symptom of a much bigger problem. He wants to work with the state on solving this problem on Bradford Street. He will approve this proposal and would like to see more done.

Cheryl agrees with Tom regarding the state road. She stated that indicator signs help everyone to slow down. If we like them and we want to expand them let's have a process as to how we go about it. She asked Chief Golden to take a look at our town and see where they should go.

Raphael stated that there is also no speed limit sign for quite some distance. We need a speed limit indicator as well.

Karl Betten lives at 269 Bradford Street on the other side of the hill and his house shakes every time a truck goes by. He stated that it is also a safety issue for pedestrians. He is in favor of the proposal.

Chris Snow understands the problem being a resident of the east end. Indicators are mobile and can be moved to hotspots. He wanted to know if this is a permanent or temporary change.

Chief Golden stated that the town maintains five indicators. They have had three since 2013, they added 1 on Howland

Street in 2014, and one on McMillian Pier last year. They have one on Conwell Street and two on Bradford at each end of town. They were purchased with the intent of moving them around. Our roads are not travelled by just residents but others as well. His desire in the budget process is to ask for one for Shank Painter Road. He may ask for two now; one for this request. He is a big fan and has heard nothing adverse about them.

It was noted that Barbara Rushmore opposes this proposal.

MOTION: Move that the Board of Selectmen vote to approve Traffic Proposal # 11.

Chief Golden recommended asking for funding for two additional indicators at the next Town Meeting. He stated that we can move the one currently in the east end near the playground at present to address this need.

No further public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 12. Proposal by Klaus Betten to install a radar speed indicator sign Eastbound on Bradford Street adjacent to the existing Westbound sign on Bradford in the East End.

Team Recommendation: Same as Item 11.

MOTION: Move that the Board of Selectmen vote to approve Traffic Proposal # 11.

No public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 13. Proposal by Richard Arsenault to reduce the speed limit on Conwell Street from 30 MPH to 20 MPH.

Team Recommendation: NO ACTION NECESSARY AT THIS TIME.

Richard Arsenault presented his proposal to the Board stating that the speed limit is 30 mph when you pass the liquor store and then changes sharply to a 20 mph speed as noted by the speed sign when coming into town. As a pedestrian on the street he believes this is extremely hazardous.

DPW Director **Rich Waldo** stated that we have submitted requests to the state and they have stated that 30 mph is the correct speed for this location.

Erik would like to see us work with MassDOT to get the road back from the state. He will discuss this with the Town Manager.

Chief Golden stated that it is a challenging road to do enforcement on as there are three different speed limits. We should have uniformity on that road. The Department tries to use a motor cycle or a bicycle officer as a tool that works.

Cheryl believes that it is the signage that is the problem; not the people.

MOTION: Move that the Board of Selectmen vote to take no action on Traffic Proposal # 13, at this time.

No public comments.

Motion: Raphael Richter

Seconded: Cheryl Andrews

5/0/0 Motion passed.

Item 14. Proposal by Richard Arsenault to extend the sidewalks along Harry Kemp Way to (a) Howland Street, (b) Oak Street or (c) 52 Harry Kemp Way.

Team Recommendation: RECOMMENDS.

Richard Arsenault presented his proposal to the Board stating that the amount of foot traffic and bikes has increased in the last 16 years he has lived here. There is no one who drives 25 mph on that street and it is a very dark street. The neighborhood has changed. It is like a thruway with a destination at each end. He asked that sidewalks be put in so pedestrians have a safe place to walk.

Raphael thinks this is a great idea. He would support doing a stretch of it and prioritizing it in the CIP.

Cheryl wants to take a good look at it due to the tricky nature regarding any wetlands issues.

Tom stated that as you get closer to the condos you get more pedestrians.

Donna Cooper supports this proposal.

Chris Snow does not know where we are with this proposal. He has not seen any map and wonders if the sidewalk would constrict bicycle pathways. He is not against a sidewalk for public use; his concern is that you cannot have bikes and pedestrians competing with each other for area. He believes it requires study in various segments.

No further public comments.

MOTION: Move that the Board of Selectmen vote to refer Traffic Proposal # 14 to staff for further study.

Motion: Raphael Richter

Seconded: Erik Yingling

5/0/0 Motion passed.

Item 15. Proposal by Richard Arsenault to install a crosswalk on Shank Painter Road at the intersection of Jerome Smith Road.

Team Recommendation: NOT RECOMMEND AT THIS TIME.

Richard Arsenault presented his proposal to the Board stating that sooner or later there is going to be a big problem at this location. People cross here to go to the Bark Park with their dogs.

Jay Goodrich has lived here six months and sees dogs wanting to run across to the park as soon as they see it. This is a dangerous spot. He believes that a crosswalk at the intersection is needed.

David G. stated that he has one of those unruly dogs. A crosswalk to nowhere means there is no safe landing once you get to the other side of the road. A crosswalk means there is a safe crossing location on each side of the road for both a pedestrian landing as well as handicapped accessible.

Cheryl asked where people come from going to the Bark Park. She wants to make sure that the crosswalks are safe for the pedestrians.

Raphael stated that this is the worst intersection in Town. A little bit of pavement and good road marking may help. He wants to challenge staff to do more on this particular matter. He will not support this proposal as presented.

Erik read a statement from Barbara Rushmore in opposition to this proposal. He agrees this is a huge mess at this intersection but does not believe that a crosswalk is the answer without putting in sidewalks also.

Tom appreciates the intent of the proposal but does not believe this is the right proposal. He suggested looking at this as part of the development at the VFW site.

David P. stated that every state highway ends at a stop sign somewhere. This is an issue everywhere. This intersection needs to be looked at. It is about coming off the roadway that drives a lot of this. These are very expensive undertakings, but very important to do. It would require a reconstruction and realignment.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal # 15.

No further public comments.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

A brief discussion was held regarding the dangerous nature of this intersection and it was agreed that a conversation should take place among staff on prioritizing any redesign and reconstruction prior to the installation of any crosswalks. A motion was offered.

MOTION: Move that the Board of Selectmen ask staff and the Cape Cod Commission to prepare a short-term solution to make this intersection safer.

Motion: Raphael Richter

Seconded: Robert Anthony

5/0/0 Motion passed.

Item 16. Proposal by Richard Arsenault to install a "speed limit" and "pedestrian crosswalk" sign (Proposal #14) on Shank Painter Road just after the intersection of Route 6.

Team Recommendation: RECOMMEND install pedestrian crossing ahead for the existing crosswalk.

Richard Arsenault thinks this proposal will be addressed at the same time as item 15 regarding the intersection.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal # 16.

Motion: Erik Yingling

Seconded: Raphael Richter

5/0/0 Motion passed.

Item 17. Proposal by Richard Arsenault to make Conwell Street one-way south bound between (a) Route 6, (b) Ann Paige Lane or (c) Cemetery Road and Bradford Street (towards Bradford Street) and install a sidewalk and bike path on Conwell Street. Direct traffic exiting from town down Bradford Street to Howland Street.

Team Recommendation: NOT RECOMMEND AT THIS TIME.

Richard Arsenault asked for a short-term fix until this can be fully looked at. He stated that there are people on Conwell Street walking in both directions between Harry Kemp Way and Bradford Street.

Donna Walker encouraged the Board not to recommend at this time. She would not like to see a one way going into Town.

Robert Russell has lived off Conwell Street since 1972 but has lived here all his life. He is not in favor of Conwell becoming a one-way.

Cheryl stated that this proposal has come before the Board about four times already. The number of places in Provincetown where pedestrians and bikes share space has doubled or tripled in the past 15 years. Everyone needs to learn to share the road. The solution is to slow everyone down and keep them slowed down in the summer. This is where we live and when considering traffic pattern changes they should be considered for those who live here.

Raphael is very open minded to a proposal like this regarding traffic, but traffic flow that will inconvenience residents is not ok. We must think about the greater good for the town. He is not going to vote for it tonight and would like to see a study done.

Tom believes that everyone who uses a GPS is sent to Conwell Street on the way in. The Cape Cod Commission will look into solutions for Conwell Street in combination with Howland Street. There is a solution to be had.

Erik will wait to hear from the experts.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal # 17.

No further public comments.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Erik Yingling

Item 18. Proposal by Donna Walker to make Center Street restricted to resident permits only / no commercial plates. Also request that the no parking area in front of the gate adjacent to 9 Center Street be removed.

Team Recommendation: NOT RECOMMEND removal of the no parking area in front of existing gates pursuant to existing regulations.

Donna Walker asked that the X be put in front of the gate. The new residents have offset it from where the X was initially. She wants to make sure that the two parking spaces are still viable.

