



Meeting Agenda

The Provincetown Select Board will hold a public meeting on Monday, September 28, 2020, at 6:00 p.m. in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Select Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>. For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following Conference ID number: **287 238 22** When prompted, state your name, then press #.
 - Keep your phone muted at all times when not talking (*6 to mute & unmute your phone)
 - Do not use speakerphone
 - Do not use Bluetooth devices
 - Mute all background noises
 - Mute PTV on the television or computer and use only the phone audio
 - Please do not speak until the chair or the meeting moderator asks for public comments or questions.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

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

- A. Acceptance of deed restriction and other related documents: 2 Meadow Rd #4 and 21 Bradford St Extension #10
 - B. Accept the new affordable housing deed rider from the Provincetown Year Round Market Rate Rental Housing Trust for 37 Bradford Street Extension Unit #20A at Harbor Hill
1. Public Statements – Three (3) minutes maximum. Select Board Members do not respond during public statements
 2. Select Board Member's Opening Statements – Five (5) minutes maximum.

3. **7 PM** Public Hearings – (Votes may be taken on the following items):
 - A. Curb Cut - Application by Lyn Plummer, requesting approval to install an 18-foot wide driveway on the front of the property located at **509 Commercial Street**, Provincetown, MA in order to access the property for parking. (Assessor's Map 15-1, Parcel 15-0-R).

*** Items may be taken out of order at the discretion of the chair ***

4. Joint Meeting/Presentations/Requests – (Votes may be taken on the following items):
 - A. Discuss temporary Modification to the Senior Work-Off Tax Abatement program – Principal Assessor Scott Fahle
 - B. Presentation of Community survey results – Health Director Morgan Clark
 - C. Meet with Executive Consultants from Groux-White Consulting LLC.
 - D. Discuss Select Board's investigative authority for Boards and Committees per Chapter 3 Section 5 of the Provincetown Charter.
5. Town Manager Administrative Matters – Topics to include but not limited to: (Votes May be taken on the following items)
 1. COVID-19 Update
 2. Town Manager Report
 3. Town Meeting Follow-Up
6. Minutes - (Votes May Be Taken)
 1. August 24, 2020 6 pm
7. Select Board Closing Matters - Topics to Include but not limited to: (Votes May be taken on the following items)
 1. Pending Items List

Posted by the Assistant town Clerk www.provincetown-ma.gov, 09/24/2020, 12:00 pm AR



**Provincetown Select Board
AGENDA ACTION REQUEST
September 28, 2020**

00A

Resale Deed Restricted Units

Resale of 2 Meadow Rd #4 & 21 Bradford Street Ext. #10

Requested by: Housing Specialist 9/22/20

Action sought: Authorizations

Proposed Motion(s)

MOVE to approve of the sale of 2 Meadow Road #4 to Jeremy Todd Callahan and the sale of 21 Bradford Street Extension #10 to Dale Goddard, as being in compliance with the affordable housing deed riders encumbering the units and accept new affordable housing deed riders on the units from the purchasers thereof to secure the future affordability of such unit; and, further, to sign and/or authorize the Chair to sign on the Board’s behalf any and all other documents necessary or convenient to accomplish the foregoing.

Additional Information

See attached documents including Eligible Purchaser Certificates and the restriction for 2 Meadow Rd. #4 [DHCD will forward the one for 21 Bradford St. Ext. of the same format]. Both units are on the Subsidized Housing Inventory [SHI]. 13 applications were submitted by the due date of 7/20/20 for the resale of these one-bedroom low/moderate income ownership units, with 2 Meadow Rd #4 priced at \$157,796, and 21 Bradford St Ext # 10 priced at \$149,770. A lottery was conducted 8/11/20 and the #1 person in each is moving towards closing. The maximum resale amounts are determined by the formulas in their deed restriction.

Board Action

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



Town of Provincetown
ELIGIBLE PURCHASER CERTIFICATE
2 Meadow Road #4, Provincetown, MA (the "Property")

The undersigned, being the Town of Provincetown Select Board (the "Town"), which is organized and existing under the laws of The Commonwealth of Massachusetts, whose address is 260 Commercial Street, Provincetown, Massachusetts 02657 certifies as follows with respect to a certain affordable housing restriction (the "Grantee's Restriction") recorded immediately following that certain deed for Catherine Zizlavsky, 2 Meadow Road #4, Provincetown, (the "Grantee") dated 12/18/07 and recorded with the Barnstable County Registry of Deeds in Book 22552, Page 19.

