

## Special Town Meeting – Monday, February 6, 2017

**Meeting Called to Order.** Town Moderator Mary-Jo Avellar convened the Special Town Meeting at 6:15 p.m. on Monday, February 6, 2017 in the Town Hall Auditorium.

### **Preliminary Motions:**

Raphael Richter moved that the Town vote to waive the reading of the warrant.

**Motion Passed.**

Raphael Richter moved that the Town vote to grant permission to speak at the February 6, 2017 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: John W. Giorgio, Esq., and other attorneys of the firm of KP Law, P.C., *Town Counsel*; Peter O'Connor, Esq., *Project Consultant*; Julian Cyr, *State Senator*; Robin Lapidus, *Executive Director, Provincetown Business Guild*; Dan Wolf, *Former State Senator*; Amy Davies, *Provincetown Community Television*; Josee Cardinal Young, *Finance Director*; Morgan Clark, *Director of Health*; Scott Fahle, *Principal Assessor*; James Golden, *Chief of Police*; Michelle Jarusiewicz, *Housing Specialist/Grant Administrator*; Eric Larsen, *Deputy Director of Public Works*; Cody Salisbury, *Water Superintendent*; Beth Singer, *Superintendent of Schools*; Elisabeth Verde, *Executive Assistant to the Town Manager*.

**Motion Passed.**

Raphael Richter moved that on all matters to come before the February 6, 2017 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters.

**Motion Passed.**

**Article 1. Harbor Hill Condominium Acquisition.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the acquisition of four parcels of land (containing 1.2 acres in total) and the 26 housing units thereon, together comprising the Harbor Hill Condominium, located at 3, 4, and 8 Harbor Hill Road and at 37 Bradford St. Extension, Provincetown, all as described in Certificate of Title No. 120282 filed with the Barnstable Land Court, and owned by Eastwood Property Investors Limited; said funds to be used to aid the Provincetown Year-Round Market Rate Rental Housing Trust ("Trust") pursuant to Section 3(e) of Chapter 305 of the Acts of 2016 ("Act") so that the Trust may acquire said parcels in its own name, including all costs incidental and related thereto, including without limitation the submission by the Trust of a sealed bid to the Bankruptcy Court, or in the alternative for the acquisition of said parcels directly by the Town of Provincetown, after consultation with the Trust, should it be deemed to be in the best interests of the Town and the Trust, and for the remodeling, reconstruction, and making extraordinary repairs to the buildings and site improvements; provided that said appropriation shall be contingent on the passage of a Proposition two and one-half debt exclusion vote; and further to authorize the Board of Selectmen to acquire said parcels by purchase, gift, eminent domain, or otherwise, including submitting a bid to the United States

Bankruptcy Court, for the purpose of creating year-round market rate rental housing in the Town pursuant to said Act; and further, if said parcels are acquired directly by the Town of Provincetown, to transfer the care, custody, control, and management of said parcels to the Trust to be used by the Trust for all purposes authorized under said Act; or to take any other action relative thereto.

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

**Finance Committee Recommends: 4-3-0**

**Planning Board Recommends: 3-0-2**

**Community Housing Council Has No Recommendation**

2/3<sup>rd</sup>'s Vote Required

Kevin Mooney moved to appropriate the sum of \$10,700,000 for the acquisition of four parcels of land (containing 1.2 acres in total) and the 26 housing units thereon, together comprising the Harbor Hill Condominium, located at 3, 4, and 8 Harbor Hill Road and at 37 Bradford St. Extension, Provincetown, all as described in Certificate of Title No. 120282 filed with the Barnstable Land Court, and owned by Eastwood Property Investors Limited; said funds to be used to aid the Provincetown Year-Round Market Rate Rental Housing Trust ("Trust") pursuant to Section 3(e) of Chapter 305 of the Acts of 2016 ("Act") so that the Trust may acquire said parcels in its own name, including all costs incidental and related thereto, including without limitation the submission by the Trust of a sealed bid to the Bankruptcy Court, or in the alternative for the acquisition of said parcels directly by the Town of Provincetown, after consultation with the Trust, should it be deemed to be in the best interests of the Town and the Trust, and for the remodeling, reconstruction, and making appropriate repairs to the buildings and site improvements; that to meet said appropriation the Treasurer with the approval of the Board of Selectmen be authorized to borrow \$10,700,000, pursuant to General Laws Chapter 44, Sections 7 and 8, or any other enabling authority and to issue bonds and notes therefor, provided, however, that no sums shall be borrowed or expended hereunder unless and until (1) the Town shall have voted to exclude the amount required to pay for the bonds or notes issued for said project from the limitation on total property taxes set forth in Chapter 59, Section 21C of the General Laws (Proposition 2½, so called), and (2) the Board of Selectmen and the Trust shall enter into a grant agreement providing, among other things, that should the Trust sell one or more units in the Harbor Hill Condominium, any proceeds from said sale or sales shall be paid to the Town of Provincetown for the purpose of paying down the bonded indebtedness incurred by the Town pursuant to this vote; and provided further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the

General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further to authorize the Board of Selectmen to acquire said parcels by purchase, gift, eminent domain, or otherwise, including submitting a bid to the United States Bankruptcy Court, for the purpose of creating year-round market rate rental housing in the Town pursuant to said Act; and further, if said parcels are acquired directly by the Town of Provincetown, to transfer the care, custody, control, and management of said parcels to the Trust to be used by the Trust for all purposes authorized under said Act.

**Motion Passed (2/3<sup>rd</sup>'s Vote Declared).**

Mark Hatch moved to dissolve the February 6, 2017 Special Town Meeting.

**Motion Passed.**

**Special Town Meeting dissolved at 8:30 p.m. on February 6, 2017.**