Cheryl wants to look at the policy and make sure we are not taking away street parking.

Tom does not want to see the Board do anything in this instance.

Peter Page lives on Brewster Street and his company owns a van and has to have commercial plates. He asked that commercial plates not be excluded; where are workers going to park? He would like to see this addressed.

David G. stated that the current interpretation of the policy is that all authorized permits we issue can park in those districts. Resident commercial permit holders can park in the resident parking area.

MOTION: Move that the Board of Selectmen vote to discuss Traffic Proposal #18, as a future agenda item.

No further public comments.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Robert Anthony

Item 19. Proposal by Donna Walker to remove the no parking area in front of the entrance to 9 Center Street.

Team Recommendation: NOT RECOMMEND removal of the no parking area in front of existing gates pursuant to existing regulations.

Donna Walker is trying to make the other side available to two cars. Two cars have been parking there forever. To make it legal take 3 to 6 inches off this block it still provides adequate access to his entrance way.

Tom wants to make it two legal spots.

Erik wants to just leave it as it is currently.

Raphael will not approve this item. People have been parking there for years.

MOTION: Move that the Board of Selectmen vote to not approve Traffic Proposal #19.

No public comments.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Erik Yingling

Item 20. Proposal by Donna Walker to install a new sign adjacent to the Library to read: One Hour Parking for Library Friday – Monday 10:00 am to 5:00 pm and Tuesday – Thursday 10:00 am to 8:00 pm; Permit Parking only Friday - Monday 5:00 pm to 10:00 am and Tuesday – Thursday 8:00 pm to 10:00 am.

Team Recommendation: NOT RECOMMEND the proposed sign. Alternative sign that simply states “One Hour Parking for Library 10 am to 8 pm”.

Donna Walker stated that the alternative recommended by the team works for her.

MOTION: Move that the Board of Selectmen vote to recommend the alternate sign; “One Hour Parking for Library 10:00 a.m. to 8:00 p.m. for Traffic Proposal # 20.

Motion: Selectman Richter

Seconded: Selectman Anthony

Chief Golden requested the Board to amend the motion by adding, “Resident parking at all other times.”

The motion was amended.

MOTION: Move that the Board of Selectmen vote to recommend the alternate sign; “One Hour Parking for Library 10:00 a.m. to 8:00 p.m. - Resident Parking At All Other Times.”

No public comments.

Motion: Raphael Richter
5/0/0 Motion passed.

Seconded: Robert Anthony

Tom asked for a short break at 8:10 p.m. Board returned to the meeting at 8:18 p.m.

Item 21. Proposal by Lee Giroux to install speed limit signs on Franklin Street and a stop sign at Franklin Street and Race Road.

Team Recommendation: NOT RECOMMEND.

The proponent did not show up for this proposal. No action was taken.

Item 22. Proposal by Jay Gurewitsch on behalf of Provincetown 365 to paint bike “sharrows” in the center of the northbound lane of Shank Painter Road from Bradford Street to Route 6. Paint bike symbols and southbound arrows on the shoulder of the southbound side of Shank Painter Road from Bradford Street to the Stop and

Shop. Paint bike "sharrows" on Shank Painter Road between Stop and Shop and Province Road. Paint bike symbols and southbound arrows between Province Road and Route 6. Install additional "Share the Road" signs from Stop and Shop to Route 6 on the Southbound side

Team Recommendation: RECOMMEND.

Jay Gurewitsch understands that plans are moving forward to fix Shank Painter Road. On the northbound side there are a few places you can put a bike lane; drivers/bikers understand the "sharrows" markings. This makes it much safer for the bikers/pedestrians and drivers. Diagrams were reviewed: Section A is Bradford to first parking entrance Stop N' Shop; do bike lane in A & C. Section B does not have enough space; only if you take back Town land.

Peter Page is not in favor of this. He went down Shank Painter Road and was able to easily pass bikers and they could easily move over. He does not want to go 5 mph behind bikers on Shank Painter.

Rick Ahlberg supports this proposal wholeheartedly. These markings are much safer, legal and what is expected in terms of Massachusetts law. The edge of the road is pretty dangerous in some areas. We need to share the space that we have. This is a simple thing and helps educate everyone. It is a good first step in getting some bikes onto Shank Painter Road.

Tom believes that ultimately something has to improve for both pedestrians and bikers. The Cape Cod Commission plans to make this busier and he wants to know what they were recommending. He wanted to know if the Bicycle Committee has any recommendations.

Rik stated that the Committee has not voted on this as yet.

Raphael will vote for this exact proposal, if there is not something better coming out of the CCC parking study. He is in favor of postponing this proposal at this time.

Cheryl believes that anything that slows people down is a good thing.

Chief Golden stated that on all of our roads bikes are treated just like vehicles. They have to adhere to all motor vehicle signs.

Erik thinks this is a great idea. In the interim this is a very easy way to make it safer.

Town Planner **Gloria McPherson** informed the Board that the Planning Board voted on this and recommended 5/0/0.

Tom wants to wait until the spring; we want to get it right.

MOTION: Move that the Board of Selectmen vote to continue Traffic Proposal # 22 to the next Traffic Hearing in the spring.

No further public comments.

Motion: Raphael Richter

Seconded: Robert Anthony

4/1/0 (Erik Yingling) Motion passed.

Item 23. Proposal by Rik Ahlberg on behalf of Provincetown 365 to paint sharrows in the center travel lanes in each direction on Conwell Street from Bradford Street to Cemetery Road. Install "bicycles may use full lane" signs in both directions.

Team Recommendation: RECOMMEND between Bradford and Harry Kemp Way only as the remainder is State Road.

Rik Ahlberg stated that this proposal is simple and is only on a short portion of the road.

David G. believes that sharrows really belong in the middle of the road. There are no sides of the road available for bikers. Pedestrians walk along the side of the road.

Tom stated that there are not many options for this road; this is a good solution for this area. He still wants to be consistent and wait until the Cape Cod Commission weighs in.

Raphael agreed with Tom.

Cheryl is very excited about this proposal and would like to see it from Bradford Street all the way up to Route 6.

MOTION: Move that the Board of Selectman vote to postpone Traffic Proposal #23 until the next traffic hearing.

No public comments.

Motion: Raphael Richter

Seconded: Robert Anthony

4/1/0 (Erik Yingling) Motion passed.

Gloria McPherson stated that the Planning Board had voted to recommend this item as presented.

Tom wants to see a comprehensive plan and made a motion.

MOTION: Move that the town petition the state to add bicycle safety markings, "sharrows" or otherwise, at the Town's discretion, on all state owned roads in the Town of Provincetown with the state's permission.

Motion: Tom Donegan

Seconded: Cheryl Andrews

3/1/1 (Erik Yingling-Against & Raphael Richter-Abstained) Motion passed.

Item 24. Proposal by Brandon Quesnell on behalf of Provincetown 365 to install bike racks at the following locations: 1) Racks to accommodate 26 bikes at the Pearl Street Town Landing; 2) Racks to accommodate 66 bikes at the Johnson Street Parking Lot by moving the parking lane inward by 8 feet; 3) Racks to accommodate 54 bikes at the Court Street Town Landing; and 4) to install "bike parking" signs on Commercial Street at each location.

Team Recommendation: RECOMMEND racks to be installed at the Pearl St Landing and Court Street Landing and to install signs at both locations. DO NOT RECOMMEND AT THIS TIME the restriping of Johnson Street Parking Lot as the proposal needs further consideration. Police and Fire express concerns about turning radius and alignment with Johnson Street.

David P. wants some time to figure out the appropriate process. The Police and Fire Departments both have objections. **Tom** wanted to set the Johnson Street portion of the proposal aside for the moment.

Erik wants the Board to vote on it either up or down.

David G. stated that the parking lot requires special permits from the Zoning Board. The Johnson Street parking lot has been there a very long time. He requested that the Board just hear out the proposal on Johnson Street even if they decide not to vote on it.

Cheryl did not want to take this up right now as it would not be productive.

Rik Ahlberg stated that the Bicycle Committee voted 4/0/0 in favor of the entire proposal. Twenty-six bicycles can be parked at Pearl Street near the coffee shop. Seventy bicycles can fit on the Court Street racks. These are good locations.

Kellie Blake was not in favor of this. It is right outside the front door of many property owners.

Raphael lives in an apartment near the Court Street landing and feels he can participate in this discussion. He is in support of the Pearl Street racks as there is no wide spread inconvenience. He will vote against the Court Street request as the rear tires of the bikes would be 8 ft. from the wall. The section between the firehouse and Commercial Street is not a good fit.