1. The Property referred to herein is the Property described in the Grantees' Restriction.
2. Jeremy Todd Callahan is the eligible purchaser of the Property.
3. The Maximum Resale Price for the Property is \$157,796. The consideration to be paid by the eligible purchaser to the Grantees for the Property is \$157,796.
4. The conveyance of the Property by the Grantees to the eligible purchaser is in compliance with the rights, restrictions, covenants and agreement contained in the Grantees' Restriction.
5. The eligible purchaser of the Property has executed a superseding affordable housing restriction with respect to the Property which is satisfactory in form and substance to the Town.
6. The Town hereby acknowledges and confirms that upon the conveyance of the Property by the Grantees to the eligible purchaser, the recording of the affordable housing restriction executed by the eligible purchaser to be recorded herewith, and the recording of this Eligible Purchaser Certificate, that the rights, restrictions, agreements, and covenants contained in the Grantees' Restriction shall be null and void.
7. All defined terms used herein shall have the definitions set forth in the Restriction unless otherwise defined herein.

Executed as a sealed instrument this _____ day of _____, 2020

Town of Provincetown Select Board

David Abramson, CHAIR

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of _____, 2020, before me, the undersigned notary public personally appeared _____, as Town of Provincetown Select Board Chair, and proved to me through satisfactory evidence of identification, which was _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires: _____



Town of Provincetown
ELIGIBLE PURCHASER CERTIFICATE
21 Bradford Street Extension #10, Provincetown, MA (the "Property")

The undersigned, being the Town of Provincetown Select Board (the "Town"), which is organized and existing under the laws of The Commonwealth of Massachusetts, whose address is 260 Commercial Street, Provincetown, Massachusetts 02657 certifies as follows with respect to a certain affordable housing restriction (the "Grantee's Restriction") recorded immediately following that certain deed for Jo Lynne Hohl, 21 Bradford Street Extension #10, Provincetown, (the "Grantee") dated 9/29/09 and recorded with the Barnstable County Registry of Deeds in Doc: 1,124,662, CTF: C386-10.

1. The Property referred to herein is the Property described in the Grantees' Restriction.
2. Dale Goddard is the eligible purchaser of the Property.
3. The Maximum Resale Price for the Property is \$149,770. The consideration to be paid by the eligible purchaser to the Grantees for the Property is \$149,770.
4. The conveyance of the Property by the Grantees to the eligible purchaser is in compliance with the rights, restrictions, covenants and agreement contained in the Grantees' Restriction.
5. The eligible purchaser of the Property has executed a superseding affordable housing restriction with respect to the Property which is satisfactory in form and substance to the Town.
6. The Town hereby acknowledges and confirms that upon the conveyance of the Property by the Grantees to the eligible purchaser, the recording of the affordable housing restriction executed by the eligible purchaser to be recorded herewith, and the recording of this Eligible Purchaser Certificate, that the rights, restrictions, agreements, and covenants contained in the Grantees' Restriction shall be null and void.
7. All defined terms used herein shall have the definitions set forth in the Restriction unless otherwise defined herein.

Executed as a sealed instrument this _____ day of _____, 2020

Town of Provincetown Select Board

David Abramson, CHAIR

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of _____, 2020, before me, the undersigned notary public personally appeared _____, as Town of Provincetown Select Board Chair, and proved to me through satisfactory evidence of identification, which was _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires: _____

AFFORDABLE HOUSING DEED RIDER

*For Projects in Which
Affordability Restrictions Survive Foreclosure*

made part of that certain deed (the "Deed") of certain property (the "Property") from **Catherine Zizlavsky** ("Grantor") to **Jeremy Todd Callahan** ("Owner") dated _____, 2020. The Property is located at **2 Meadow Road Unit 4, Town of Provincetown** (the "Municipality"), Massachusetts.