Robert will not support Pearl Street as the width of the landing is not enough and it is an inconvenience to the property owners. He will support Court Street racks.

Erik believes this is a very solid proposal and supports both areas.

Cheryl wants to make sure that there are no legal issues with these landings relative to Chapter 91 and its being the Harbor's bailiwick. If legal she will be on board.

Tom wanted to know how this will be paid for; CIP?

Rik A. stated that the Cape Cod Commission has a program allocating \$50,000 toward bike racks and monies from the General Fund per the Finance Committee may be possible. Retail price without custom logo is \$1,000; \$14,000 including Johnson Street.

DPW Director **Rich Waldo** agrees with Raphael regarding the Court Street landing. It is a very strategic location and needs adequate clearance for traffic as well as there being a sewer pit in back of the landing which needs to be considered.

No further public comments.

1) MOTION: Move that the Board of Selectmen vote to approve as presented, the Pearl Street Landing proposal.

Motion: Raphael Richter

Seconded: Erik Yingling

A brief discussion was held and it was agreed that property residents should be considered in the motion. The motion was amended.

MOTION: Move that the Board of Selectmen vote to approve as presented, the Pearl Street Landing proposal with the addition of signs that bicyclists should be respectful of property owners.

David G. stated that we would need to go before the Harbor Committee to verify particulars as to how this may impact their use of the Pearl Street Landing.

David P. asked the Board to amend the motion by adding to the language, "subsequent to any prior approvals." The motion was amended again.

MOTION: Move that the Board of Selectmen vote to approve as presented, the Pearl Street Landing proposal with the addition of signs that bicyclists should be respectful of property owners, subsequent to any prior approvals required.

4/1/0 (Robert Anthony) Motion passed.

2) No action was taken on the Johnson Street Parking Lot item.

3) MOTION: Move that the Board of Selectmen approve the installation of bike racks on Court Street Landing extending north from the telephone pole on the west side of the Landing to 10 feet from the narrower part of the roadway with approval from any other boards.

Motion: Raphael Richter

Seconded: Robert Anthony

5/0/0 Motion passed.

4) MOTION: Move that the Board of Selectmen approve installing bike parking signs on Commercial Street and any location where there are provided bike racks and racks are not visible and right on the street.

Motion: Raphael Richter

Seconded: Cheryl Andrews

5/0/0 Motion passed.

Item 25. Proposal by Terese Nelson to prohibit truck traffic from turning onto Court Street from Commercial Street and to designate Court Street a "one way" only from Bradford Street to Commercial Street.

Team Recommendation: RECOMMEND No delivery trucks on Court Street. NOT RECOMMEND the change in direction of one way traffic on Court Street.

Terese Nelson has had two accidents happen to her property causing costly property damage. There is a lot of traffic around her property. John Yingling is an abutter; it is their feeling that Court Street has become a funnel. The big problem is with large trucks. She has had to spend close to \$10,000 twice this year on repairs. The main concern is prohibiting the trucks. Having traffic come down Court Street rather than up would be safer.

Chief Golden knows that when trying to make a turn with a big truck is more apt to cause an accident than with other vehicles. This will provide some relief.

Robert asked how we are going to distinguish between large trucks and small trucks.

Raphael stated that the large delivery trucks are the intent of this proposal.

MOTION: Move that the Board of Selectmen vote to approve the Traffic Team recommendation for Traffic Proposal # 25, for new signage indicating no delivery trucks on Court Street.

Motion: Raphael Richter

Seconded: Erik Yingling

4/0/1 (Robert Anthony-Abstained) Motion passed.

Item 26. Proposal by the Parking Department to create a new seasonal parking permit for Guesthouses at \$375 per space for use in the VFW and Jerome Smith Lots only.

Team Recommendation: RECOMMEND. Spaces will be made available temporarily at the VFW Lot. A limited number of spaces can be made available at Jerome Smith Lot depending on demand once the VFW lot is no longer available.

Austin Fiszal operates a guest house and does not want to tell his guests that he has no parking for them. Other guest houses are very excited about this idea also.

Raphael does not believe that \$375 is enough to charge and asked what the free market cost would be.

Austin stated that it is \$800 per space for tourism season Memorial day through Halloween.

Raphael is happy to support this but would like to make the amount \$500.

Tom feels that \$375 is too low.

A brief discussion was held on the amount to be charged.

MOTION: Move that the BOS create a new seasonal parking permit for guesthouses at \$500 per space for use in the VFW and Jerome Smith lots only.

Motion: Raphael Richter

Seconded: Robert Anthony

Austin would like to see a cap put on the number of permits for each guesthouse. He would like to see five (5) per guesthouse.

Erik feels that this is a good idea.

Raphael wanted to know how many spaces total are there.

Parking Administrator **Domenic Rosati** stated that the VFW has 92 spots and 54 spots in Jerome Smith.

Tom would like to see if it works and do it for employees who live in Truro also.

Chief Golden wanted to make sure it would not affect renting the lot for our events each year.

Austin stated that given prior notice he can work around any event.

A brief discussion was held and an amendment was made to the motion.

MOTION: Move that the BOS create a new seasonal parking permit for guesthouses at \$500 per space for use in the VFW and Jerome Smith lots only based upon availability, at the town's discretion.

No public comments.

Tom wants to make sure that the parking regulations will reflect this process, if they do not already exist.

5/0/0 Motion passed.

3. Other: An agenda item carried over from the Monday, November 9th meeting regarding the Board of Selectmen's 2016 Meeting Calendar was discussed.

Cheryl would like to see only one traffic hearing held during the fall of every year. It would be the Annual Traffic Hearing.

David G. would like a traffic hearing in the fall rather than the spring.

Raphael noted that we have referred some items to a spring hearing already this evening.

Cheryl believes that the Board can just have a hearing for a follow up for this evening's items.

The Board was in agreement.

The Board voted to go into Executive Session at approximately 10:07 p.m. as follows:

MOVE that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1, 2, 3, 5, 6, & 8 for the purposes of:

Clause 6 - To consider the purchase of, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. VFW (3 Jerome Smith Road) and related parcels. Old Community Center (46 Bradford Street). Votes may be taken.

Clauses 1, 2, 3, 5, 6, & 8 – To consider the approval and/or release of BOS Executive Session minutes for August 18, 2014; April 27, 2015; September 14, 2015; September 21, 2015; October 5, 2015, and October 13, 2015. Votes may be taken.

and not to convene in open session thereafter.

Roll Call Vote: **Tom Donegan: Yes**
 Erik Yingling: Yes
 Cheryl Andrews: Yes
 Raphael Richter: Yes
 Robert Anthony: Yes

The Board went into Executive Session at approximately 10:09 p.m.

Minutes transcribed by: Loretta Dougherty

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES - SPECIAL MEETING
THURSDAY – JUNE 30, 2016 – 5:30 p.m.
JUDGE WELSH ROOM - 260 COMMERCIAL STREET
DRAFT**

Chairman Richter convened the open meeting at 5:30 p.m. noting the following attendees:
Board of Selectmen members: Raphael Richter, Erik Yingling, Cheryl Andrews, and Robert Anthony.

Excused: Thomas Donegan

Other attendees: Town Manager David Panagore, Pier Corp. Members: Kerry Adams, Carlos Verde, Herbert Hintze, Regina Binder, Scott Fraiser, and Harbormaster Rex McKinsey.

Recorder: Loretta Dougherty

1. Joint Meeting with Provincetown Public Pier Corp. for a review of the Pier Corporation's financial statements and the operating results of the prior financial year; the maintenance plan and budgets for the current year, including the status of the maintenance reserves and any other issues related to the Pier Corporation's operational planning for the summer season just ahead:

Harbormaster **Rex McKinsey** spoke about the letter received from the Coast Guard which had identified several reoccurring deficiencies at the pier's facilities during scheduled and non-scheduled inspections over the past two years. He assured the Board that all matters are being taken care of or have been taken care of already.

Robert believes that this should never have happened. Making reference to the letter he also wants the Harbormaster to be involved with the Town Manager in taking care of whatever cruise ship plan needs to be put into place.

Rex stated that there was a plan that was done well over two years ago. The letter involved components of the plan not being adhered to thus far.

David P. wants to focus on correcting the issue. Quarterly exercises will be done in the future, and a letter has been sent from us assuring them of our commitment and that we will follow through on all of the issues of concern.