RECITALS

WHEREAS, the Grantor is conveying that certain real property more particularly described in the Deed to the Owner at a consideration which is less than the fair market value of the Property; and

WHEREAS, the Property is part of a project which was: [check all that are applicable]

- (i) granted a Comprehensive Permit under Massachusetts General Laws Chapter 40B, Sections 20-23, from the Board of Appeals of the Municipality or the Housing Appeals Committee and recorded/filed with the Barnstable County Registry of Deeds/Registry District of Land Court (the "Registry") in Book 17114, Page 40/Document No. _____ (the "Comprehensive Permit");
- (ii) subject to a Regulatory Agreement among _____ (the "Developer"), [] Massachusetts Housing Finance Agency ("MassHousing"), [] the Massachusetts Department of Housing and Community Development ("DHCD") [] the Municipality; and [] _____, dated _____ and recorded with the Registry in Book _____, Page _____ (the "Regulatory Agreement");
- (iii) subsidized by the federal or state government under the Local Initiative Program, a program to assist construction of low or moderate income housing (the "Program"); and

WHEREAS, pursuant to the Program, eligible purchasers such as the Owner are given the opportunity to purchase residential property at less than its fair market value if the purchaser agrees to certain use and transfer restrictions, including an agreement to occupy the property as a principal residence and to convey the property for an amount not greater than a maximum resale price, all as more fully provided herein; and

WHEREAS, DHCD, and the Town of Provincetown (singly, or if more than one entity is listed, collectively, the "Monitoring Agent") is obligated by the Program or has been retained to monitor compliance with and to enforce the terms of this Deed Rider, and eligible purchasers such as the Owner may be required to pay to the Monitoring Agent, or its successor, a small percentage

of the resale price upon the Owner's conveyance of the Property, as set out in the Regulatory Agreement and as more fully provided herein; and

WHEREAS, the rights and restrictions granted herein to the Monitoring Agent and the Municipality serve the public's interest in the creation and retention of affordable housing for persons and households of low and moderate income and in the restricting of the resale price of property in order to assure its affordability by future low and moderate income purchasers.

NOW, THEREFORE, as further consideration for the conveyance of the Property at less than fair market value, the Grantor and the Owner, including his/her/their heirs, successors and assigns, hereby agree that the Property shall be subject to the following rights and restrictions which are imposed for the benefit of, and shall be enforceable by, the Municipality and the Monitoring Agent, and, if DHCD is a party to the Regulatory Agreement and is not the Monitoring Agent, by DHCD.

1. Definitions. In this Deed Rider, in addition to the terms defined above, the following words and phrases shall have the following meanings:

Affordable Housing Fund means a fund established by the Municipality for the purpose of reducing the cost of housing for Eligible Purchasers or for the purpose of encouraging, creating, or subsidizing the construction or rehabilitation of housing for Eligible Purchasers or, if no such fund exists, a fund established by the Municipality pursuant to Massachusetts General Laws Chapter 44 Section 53A, et seq.

Applicable Foreclosure Price shall have the meaning set forth in Section 7(b) hereof.

Appropriate Size Household means a household containing a number of members equal to the number of bedrooms in the Property plus one.

Approved Capital Improvements means the documented commercially reasonable cost of extraordinary capital improvements made to the Property by the Owner; provided that the Monitoring Agent shall have given written authorization for incurring such cost prior to the cost being incurred and that the original cost of such improvements shall be discounted over the course of their useful life.

Area means the Primary Metropolitan Statistical Area or non-metropolitan area that includes the Municipality, as determined by HUD, which in this case is the Barnstable County MSA/HMFA.

Area Median Income means the most recently published median income for the Area adjusted for household size as determined by HUD. If HUD discontinues publication of Area Median Income, the income statistics used by MassHousing for its low and moderate income housing programs shall apply.

Base Income Number means the Area Median Income for a four (4)-person household. Currently, the AMI for the Barnstable County MSA/HMFA is \$96,600.

Chief Executive Officer shall mean the Mayor in a city or the Board of Selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

Closing shall have the meaning set forth in Section 5(b) hereof.

Compliance Certificate shall have the meaning set forth in Section 6(a) hereof.

Conveyance Notice shall have the meaning set forth in Section 4(a) hereof.

Eligible Purchaser means an individual or household earning no more than eighty percent (80%) of Area Median Income (or, if checked [] _____ percent (___%) of Area Median Income, as required by the Program) and owning assets not in excess of the limit set forth in the Program Guidelines. To be considered an Eligible Purchaser, the individual or household must intend to occupy and thereafter must occupy the Property as his, her or their principal residence and must provide to the Monitoring Agent such certifications as to income, assets and residency as the Monitoring Agent may require to determine eligibility as an Eligible Purchaser. An Eligible Purchaser shall be a First-Time Homebuyer if required by the Program and as specified in the Regulatory Agreement.