Rex stated that they have started doing the drills and are in compliance with the Chapter 105 facilities. The Coast Guard will be notified of such. He updated the Board on operating results, maintenance plans and town meeting articles. A complete copy of the Appendix A – budget versus actual with notes along with a brief summary updating the Board on the town meeting articles may be found at <http://www.provincetown-ma.gov/Archive.aspx?ADID=15774>.

Cheryl asked the Pier Corp to make sure that the issues with the Coast Guard do not come up again. She hopes that communications will stay open. She wanted to know how the budget is put together and where any monies left over at the end of this year would appear in next year's budget.

Scott stated that at the end of the year if they end up with cash reserves after everything has been paid those monies would sit in the bank account and the auditor would designate the assets and add \$50,000 to the reserve account. It is an increase in the cash available for use.

David P. asked the Pier Corp to have the audit in hand with all of the statements. Based upon the books we need to have the conversation in September.

Scott stated they will have everything available for the Board in September.

Regina stated they will start with the amount allocated, show what is spent and what remains to be spent which will leave the balance.

Erik wanted to know when we will receive the money from FEMA for the attenuator.

David P. stated that Peter O'Connor is working with Rex on the FEMA piece. We now have an outline of the flow chart and all the particulars. We are at the beginning of the end of the process and it is moving forward. We have organized what was missing and whose approvals need to happen and in what sort of order.

Rex wanted everyone to know that they are not damaging right whales, sturgeons or any wildlife as there have been some concerns about this issue.

Erik wanted to know if there were any embarkation fees in arrears and if so how can we collect them.

Rex stated that everyone is in compliance.

Scott wanted to know if they should be collecting from the whale watch boats; people are disembarking and they do not have to collect the \$.50 for walking on our pier. We need to pass a rule and collect it. It's worth about approximately \$12,000 to \$15,000.

Raphael asked the Town Manager to check into this.

David P. is sending a message to Town Counsel to see what they have on this issue.

Raphael asked if the Pier Corp can make arrangements to meet with the new owners of Cabral's old pier. He believes it would be a good idea to have the new owners to one of the Pier Corp's meetings.

Kerry stated they would be willing to meet anytime.

Scott noted that their business models are different; commercial versus private customers.

Raphael asked about the reserve of the \$50,000.

Scott stated that they are stabilized right now. They will be putting together a maintenance plan which will show what the Pier Corp will be responsible for and what the Town will be responsible for doing. The Plan will come out in September and will be placed in the town meeting warrant under lines B-5 and B-6 of their budget. Line B-6 will be paid for by the Pier Corp.

David P. has requested the full plan from the engineering company. Based upon what is needed they will have distinguished what is maintenance and what is capital.

Scott wants to be sure that the cash reserve will be enough for a quick and rapid response should the town experience an accident or any storm damage. He wants to have a discussion about the tasks that the new Business Manager will be handling. Perhaps it would be more effective to have someone come in one day a week to enter data into QuickBooks or there may be the need for a permanent position. They will bring this back before the Board for discussion.

Cheryl asked staff to start setting dates for the Pier Corp to join with the Town's budget process.

Kerry appreciates the meetings they are having with the Town Manager on a weekly basis.

Carlos believes that their budget is well thought out. They will be looking at the rates at the pier once again and the fishermen may be back in the room. It is presently \$2,000 for the whole season and there has not been an increase in quite a while. There will be letters sent out and conversations with everyone.

The Board appreciates all the hard work they are doing.

The Pier Corp. appreciates the Town Manager's participation.

2. Other: None.

Without objection Raphael adjourned the meeting at 6:30 p.m.

Minutes transcribed by: Loretta Dougherty

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES - REGULAR MEETING
MONDAY – JULY 25, 2016 – 6:00 p.m.
JUDGE WELSH ROOM - 260 COMMERCIAL STREET
DRAFT**

Chairman Richter convened the open meeting at 6:00 p.m. noting the following attendees:

Board of Selectmen members: Raphael Richter, Erik Yingling, Tom Donegan, Cheryl Andrews, and Robert Anthony.

Other attendees: Town Manager David Panagore; Asst. Town Manager David Gardner, Housing Specialist Michelle Jarusiewicz, Chief of Police Jim Golden, DPW Asst. Director Eric Larsen, Cape Cod Commission Planners Martha Hevenor & Sarah Korjeff, Bicycle Committee member Rik Ahlberg, and Cape Cod National Seashore representative Lauren McKeen.

Recorder: Loretta Dougherty

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

- A. *Parade Permit Application submitted by Kimberly Rogers, 1935 Massasoit Road, Eastham, MA 02642, for the Rogers' Wedding Party with small brass band to be held on Saturday, August 6, 2016 from 8:00 p.m. to 8:30 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Kimberly Rogers, 1935 Massasoit Road, Eastham, MA 02642 requesting permission for the bridal party and guests accompanied by a four-piece brass band to walk along the public way and sidewalks, on Saturday, August 6, 2016, from 8:00 p.m. to 8:30 p.m.

- B. *Parade Permit Application submitted by Susan Pesaturo, 29 Summer Street, Andover, MA 01810, on behalf of the Pan Mass Challenge, 77 4th Avenue, Needham MA 02494, for the Annual Pan Mass Challenge bike ride to be held on Sunday, August 7, 2016 from 9:00 a.m. to 2:00 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Susan Pesaturo, 29 Summer Street, Andover, MA 01810, on behalf of Pan Massachusetts Challenge, 77 4th Avenue, Needham, MA 02494, for the 37th Annual Pan Massachusetts Challenge charity bicycling event to be held on Sunday, August 7, 2016, from 8:00 a.m. to 2:00 p.m.

- C. *Parade Permit Application submitted by Allie Cisterna, 18940 N. Pima Rd., #110, Scottsdale, AZ 85255, on behalf of The Foundation for AIDS Research, 120 Wall Street, Floor 13, New York, NY 10005, for the 7th Annual Kiehl's Life Ride for AMFAR to be held on Tuesday, August 9, 2016 from 10:50 a.m. to 11:00 a.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Allie Cisterna, 18940 N. Pima Road, #110, Scottsdale, AZ 85255, on behalf of The Foundation for AIDS Research, 120 Wall Street, Floor 13, New York, NY 10005, for the 7th Annual Kiehl's Life Ride for AMFAR to be held on Tuesday, August 9, 2016, from 10:50 a.m. to 11:00 a.m.

- D. *Parade Permit Application submitted by Joan A. Peters-Gilmartin, P.O. Box 998, Truro, MA 02666, on behalf of The Open Doorway of Cape Cod, Inc., P.O. Box 520, N. Eastham, MA 02651, for the Run for Recovery Purple Flag Relay event to be held on Sunday, September 25, 2016 from 3:00 p.m. to 5:00 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Joan A. Peters-Gilmartin, P.O. Box 998, Truro, MA 02666, on behalf of The Open Doorway of Cape Cod, Inc., P.O. Box 520, N. Eastham, MA 02651, for the "Run for Recovery" Purple Flag Relay to be held on Sunday, September 25, 2016, from 3:00 p.m. to 5:00 p.m.

- E. *Appoint Allan MacKinnon to Regular member from Alternate member of the Beautification Committee with a term to expire December 31, 2017.*

MOTION: Move that the Board of Selectmen vote to approve Allan MacKinnon's request to be moved to a Regular member position from an Alternate member position within the Beautification Committee with a term to expire December 31, 2017.

Raphael waived the reading of the Consent Agenda and without objection the Consent Agenda was passed.

1. **Public Hearings:** None.

2. **Public Statements:** None.

3. **Selectmen's Statements:**

Erik would like to talk about the VFW sometime in the near future.

Tom welcomed back the Town Manager from his vacation. He wants us to think about safety on Commercial Street; terrorist attacks; bicyclists and pedestrians.

Cheryl, Robert and Raphael did not have any statements this evening.

4. Joint meeting / Presentations:

A. Presentation by Representatives of the Outer Cape Bicycle & Pedestrian Master Plan Steering Committee - Cape Cod Commission Planners Martha H. Hevenor & Sarah Korjeff and Provincetown Representatives Eric Larsen & Roger Chauvette.