First-Time Homebuyer means an individual or household, of which no household member has had an ownership interest in a principal residence at any time during the three (3)-year period prior to the date of qualification as an Eligible Purchaser, except that (i) any individual who is a displaced homemaker (as may be defined by DHCD) (ii) and any individual age 55 or over (applying for age 55 or over housing) shall not be excluded from consideration as a First-Time Homebuyer under this definition on the basis that the individual, owned a home or had an ownership interest in a principal residence at any time during the three (3)-year period.

Foreclosure Notice shall have the meaning set forth in Section 7(a) hereof.

HUD means the United States Department of Housing and Urban Development.

Ineligible Purchaser means an individual or household not meeting the requirements to be eligible as an Eligible Purchaser.

Maximum Resale Price means the sum of (i) the Base Income Number (at the time of resale) multiplied by the Resale Price Multiplier, plus (ii) the Resale Fee and any necessary marketing expenses (including broker's fees) as may have been approved by the Monitoring Agent, plus (iii) Approved Capital Improvements, if any (the original cost of which shall have been discounted over time, as calculated by the Monitoring Agent); provided that in no event shall the Maximum Resale Price be greater than the purchase price for which a credit-worthy Eligible Purchaser earning seventy percent (70%) of the Area Median Income (or, if checked [] _____ percent (___%) of Area Median Income, as required by the Program) of Area Median Income, as required by the Program) for an Appropriate Size Household could obtain mortgage financing (as such purchase price is determined by the Monitoring Agent using the same methodology then used by DHCD for its Local Initiative Program or similar comprehensive permit program); and further

provided that the Maximum Resale Price shall not be less than the purchase price paid for the Property by the Owner unless the Owner agrees to accept a lesser price.

Monitoring Services Agreement means any Monitoring Services Agreement for monitoring and enforcement of this Deed Rider among some or all of the Developer, the Monitoring Agent, the Municipality, MassHousing and DHCD.

Mortgage Satisfaction Amount shall have the meaning set forth in Section 7(b) hereof.

Mortgagee shall have the meaning set forth in Section 7(a) hereof.

Program Guidelines means the regulations and/or guidelines issued for the applicable Program and controlling its operations, as amended from time to time.

Resale Fee means a fee of **Two Percent (2%)** of the Base Income Number (at the time of resale) multiplied by the Resale Price Multiplier, to be paid to the Monitoring Agent as compensation for monitoring and enforcing compliance with the terms of this Deed Rider, including the supervision of the resale process.

Resale Price Certificate means the certificate issued as may be specified in the Regulatory Agreement and recorded with the first deed of the Property from the Developer, or the subsequent certificate (if any) issued as may be specified in the Regulatory Agreement, which sets forth the Resale Price Multiplier to be applied on the Owner's sale of the Property, as provided herein, for so long as the restrictions set forth herein continue. In the absence of contrary specification in the Regulatory Agreement the Monitoring Agent shall issue the certificate.

Resale Price Multiplier means the number calculated by dividing the Property's initial sale price by the Base Income Number at the time of the initial sale from the Developer to the first Eligible Purchaser. The Resale Price Multiplier will be multiplied by the Base Income Number at the time of the Owner's resale of the Property to determine the Maximum Resale Price on such conveyance subject to adjustment for the Resale Fee, marketing expenses and Approved Capital Improvements. In the event that the purchase price paid for the Property by the Owner includes such an adjustment a new Resale Price Multiplier will be recalculated by the Monitoring Agent by dividing the purchase price so paid by the Base Income Number at the time of such purchase, and a new Resale Price Certificate will be issued and recorded reflecting the new Resale Price Multiplier. A Resale Price Multiplier of 1.6335 is hereby assigned to the Property.

Term means in perpetuity, unless earlier terminated by (i) the termination of the term of affordability set forth in the Regulatory Agreement or Comprehensive Permit, whichever is longer; or (ii) the recording of a Compliance Certificate and a new Deed Rider executed by the purchaser in form and substance substantially identical to this Deed Rider establishing a new term.

2. Owner-Occupancy/Principal Residence. The Property shall be occupied and used by the Owner's household exclusively as his, her or their principal residence. Any use of the Property or activity thereon which is inconsistent with such exclusive residential use is expressly prohibited.