Martha gave a brief summary of the Master Plan. The Plan in its entirety may be found on the Town's website in the Board's agenda packet. The Project Steering Committee members for the Town of Provincetown are DPW Asst. Director Eric Larsen & Roger Chauvette. This Plan has been a partnership effort among the National Park Services, the Cape Cod National Seashore and the Cape towns. Many comments have been received through the website and from public workshops that have been held. During the four public workshops they identified through mapping exercises where they bike, walk, and where any trouble spots might exist. Participants were then asked what their preferences were such as multi use paths, shared routes, etc. MassDOT has been consulted regarding any new potential accommodations under consideration to be put on Route 6. They have also met with town staff, their police administrations, and their Town Planner in each town. Since October of 2014 they have been meeting each month. The Plan will be issued by September and they hope to seek funding through private/public partnerships. She focused on what was planned for Provincetown. From Truro using Route 6 west or south using multi separated paths all the way to Herring Cove Beach. An interim route would take the existing railroad bed from Snail Road to Howell Street. Bikers could go to Route 6 or through the cemetery and Standish Way. Another option would be to access through the Reilly parking lot to get downtown.

Sarah mentioned that the long-term goal is to get out to Herring Cove. They will also be considering alternative surfaces other than asphalt. She touched upon the routes; primary and secondary. She asked for the secondary routes to be approved by the Town. These routes are all laid out in the Plan found in the Board's agenda packet.

Tom is concerned about Bradford Street between Miller Hill, Bangs and Dyer. There is no room for pedestrians much less bikes.

Rik recommended the possibility of widening Bradford Street at those areas so bikes can get up the street with plenty of room for vehicles to pass easily.

Eric is concerned about the environmental impact around Snail Road as there are sensitive species along that route. He thinks it is a good idea to make the bike trail from Snail Road to Harry Kemp and then maybe to Baker Avenue; it is a wider avenue. He hopes the neighbors will be in favor of the secondary route through town. He believes that Route 6A is a little unsafe for bikers as it is not well laid out and the shoulders are in poor condition. He believes the primary route is the obvious choice and recommends getting with the state, if we want to work in that area.

Raphael likes the idea of the rail trail being utilized. He recommended holding joint meetings with both the Conservation Committee and Community Preservation Committee. He likes the idea of Reilly's being a partner, if possible. If we use secondary routes we will have to make improvements re: repaving. We could also hear complaints from motorists on Bradford Street; be sensitive to the way routes are being created by improving the safety of the hills, especially at the Prince Street hill.

The Bicycle Committee will be reaching out to each abutter of the rail trail and a Public Hearing will be held at some point in the future. Information on what federal and state resources have been looked at will be sent to Eric Larsen and the Bicycle Committee will taking the lead on this and keeping the Board updated.

No action was taken.

5. Appointments: None.

6. Requests:

A. Discussion on 26 Alden Street Affordable Units (Grace Gouveia Building):

Housing Specialist **Michelle Jarusiewicz** appeared before the Board. In February 2016 we were contacted by the developer who indicated that the Community Development Partnership (CDP) had issues with the title for the Grace Gouveia building. The developer has not signed the P&S due to these title issues even though there was legislation passed to help clear the title. In May 2016 the Provincetown Housing Authority showed interest in the acquisition of the three units in question and voted in favor of acquiring them. Town Counsel has been in contact with the developer so that the appropriate documents are passed on to whoever purchases the units. However, there was an agreement made between the CDP and the developer that would require an additional \$15,000 be paid for each unit. This was not in the original negotiations.

Tom stated that the property was cleared through eminent domain; three units at full purchase price and three units for affordable housing. This additional agreement is contrary to the initial agreement and he is not sure where the \$45,000 in additional fees is coming from. He wanted to know if there is truly a title problem, are we going to be able to give these units to anyone.

David P. believes there are two issues to be considered the financing scheme and the title. Local banks will not finance due to the title not being clear.

Tom wants to see three units given to affordable housing without any other fees noting we had to have 80% AMI.

Michelle stated that the Housing Authority is trying to get into the 80% AMI, which is a little higher than their income brackets. They are priced at 65% AMI, but require 80% AMI for tenant eligibility. Mass Housing Partnership met with the Housing Authority and it was discussed originally a couple of months ago and they were ok with the split 65%-80% AMI issue.

Raphael asked Michelle to keep the Board updated on the process.

Tom is against the \$45,000 fee.

Cheryl believes that as long as these units are occupied by income eligible residents, Boston Ventures is meeting their obligation to the town. Any entity that wants own and manage these, the Board will be happy to assist.

Erik agrees that the Housing Authority should take it over but he also does not agree with the additional \$45,000 fee. It was not part of the deal.

David G. stated that this was not a part of our deal nor were we privy to it. The Housing Authority can continue to negotiate with them.

Michelle will mention that the Board does not want any additional fees passed on to the buyer.

No action was taken.

B. Request for Letter of Support or Non-opposition for Heal Inc., to establish a Medical Marijuana Dispensing Facility located at 94 Harry Kemp Way in the Town of Provincetown – Attorney Katherine Adams; Heal, Inc. Director Patricia Faass & Chief Financial Officer James Bonaccorsi.

Katherine Adams called today and requested to postpone this item until a meeting in August. They did not feel they had all their answers for the Board at this time.

Raphael asked this to be put on the agenda in August.

No action was taken.

C. Police Report for the Month of June 2016:

Chief Golden brought the first quarterly report before the Board. He gave a summary of the report, which can be found on the Police Department's website.

Robert asked if the Chief could separate actual incoming calls for service from calls from a cruiser on Route 6 doing traffic enforcement and walk-n-talks and come up with a number of what service calls really are. He does not like to lump it all together and wants more clarity; these are not all calls for service.

The **Chief** asked the Board to please pick a format and he will give them any information they need.

Raphael feels that we have revised this report several times and this report is clear to him.

Tom agrees with the dual use of the word calls; the challenge is simultaneous calls from people who are calling directly in to the Police Dept. where the phone rings and other calls coming in as mentioned.

Cheryl asked the Town Manager, Chief Golden and Chairman Richter to discuss this and bring it back to the Board. She wants the Board to make a decision and not have this discussion any more.

Tom finds this report very helpful. The Police Dept. is doing a terrific job. He mentioned the cook out for the seniors and the basketball games, along with other outreach functions that the Police Department continues to offer. In terms of statistics there is a lot of history; he feels sure that we can get to a place where Robert is comfortable.

David P. believes that from a performance point of view the information provided is extremely helpful. He wants to know what the police officers are doing. This was supposed to be making the Chief's report easier.

Raphael wants to have calls for service, activities and add community outreach efforts to the report. We will try a quarterly report and will still have the monthly breakdown. He will meet with the Town Manager and the Chief to work on this. He will also meet with Robert to make sure his issues are taken care of.

Tom has had many compliments on the bicyclist police force. The visibility is good for public safety. He wants to look at Commercial Street in terms of risk assessment (vehicles/pedestrians/bicycles); especially dangerous areas around Lopes Square and Court Street. We should begin to address this as public safety so it makes the world safer.

The **Chief** stated that on Friday & Saturday nights during the months of July & August Commercial Street is closed off to all but pedestrians. People congregate in the streets and police officers are doing more public safety works. We should be urging drivers as well as bicyclists to slow down. We are keeping up constantly educating everyone new that comes into Town. Bicycle laws have evolved as bike use has evolved; enforcing them is tough. Bike accidents are a different story; very enforceable. Officers continue to try to calm the pedestrians, motorists and bicyclists.

Raphael agrees with Tom regarding the risk assessment as there is a safety factor when there is a certain volume of people on the streets.

Erik wants to continue to see the free flow of people around Town but is in favor of closing streets when necessary. He does not want to keep closing things off too often.

The **Chief** stated that the closing of Commercial Street was by a vote of the Board a number of years ago.

No action was taken.

D. Discussion regarding the Formation of the Stellwagen Visitor Center Feasibility Study Advisory Committee:

Raphael asked that the Board give the Town Manager general authorization to make appointments to this advisory committee.

MOTION: Move that the Board of Selectmen vote to authorize the Town Manager David B. Panagore to make appointments to the Stellwagen Visitor Center Feasibility Study Advisory Committee.

Motion: Cheryl Andrews
5/0/0 Motion passed.

Seconded: Erik Yingling

E. Discussion regarding Frequency of Traffic Hearings:

Cheryl had requested the Board consider having only one Traffic Hearing a year in the fall.

Erik is on the fence about this request as these meetings can be very, very long. It is worth trying it; fall is desirable.

Cheryl stated that if something very important came along during the year we could take care of it and call another traffic hearing if needed.

MOTION: Move that the Board of Selectmen vote to approve that the Fall Annual Traffic Hearing be held in the fall and that date be on Tuesday, October 25, 2016.

Motion: Tom Donegan
5/0/0 Motion passed.

Seconded: Cheryl Andrews

Raphael asked that the public be informed that there will be no spring traffic hearing and David P. will take care of the request.

The Board took a break at 7:58 p.m.

The Board returned at 8:02 p.m.