3. Restrictions Against Leasing, Refinancing and Junior Encumbrances. The Property shall not be leased, rented, refinanced, encumbered (voluntarily or otherwise) or mortgaged without the prior written consent of the Monitoring Agent; provided that this provision shall not apply to a first mortgage granted on the date hereof in connection with this conveyance from Grantor to Owner securing indebtedness not greater than one hundred percent (100%) of the purchase price. Any rents, profits, or proceeds from any transaction described in the preceding sentence which transaction has not received the requisite written consent of the Monitoring Agent shall be paid upon demand by Owner to the Municipality for deposit to its Affordable Housing Fund. The Monitoring Agent or Municipality may institute proceedings to recover such rents, profits or proceeds, and costs of collection, including attorneys' fees. Upon recovery, after payment of costs, the balance shall be paid to the Municipality for deposit to its Affordable Housing Fund. In the event that the Monitoring Agent consents for good cause to any such lease, refinancing, encumbrance or mortgage, it shall be a condition to such consent that all rents, profits or proceeds from such transaction, which exceed the actual carrying costs of the Property as determined by the Monitoring Agent, shall be paid to the Municipality for deposit to its Affordable Housing Fund.

4. Options to Purchase.

(a) When the Owner or any successor in title to the Owner shall desire to sell, dispose of or otherwise convey the Property, or any portion thereof, the Owner shall notify the Monitoring Agent and the Municipality in writing of the Owner's intention to so convey the Property (the "Conveyance Notice"). Upon receipt of the Conveyance Notice, the Monitoring Agent shall (i) calculate the Maximum Resale Price which the Owner may receive on the sale of the Property based upon the Base Income Number in effect as of the date of the Conveyance Notice and the Resale Price Multiplier set forth in the most recently recorded Resale Price Certificate together with permissible adjustments for the Resale Fee, marketing expenses and Approved Capital Improvements (as discounted), and (ii) promptly begin marketing efforts. The Owner shall fully cooperate with the Monitoring Agent's efforts to locate an Eligible Purchaser and, if so requested by the Monitoring Agent, shall hire a broker selected by the Monitoring Agent to assist in locating an Eligible Purchaser ready, willing and able to purchase the Property at the Maximum Resale Price after entering a purchase and sale agreement. Pursuant to such agreement, sale to the Eligible Purchaser at the Maximum Resale Price shall occur within ninety (90) days after the Monitoring Agent receives the Conveyance Notice or such further time as reasonably requested to arrange for details of closing. If the Owner fails to cooperate in such resale efforts, including a failure to agree to reasonable terms in the purchase and sale agreement, the Monitoring Agent may extend the 90-day period for a period commensurate with the time the lack of cooperation continues, as determined by the Monitoring Agent in its reasonable discretion. In such event, the Monitoring Agent shall give Owner written notice of the lack of cooperation and the length of the extension added to the 90-day period.

(b) The Monitoring Agent shall ensure that diligent marketing efforts are made to locate an Eligible Purchaser ready, willing and able to purchase the Property at the Maximum Resale Price within the time period provided in subsection (a) above and to enter the requisite purchase and sale agreement. If more than one Eligible Purchaser is located, the Monitoring Agent

shall conduct a lottery or other like procedure to determine which Eligible Purchaser shall be entitled to enter a purchase and sale agreement with Owner and to purchase the Property. Preference shall be given to Appropriate Size Households. The procedure for marketing and selecting an Eligible Purchaser shall be approved as provided in the Regulatory Agreement and any applicable Program Guidelines. If an Eligible Purchaser is located within ninety (90) days after receipt of the Conveyance Notice, but such Eligible Purchaser proves unable to secure mortgage financing so as to be able to complete the purchase of the Property pursuant to the purchase and sale agreement, following written notice to Owner within the 90-day period the Monitoring Agent shall have an additional sixty (60) days to locate another Eligible Purchaser who will enter a purchase and sale agreement and purchase the Property by the end of such sixty (60)-day period or such further time as reasonably requested to carry out the purchase and sale agreement.