F. Discussion of Town Manager's Contract Section 5. Performance Appraisal/Merit Increases:

Raphael read Section 5 for the people at home. This document may be found in its entirety on the Town's website in the Board's agenda packet.

Tom produced a series of goals for the Town Manager to give him an idea of what the Board would like to see him accomplish. These goals had been reviewed by the Town Manager already.

The Board went over all of the goals and agreed as follows: Management section A. - all accepted; Long Range Planning B. - as amended, and Professional Development C. - as amended.

MOTION: Move that the Board of Selectmen adopt the Town Manager Goals pursuant to Section 5 of the employment contract.

Motion: Tom Donegan
5/0/0 Motion passed.

Seconded: Robert Anthony

Raphael stated that if goals were met the standard 3% increase would apply; if goals are exceeded a 3.6% would apply, and a 2.4% if goals were not meet. The Board will assign the terms: "does not meet," "meets" and "exceeds" with grading scores of one, two or three. The Board will average the grades out with 0.5 or higher being considered a round up to the figure.

MOTION: Move that the Board of Selectmen vote to adopt a gradable pay between .5 and 1.5 of the average merit pool.

Motion: Tom Donegan

Seconded: Erik Yingling

David P. feels that this system is very reasonable.

Cheryl has never been involved in giving a merit to someone who gets Fs on everything. She is not in favor of giving merit increases.

Raphael stated that there would be no increase without performance. The cost of living is 3% for both union and non-union workers. He proposed lowering the amount for not meeting the goals and raising the amount if the goals were exceeded; 50% of the standard merit of 3%, if not met and 150%, if exceeds. The motion was amended.

MOTION: Move that the Board of Selectmen vote to adopt a gradable pay between 50% of the standard merit of 3%, if goals are not met and 150% if the goals are exceeded.

Motion: Tom Donegan

Seconded: Erik Yingling

4/1/0 (Cheryl Andrews) Motion passes.

7. Manager / Assistant Town Manager:

A. Review and discussion of process regarding an RFP for the old Community Center at 46 Bradford Street:

David P. stated the Urban Land Institute panel believes that the old Community Center is not of the size and scale for a project that would attract a below market housing development; we would need to combine it with the VFW. This RFP will be comprised of two parts. First there would be a prequalification process in which developers would be asked to submit a two-page letter of intent stating what they want to do. We would work with staff to identify all permits that would need to be issued and then decide which proposal(s) is viable. If there were any earnest money (fee) we would need to decide on an appropriate amount. Is \$10,000 the right figure? The second part would be to put the price into the proposal. We have had two failed proposals and he is trying to figure out how to partnership with developers so no one wastes time, energy and effort and everyone wins.

Tom asked whether we should have a decision not to combine this with the VFW.

David P. wants to have both. If we get no viable proposal for the old Community Center then we combine them otherwise, if we do get one that works we go with that.

Erik supports this; when is this going to be kicked off. He would like this to get going.

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David P. stated that the RFP is pretty much written but he wants to know an amount for the earnest money fee. He will talk to staff about a good schedule and see how quickly this can be done.

Erik would like to see it done by December 2016.

Raphael agrees with Erik and is in support of this also. He believes that \$5,000 seems like a fair fee although he does not have a lot of experience in this area. He asked for recommendations.

Erik believes that \$3,000 or \$5,000.

Tom and **Robert** are inclined to stay with \$10,000.

Cheryl believes that \$10,000 is a little high.

David P. suggested \$5,000.

The **Board** agreed with the \$5,000 fee amount.

David P. will put together the RFP and bring it to the Board.

Raphael asked that this be put on the August 8th agenda, if possible.

No action was taken.

B. Discussion of Potential Sites for the Police Station:

Raphael does not want to finalize a site this evening but to look at what options we have. The Board will not answer where it should be unless the full Board agrees to put it at the VFW.

DPW Director **Rich Waldo** discussed the three options for consideration. They are all oriented differently but on the same parcel of land indicated as 16 Jerome Smith. He indicated that there would be no impact to any of the water structures. He will work with the Chief regarding how the circulation route for getting in and out will be handled. He will reach out to those individuals who funded the skate park and get their input on moving it down; it can be easily moved. We can look for an impound yard; possibly Eastham. There is also a safety issue to be addressed at the Jerome Smith and Shank Painter intersection that will be incorporated into the project. There are some grade differentials. They have not scoped the land to see if there are any underground electrical conduits running through there but will do so. Everything else looks like it is a viable option.

Raphael was very pleased with this presentation.

David P. likes this site and wants to look at moving forward.

Tom wants to move forward.

Erik likes this location.

Robert thought this was an excellent alternative and wanted to hear from the Chief for his input.

Chief Golden believes that with the appropriate alterations allowing for access needed for their vehicles to safely get in and out and perhaps orienting it a little bit off to the east than depicted in the graphics would help create more space at the intersection. Make it a true T; on and off ramp. He believes that the footprint is fine but wants to see the circulation around the building addressed.

Raphael believes that the process being laid out is solid.

David P. would like to see, apart from the continued Board meetings, some public meetings on the outside (Town Manager meetings). He would like to try to get the town to agree where the police station goes and then look at whether housing can be put at the VFW. He would like to have all of this vetted by December.

MOTION: Move that the Board of Selectmen instruct the Town Manager to investigate putting the police station on the north side of Jerome Smith.

Motion: Tom Donegan

Seconded: Robert Anthony

5/0/0 Motion passed.

MOTION: Move that the Board of Selectmen instruct the Town Manager to begin the process to develop the VFW site for community and affordable housing.

Motion: Tom Donegan

Seconded: Robert Anthony

5/0/0 Motion passed.

C. Town Manager's Report – Administrative Updates:

David P. reported:

- Legislative updates; nothing to report at this time;
- Department bi-weekly updates are forthcoming;
- On his trip to Maine he visited a small community that is doing overseas sales of their lobsters of approximately \$20-\$30 million. They have the second largest lobster fleet, no organized tourist or Airbnb issues.
- He will be attending a conference being held in Maine, in October, regarding Broadband in remote communities and how to achieve it. There were many similarities in our towns; good comparisons. He will continue to go out and visit these places and gather information.
- We are starting this week to update the all Hazards Plan.

D. Others: None.

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8. Minutes:

The Board reviewed the minutes.

MOTION: Move that the Board of Selectmen approve the minutes of May 23, 2016 (Regular), as presented; June 13, 2016 (Regular), as printed; July 11, 2016 (Special), as printed, and July 11, 2016 (Regular), as printed.

Motion: Erik Yingling

Seconded: Robert Anthony

5/0/0 Motion passed.

9. Closing Statements/Administrative Updates: No statements. The Board reviewed all letters sent out.

- A. Letter to Congressmen Brian E. Dempsey, Thomas A. Golden, Jr., Bradley H. Jones, Jr., and Senator Benjamin Downing requesting their support of Amendment 103, to the Omnibus Energy Bill S.2400, regarding decommissioning of the Pilgrim Nuclear Power Plant – Chairman Raphael W. Richter.
- B. Thank you letter to Barrett Alley who is resigning from the Licensing Board and Personnel Board on July 29, 2016.
- C. Thank you letter to Kristin Hatch who resigned from the Licensing Board on July 19, 2016.
- D. Thank you letter to Donald Whitcomb who resigned from the Cultural Council on July 20, 2016.

Without objection the meeting was adjourned at 9:58 p.m.

Minutes transcribed by: Loretta Dougherty

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES - SPECIAL MEETING (ROUND TABLE)
FRIDAY – JULY 29, 2016 – 10:00 a.m.
JUDGE WELSH ROOM - 260 COMMERCIAL STREET
DRAFT**

Chairman Richter convened the open meeting at 10:03 a.m. noting the following attendees:
Board of Selectmen members: Raphael Richter, Tom Donegan, Cheryl Andrews, and Robert Anthony.

Excused: Erik Yingling

Other attendees: Town Manager David Panagore, Asst. Town Manager David Gardner, Town Counsel John Giorgio, Town Planner Gloria McPherson, Housing Specialist Michelle Jarusiewicz, Finance Committee Chairman Mark Hatch, Douglass Cliggott, Paul DeRuyter, and Abigail Chapman from the Community Development Partnership.

Recorder: Loretta Dougherty

1. Round Table discussion on the Year-round Market Rate Rental Housing Trust Fund:

Raphael stated that the bill has passed the House but will most likely not be voted on until after the elections. A copy of the bill may be found at the Town's website under the Board's agenda packet.