(c) In lieu of sale to an Eligible Purchaser, the Monitoring Agent or the Municipality or designee shall also have the right to purchase the Property at the Maximum Resale Price, in which event the purchase and sale agreement shall be entered, and the purchase shall occur within ninety (90) days after receipt of the Conveyance Notice or, within the additional sixty (60)-day period specified in subsection (b) above, or such further time as reasonably requested to carry out the purchase and sale agreement. Any lack of cooperation by Owner in measures reasonably necessary to effect the sale shall extend the 90-day period by the length of the delay caused by such lack of cooperation. The Monitoring Agent shall promptly give Owner written notice of the lack of cooperation and the length of the extension added to the 90-day period. In the event of such a sale to the Monitoring Agent or Municipality or designee, the Property shall remain subject to this Deed Rider and shall thereafter be sold or rented to an Eligible Purchaser as may be more particularly set forth in the Regulatory Agreement.

(d) If an Eligible Purchaser fails to purchase the Property within the 90-day period (or such further time determined as provided herein) after receipt of the Conveyance Notice, and the Monitoring Agent or Municipality or designee does not purchase the Property during said period, then the Owner may convey the Property to an Ineligible Purchaser no earlier than thirty (30) days after the end of said period at the Maximum Resale Price, but subject to all rights and restrictions contained herein; provided that the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider which the Owner agrees to execute, to secure execution by the Ineligible Purchaser and to record with the Deed; and further provided that, if more than one Ineligible Purchaser is ready, willing and able to purchase the Property the Owner will give preference and enter a purchase and sale agreement with any individuals or households identified by the Monitoring Agent as an Appropriate Size Household earning more than eighty percent (80%) but less than one hundred twenty percent (120%) of the Area Median Income.

(e) The priority for exercising the options to purchase contained in this Section 4 shall be as follows: (i) an Eligible Purchaser located and selected by the Monitoring Agent, as provided in subsection (b) above, (ii) the Municipality or its designee, as provided in subsection (c) above, and (iii) an Ineligible Purchaser, as provided in subsection (d) above.

(f) Nothing in this Deed Rider or the Regulatory Agreement constitutes a promise, commitment or guarantee by DHCD, MassHousing, the Municipality or the Monitoring Agent.

Agent that upon resale the Owner shall actually receive the Maximum Resale Price for the Property or any other price for the Property.

(g) The holder of a mortgage on the Property is not obligated to forbear from exercising the rights and remedies under its mortgage, at law or in equity, after delivery of the Conveyance Notice.

5. Delivery of Deed.

(a) In connection with any conveyance pursuant to an option to purchase as set forth in Section 4 above, the Property shall be conveyed by the Owner to the selected purchaser by a good and sufficient quitclaim deed conveying a good and clear record and marketable title to the Property free from all encumbrances except (i) such taxes for the then current year as are not due and payable on the date of delivery of the deed, (ii) any lien for municipal betterments assessed after the date of the Conveyance Notice, (iii) provisions of local building and zoning laws, (iv) all easements, restrictions, covenants and agreements of record specified in the deed from the Owner to the selected purchaser, (v) such additional easements, restrictions, covenants and agreements of record as the selected purchaser consents to, such consent not to be unreasonably withheld or delayed, (vi) the Regulatory Agreement, and (vii), except as otherwise provided in the Compliance Certificate, a Deed Rider identical in form and substance to this Deed Rider which the Owner hereby agrees to execute, to secure execution by the selected purchaser, and to record with the deed. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance from the Owner to the selected purchaser or the enforceability of the restrictions herein.

(b) Said deed, including the approved Deed Rider, shall be delivered and the purchase price paid (the "Closing") at the Registry, or at the option of the selected purchaser, exercised by written notice to the Owner at least five (5) days prior to the delivery of the deed, at such other place as the selected purchaser may designate in said notice. The Closing shall occur at such time and on such date as shall be specified in a written notice from the selected purchaser to the Owner, which date shall be at least five (5) days after the date on which such notice is given, and no later than the end of the time period specified in Section 4(a) above.

(c) To enable Owner to make conveyance as herein provided, Owner may, if Owner so desires at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, all instruments with respect thereto to be recorded simultaneously with the delivery of said deed. Nothing contained herein as to the Owner's obligation to remove defects in title or to make conveyance or to deliver possession of the Property in accordance with the terms hereof, as to use of proceeds to clear title or as to the election of the selected purchaser to take title, nor anything else in this Deed Rider shall be deemed to waive, impair or otherwise affect the priority of the rights herein over matters appearing of record, or occurring, at any time after the recording of this Deed Rider, all such matters so appearing or occurring being subject and subordinate in all events to the rights herein.

(d) Water and sewer charges and taxes for the then current tax period shall be apportioned and fuel value shall be adjusted as of the date of Closing and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the selected purchaser.