John Giorgio worked with the Finance Committee and the document in its proper legal form was sent in. It is winding its way through the legislative process now. The idea is to create a structure in Provincetown that would help with year-round market rate housing. It is modeled after the affordable housing general legislation. It is declared to be a valid public purpose and you can expend money for this purpose. It creates a five-member Board of Trustees and the concept is this entity would have authority to identify various opportunities to create market rate rental housing. Town Meeting has appropriated funds for the benefit of the Trust to create year round units. The funds would be transferred by operation of law into the Trust as soon as it is signed into law.

Raphael wants the goal for today to be talking about organization. What is it going to look like? How will we use the \$1.5 million given by the Town for this trust?

David P. put this question to members of the Urban Land Institute (ULI) panel and asked how best to make this happen. The members will put their ideas into their draft and he will update the Board as soon as the ULI gives him the report.

Tom stated that it does not address issues of revenue; should it operate with some amount of reserves? What is the expectation; costs of units; affordability of the occupant; how the rent will be set; condo units handled one way for maintenance, etc. These things need to be more clearly defined.

John stated that the Trustees will determine what types of expenditures there will be. The Trust can borrow money and acquire property. In the beginning there may be a need for additional revenue outside of what the Trust can actually raise.

Cheryl stated that this is cutting edge; the concept of this being public purposed.

John agreed that no other town is doing this; it is cutting edge. This has been discussed with the Dept. of Revenue. The bill contains that it is a valid public purpose.

Cheryl wondered if we could lay out a chart that would compare the Provincetown Public Pier Corp and Housing Authority and this Trust so she can compare what the similarities and differences are. How do you dissolve this Trust?

John stated that the PPPC has a process to dissolve through a town meeting vote. This would have to be done by another act of the Legislature. Where do the funds and assets go if it were dissolved? Any alternate use would have to go through the legislative process. This bill is similar more to the Housing Authority.

David P. suggested that this is a publicly chartered entity; a trust with powers and duties of the municipality to appoint the Board.

Paul is concerned as is how we would identify the path to be taken by this Trust; its use or the monies. He wants to ensure a level of productivity and have it engaged as a public/private partnership.

John believes that in using these dollars wisely consistent with the legislation the Trust could acquire a restriction on a piece of property maintained as a rental unit with a formula as to rents could be charged. Still privately owned but held by the Town by restriction.

David P. stated that if the Trust can do that then it can purchase a fractional interest in real estate or new real estate. He asked if there was any clear definition of what it could not do regarding real estate.

John stated that there are no restrictions.

Doug pointed out that a lot of time was spent on who this is for, what did they want and what they can afford and then we witnessed what happened at town meeting. One class of individuals' hope to target this for people who work for the Town and who cannot afford to live here such as our firemen, policemen, teachers, and town workers. He wants to survey all town employees asking them about what kind of housing they are interested in having and what they can afford. He believes that this trust is to provide good living space to people we want to live here year round. Other ideas the FinCom had when he was a member was that the Town seemed to be biased against buying existing units rather than being in new investment properties. From an investment standpoint it is a good idea to have a diversified portfolio such as buying some housing so that over time they will be paid for. It may take 20 years. Another was the financial structure; how much should be borrowed; pay someone for the debt services. Buy at the lowest possible prices for people who want it.

Tom stated that at the end of 40 years the Town will have an asset.

Mark stated that FinCom calculated that if the town purchased property it was equity; they tried to level debt out of it. What is the operating cost of the Trust on an ongoing basis regarding rent? It is pure operating costs?

David P. stated that it is equity for the Trust and revenue for the Town. The Town might have to get debt on something else because the Town only has so much cash.

Paul stated that it is not just equity; it is equity, debt and private capital. Private capital can go a long way. The Trust must be defined in a transparent and clear way. Where is the justification when you give this property to one person but another does not get it? Investment and return can be massaged. The Trust needs to be able to defend itself.

John believes that in terms of the Town providing funds to the Trust using free cash would be no problem. The Town can appropriate it through town meeting. If you want to borrow using general obligation bonds you will have to go through a number of steps, but the town could acquire an interest in the property and it would be deal specified; joint interests held by both the Town and the Trust.

Mark stated that it is not a problem with income but rather market failure. The only way to correct it is to go into the market and try to undo the distortion to some degree. On the affordable end we have it covered.

Paul believes that time is an issue. The issue of time is such high risk for Provincetown. Private capital and how it might play a significant role in subsidizing should be considered. There is pool of private capital in the form of employers who have a vested interest in having people available year round to help the economy work.

Raphael stated that we only have \$1.5 million and we can talk about strategy. He believes that the Trust can do both as it relates to deed restrictions and a public/private basis of operation. We can use multiple approaches.

Doug stated that the goal would be a line item in the Town's budget; like contributions to police payroll. A fixed dollar amount was not the point. We are looking at a long time to get out of this market debacle.

Raphael asked for the next Round Table to be scheduled for Friday, September 9th at 10:00 a.m. The ULI report should be digested by then. At this point, the panel will consist of: Chairman Raphael Richter, Selectman Thomas Donegan, Selectman Cheryl Andrews, Selectman Robert Anthony, Town Manager David Panagore, Assistant Town Manager David Gardner, Town Planner Gloria McPherson, Housing Specialist Michelle Jarusiewicz, FinCom Chairman Mark Hatch, former FinCom member Douglas Cliggott, Town Counsel John Giorgio, Paul DeRuyter, and Abigail Chapman from the Community Development Partnership.

David P. will be putting together the process for moving forward.

Cheryl wants to see comparisons of the Provincetown Public Pier Crop., the Provincetown Housing Authority and the Year-round Market Rate Rental Housing Trust Fund.

Raphael wants to just have a small concise summary of the comparison.

John will put together the comparisons and also add the Affordable Housing Trust.

Raphael asked Mark Hatch to be the Board Liaison and an email string of all panel members will be sent to both Raphael and Mark.

The Board will be looking at setting some policies and goals for this Board along with a Mission Statement as to what exactly the goals will be.

2. Other: None.

Without objection Raphael adjourned the meeting at 11:41 a.m.

Minutes transcribed by: Loretta Dougherty



Provincetown Board of Selectmen
AGENDA ACTION REQUEST
Monday, September 12, 2016

9

CLOSING SELECTMEN'S STATEMENTS

Administrative Updates

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

Motions may be made and votes may be taken.

Robert Anthony

Erik Yingling

Tom Donegan

Cheryl Andrews

Raphael Richter

Additional Information

- A. *See Notes from Kick-off Meeting re: The Gerry E. Studds Stellwagen Bank National Marine Sanctuary Visitor Center Advisory Committee.*
- B. *Thank you letter to Jim Woods who resigned from the Planning Board effective August 25, 2016.*
- C. *Thank you letter to Amy Howell who resigned as the Provincetown Representative to the Barnstable Human Rights Commission effective August 29, 2016.*

Board Action

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

Memorandum

To: Gerry E. Studds Stellwagen Bank National Marine Sanctuary
Advisory Committee

From: ConsultEcon, Inc.

Date: August 31, 2016

Re: Notes from Kick-off meeting

On August 24, 2016 the Gerry E. Studds Stellwagen Bank National Marine Sanctuary Visitor Center Advisory Committee met at Provincetown Town Hall for a kick-off meeting with ConsultEcon, Inc. Below are a list of attendees with email addresses and notes from the meeting. If there are additional notes any of the participants would like to include, please send them to Allison at ConsultEcon (akehn@consultecon.com) and we will revise (and/or issue and addendum to) the notes as appropriate.

Attendees:

- ◆ Richard Delaney, Center for Coastal Studies; delaney@coastalstudies.org
- ◆ Matt Stout, NOAA NMS; Matthew.Stout@noaa.gov
- ◆ Ben Haskell, NOAA NMS; Ben.Haskell@noaa.gov
- ◆ Deborah "Dede" Marx, NOAA NMS; Deborah.Marx@noaa.gov
- ◆ Tom Donegan, Provincetown; tdonegan@provincetown-ma.gov
- ◆ Rex McKinsey, Provincetown; rmckinsey@provincetown-ma.gov
- ◆ Anthony "Tony" Fuccillo, Provincetown; afuccillo@provincetown-ma.gov
- ◆ Gloria McPherson, Provincetown; gmcpherson@provincetown-ma.gov
- ◆ Candice "Candy" Collins-Boden, Provincetown Chamber; candy@ptownchamber.com
- ◆ David Panagore, Provincetown; dpanagore@provincetown-ma.gov
- ◆ David Gardner, Provincetown; dgardner@provincetown-ma.gov
- ◆ Steve Milliken, Dolphin Fleet; sjmilliken@whalewatch.com
- ◆ David Flattery, Harbor Committee; flatteryd@gmail.com
- ◆ Louise Venden, 365 Waterfront Committee - lvenden@provincetown-ma.gov
- ◆ Anna Meade, 365 Waterfront Committee; polewriter@gmail.com
- ◆ Carlos Verde, Provincetown, c.verde@gmail.com
- ◆ Robert Brais, ConsultEcon, Inc.; rbrais@consultecon.com
- ◆ Thomas Martin, ConsultEcon, Inc.; tmartin@consultecon.com

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Committee members that were unable to attend:

- ◆ Craig MacDonald, NOAA; craig.macdonald@noaa.gov
- ◆ Dennis Minsky, Conservation Commission, dminsky@provincetown-ma.gov

Notes from 11:00 am meeting:

Introductory Comments

Rich Delaney:

- ◆ Introductions of participants
- ◆ Key question of study: is the Visitor Center “feasible”?