(e) Full possession of the Property free from all occupants is to be delivered at the time of the Closing, the Property to be then in the same condition as it is in on the date of the execution of the purchase and sale agreement, reasonable wear and tear only excepted.

(f) If Owner shall be unable to give title or to make conveyance as above required, or if any change of condition in the Property not included in the above exception shall occur, then Owner shall be given a reasonable time not to exceed thirty (30) days after the date on which the Closing was to have occurred in which to remove any defect in title or to restore the Property to the condition herein required. The Owner shall use best efforts to remove any such defects in the title, whether voluntary or involuntary, and to restore the Property to the extent permitted by insurance proceeds or condemnation award. The Closing shall occur fifteen (15) days after notice by Owner that such defect has been cured or that the Property has been so restored. The selected purchaser shall have the election, at either the original or any extended time for performance, to accept such title as the Owner can deliver to the Property in its then condition and to pay therefor the purchase price without deduction, in which case the Owner shall convey such title, except that in the event of such conveyance in accordance with the provisions of this clause, if the Property shall have been damaged by fire or casualty insured against or if a portion of the Property shall have been taken by a public authority, then the Owner shall, unless the Owner has previously restored the Property to its former condition, either:

(A) pay over or assign to the selected purchaser, on delivery of the deed, all amounts recovered or recoverable on account of such insurance or condemnation award less any amounts reasonably expended by the Owner for any partial restoration, or

(B) if a holder of a mortgage on the Property shall not permit the insurance proceeds or the condemnation award or part thereof to be used to restore the Property to its former condition or to be so paid over or assigned, give to the selected purchaser a credit against the purchase price, on delivery of the deed, equal to said amounts so retained by the holder of the said mortgage less any amounts reasonably expended by the Owner for any partial restoration.

6. Resale and Transfer Restrictions.

(a) Except as otherwise provided herein, the Property or any interest therein shall not at any time be sold by the Owner, or the Owner's successors and assigns, and no attempted sale shall be valid, unless the aggregate value of all consideration and payments of every kind given or paid by the selected purchaser of the Property for and in connection with the transfer of such Property, is equal to or less than the Maximum Resale Price for the Property, and unless a certificate (the "Compliance Certificate") is obtained and recorded, signed and acknowledged by the Monitoring Agent which Compliance Certificate refers to the Property, the Owner, the selected

purchaser thereof, and the Maximum Resale Price therefor, and states that the proposed conveyance, sale or transfer of the Property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider, and unless there is also recorded a new Deed Rider executed by the selected purchaser, which new Deed Rider is identical in form and substance to this Deed Rider.

(b) The Owner, any good faith purchaser of the Property, any lender or other party taking a security interest in such Property and any other third party may rely upon a Compliance Certificate as conclusive evidence that the proposed conveyance, sale or transfer of the Property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider, and may record such Compliance Certificate in connection with the conveyance of the Property.

(c) Within ten (10) days of the closing of the conveyance of the Property from the Owner to the selected purchaser, the Owner shall deliver to the Monitoring Agent a copy of the Deed of the Property, including the deed rider, together with recording information. Failure of the Owner, or Owner's successors or assigns to comply with the preceding sentence shall not affect the validity of such conveyance or the enforceability of the restrictions herein.

7. Survival of Restrictions Upon Exercise of Remedies by Mortgagees.

(a) The holder of record of any mortgage on the Property (each, a "Mortgagee") shall notify the Monitoring Agent, the Municipality and any senior Mortgagee(s) in the event of any default for which the Mortgagee intends to commence foreclosure proceedings or similar remedial action pursuant to its mortgage (the "Foreclosure Notice"), which notice shall be sent to the Monitoring Agent and the Municipality as set forth in this Deed Rider, and to the senior Mortgagee(s) as set forth in such senior Mortgagee's mortgage, not less than one hundred twenty (120) days prior to the foreclosure sale or the acceptance of a deed in lieu of foreclosure. The Owner expressly agrees to the delivery of the Foreclosure Notice and any other communications and disclosures made by the Mortgagee pursuant to this Deed Rider.