David Panagore:

- ◆ Study process is inclusive and will include 1 or 2 more working sessions
- ◆ Project Benefits can include:
 - Economic development
 - Education
 - Recognition
 - Preservation
 - Focus on harbor – revitalization
 - Can reinforce the Harborwalk and enhance the use of Harbor
 - A “Crown Jewel” for Provincetown

Matt Stout:

- ◆ Developing a new visitor center is not a new thing to NOAA National Marine Sanctuaries
- ◆ Have built 8 now, so there is good experience
- ◆ Provincetown is not atypical
- ◆ Nationally, the NMS visitor centers have been:
 - Community based
 - Advisory centers
 - Extension of community
 - Gathering place for community
 - The number one feature of existing models is they are: organically developed and operated based on the circumstances of the community and the National Marine Sanctuary they serve.

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ConsultEcon Presentation:

- ◆ PowerPoint was distributed separate from these notes. The presentation by Tom Martin and Bob Brais reviewed the scope of work for the project as well as some of the prior NOAA Sanctuary projects.

Open Discussion:

After the presentation the conversation was open to discussion with the committee members on the following points: Market factors, Community factors, Environmental factors, Site opportunities, Visitor services, and others. Below are some of the points that were mentioned:

- ◆ Don't repeat old planning
- ◆ Feasibility is key
- ◆ Where will revenue come from? This is a critical issue.
 - Some information on revenue is included in the PowerPoint and additional information will come out of the study process.
 - The NOAA visitor centers generally are based on participation by partners.
- ◆ The consultants will interview all committee members individually to make sure all participants have the chance to include their thoughts in the process.
- ◆ One concept would be to extend the visitor center throughout the town with a series of sites .For town as a whole
- ◆ Use QR Codes and other technology
- ◆ Downtown/Commercial Street and Waterfront has millions of visitors – a strong market.
- ◆ Need a place for an auditorium, could be used for purposes of the Visitor center and the community
- ◆ Combine interpretation of different topics by having multi-purpose spaces.
- ◆ One location may not be enough – spread interpretation to many locations
- ◆ Bike trails – move them through the town
- ◆ Personal technology is here to stay and finding the right interface and use will be part of the future design of the visitor experience related to the visitor center.
- ◆ Has to be educational
- ◆ Have a meeting space that can be used for example by Chamber of Commerce, Yacht Club Youth Groups etc.

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- ◆ Can also be a place for off campus experiences for college students
 - Housing is in place in the off season
 - Can explain stories such as changes in fish populations
- ◆ Need an extended season; Visitor Center can help.
- ◆ Visitor Center can serve school groups
- ◆ Create programs that are located to create reasons to visit in shoulder seasons.
- ◆ January to May can have strong visitation from residents and seasonal visitors for instance Right Whale Festival. Right Whales come by at that time.
- ◆ Seasonality is key
- ◆ What does Thunder Bay NMS do during winter?
 - In Thunder Bay NMS, they built a theater, held an Ocean film festival, gets locals engaged and provides something to do
- ◆ Educational aspects – have to meet educational standards
- ◆ Curriculum development needed – Develop it!
- ◆ A VP of “Trip Advisor” is located in Boston. Might be a resource
- ◆ This person is very interested in integrating technologies and ways to integrate social media to the experience.
- ◆ Introduced a number of potential sites (These were visited later by the team and there was some refinement of the list of potential sites that occurred while on the walk.)
- ◆ “Kerry Adams” is Chair of Macmillan Pier Corp.
- ◆ Wharf gets cold in winter, this should be a consideration
- ◆ Multiuse is key
 - brings additional \$
 - If a developer is
 - Skin in game
- ◆ Auditorium
- ◆ Exhibits
- ◆ Corporate Sponsors
- ◆ We need to rank the sites

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12:30: Working Lunch

1:15: Sites Walk

Group visited and discussed informally the various possible site opportunities in the downtown/waterfront area. Some are town owned sites, while others are privately owned.

Next steps:

- ◆ Town will prepare an informal potential site map
- ◆ Town will forward the ULI waterfront study to ConsultEcon and other team members that request it.
- ◆ Town will send to ConsultEcon relevant traffic studies.
- ◆ Tentative next workshop dates: September 29 or 30, likely the 29th to avoid the weekend traffic. The workshop should take no more than four hours with ConsultEcon presenting initial findings from their work.



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

September 7, 2016

Mr. James Woods
51 Harry Kemp Way, #1
Provincetown, MA 02657

Dear Mr. Woods:

The Board of Selectmen has received notice of your resignation from the Planning Board effective August 25, 2016. We want to extend our thanks to you for your dedicated service and expertise during the time that you served on the Planning Board.

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 and committees in the future.

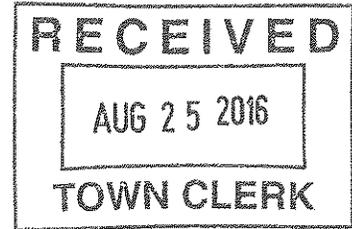
On behalf of the Board of Selectmen,

Raphaël W. Richter, Chairman
Provincetown Board of Selectmen

RWR:ld

Doug Johnstone

From: Gloria McPherson
Sent: Thursday, August 25, 2016 2:48 PM
To: Doug Johnstone
Subject: FW: PB Membership



Fyi...



Gloria McPherson
Town Planner
Town of Provincetown
508.487.7000 x553

RECEIVED
BOS
AUG 25 2016

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CC: BOS/TM/ATM

From: James Woods [<mailto:jim.woods@sbservicesllc.com>]
Sent: Thursday, August 25, 2016 1:46 PM
To: Gloria McPherson
Cc: JOHN GOLDEN; Grace Ryder-O'Malley
Subject: PB Membership

Hi Gloria: (cc: John, Grace)

I hope you are doing well. I am writing to formally let you know that I must resign from the PB. Over the next few months, I will be traveling a significant amount of time and I will be away for many (...if not, all...) of the upcoming meetings.

I have enjoyed getting to know and working with the PB members and town staff who are doing so much for a town that we all know and love. Please accept my thanks and my best wishes for your continued success.

Sincerely,
—Jim Woods



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September 7, 2016

Ms. Amy Howell
60 Race Point Road, Unit #14
Provincetown, MA 02657

Dear Ms. Howell:

The Board of Selectmen has received notice of your resignation as the Provincetown Representative to the Barnstable Human Rights Commission effective August 29, 2016. We want to extend our thanks to you for your dedicated service and expertise during the time that you served as the Town's Representative to the Barnstable Human Rights Commission.

We wish you the very best in your future endeavors with your coursework through UMass, and want to thank you for your continued service as Chair for the Council on Aging.

On behalf of the Board of Selectmen,

Raphael W. Richter, Chairman
Provincetown Board of Selectmen

RWR:ld

Doug Johnstone

From: trainerchef@comcast.net
Sent: Monday, August 29, 2016 9:12 PM
To: Doug Johnstone
Subject: Barnstable Human Rights Commission

Hi Doug,

I wanted to let you and the board of selectmen know that I have resigned as the town representative for the Barnstable Human Rights Commission. I am starting a course through UMass and want to focus my time as chair for the Council of Aging. The distance and schedule of commissions meetings proved difficult with my work schedule and the trials with conference calls did not work out. I have let the commission know I may be still contacted if a Provincetown issue should arise.

It was brought to my attention that Brenda Haywood might be interested in the position and I can reach out to her if you would like.

All the best,

Amy Howell

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BOS ✓
SEP 06 2016

CC: BOS/TM/ATM

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AUG 30 2016
TOWN CLERK