(b) The Owner grants to the Municipality or its designee the right and option to purchase the Property upon receipt by the Municipality of the Foreclosure Notice. In the event that the Municipality intends to exercise its option, the Municipality or its designee shall purchase the Property within one hundred twenty (120) days of receipt of such notice, at a price equal to the greater of (i) the sum of the outstanding principal balance of the note secured by such foreclosing Mortgagee's mortgage, together with the outstanding principal balance(s) of any note(s) secured by mortgage(s) senior in priority to such mortgage (but in no event shall the aggregate amount thereof be greater than one hundred percent (100%) of the Maximum Resale Price calculated at the time of the granting of the mortgage) plus all future advances, accrued interest and all reasonable costs and expenses which the foreclosing Mortgagee and any senior Mortgagee(s) are entitled to recover pursuant to the terms of such mortgages (the "Mortgage Satisfaction Amount"), and (ii) the Maximum Resale Price (which for this purpose may be less than the purchase price paid for the Property by the Owner)(the greater of (i) and (ii) above herein referred to as the "Applicable Foreclosure Price"). The Property shall be sold and conveyed in its then-current "as is, where is" condition, without representation or warranty of any kind, direct or indirect, express

or implied, and with the benefit of and subject to all rights, rights of way, restrictions, easements, covenants, liens, improvements, housing code violations, public assessments, any and all unpaid federal or state taxes (subject to any rights of redemption for unpaid federal taxes), municipal liens and any other encumbrances of record then in force and applicable to the Property having priority over such foreclosing Mortgagee's mortgage, and further subject to a Deed Rider identical in form and substance to this Deed Rider which the Owner hereby agrees to execute, to secure execution by the Municipality or its designee, and to record with the deed, except that (i) during the term of ownership of the Property by the Municipality or its designee the owner-occupancy requirements of Section 2 hereof shall not apply (unless the designee is an Eligible Purchaser), and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by the Municipality or its designee, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance from the Owner to the Municipality or its designee or the enforceability of the restrictions herein.

(c) Not earlier than one hundred twenty (120) days following the delivery of the Foreclosure Notice to the Monitoring Agent, the Municipality and any senior Mortgagee(s) pursuant to subsection (a) above, the foreclosing Mortgagee may conduct the foreclosure sale or accept a deed in lieu of foreclosure. The Property shall be sold and conveyed in its then-current "as is, where is" condition, without representation or warranty of any kind, direct or indirect, express or implied, and with the benefit of and subject to all rights, rights of way, restrictions, easements, covenants, liens, improvements, housing code violations, public assessments, any and all unpaid federal or state taxes (subject to any rights of redemption for unpaid federal taxes), municipal liens and any other encumbrances of record then in force and applicable to the Property having priority over the foreclosing Mortgagee's mortgage, and further subject to a Deed Rider, as set forth below.

(d) In the event that the foreclosing Mortgagee conducts a foreclosure sale or other proceeding enforcing its rights under its mortgage and the Property is sold for a price in excess of the greater of the Maximum Resale Price and the Mortgage Satisfaction Amount, such excess shall be paid to the Municipality for its Affordable Housing Fund after (i) a final judicial determination, or (ii) a written agreement of all parties who, as of such date hold (or have been duly authorized to act for other parties who hold) a record interest in the Property, that the Municipality is entitled to such excess. The legal costs of obtaining any such judicial determination or agreement shall be deducted from the excess prior to payment to the Municipality. To the extent that the Owner possesses any interest in any amount which would otherwise be payable to the Municipality under this paragraph, to the fullest extent permissible by law, the Owner hereby assigns its interest in such amount to the Mortgagee for payment to the Municipality.

(e) If any Mortgagee shall acquire the Property by reason of foreclosure or upon conveyance of the Property in lieu of foreclosure, then the rights and restrictions contained herein shall apply to such Mortgagee upon such acquisition of the Property and to any purchaser of the Property from such Mortgagee, and the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider, which the Mortgagee that has so acquired the Property agrees to annex to the deed and to record with the deed, except that (i) during the term of ownership of the Property by such Mortgagee the owner-occupancy requirements of Section 2

hereof shall not apply, and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by such Mortgagee at the foreclosure sale, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance to the Mortgagee or the enforceability of the restrictions herein.

(f) If any party other than a Mortgagee shall acquire the Property by reason of foreclosure or upon conveyance of the Property in lieu of foreclosure, the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider, which the foreclosing Mortgagee agrees to annex to the deed and to record with the deed, except that (i) if the purchaser at such foreclosure sale or assignee of a deed in lieu of foreclosure is an Ineligible Purchaser, then during the term of ownership of the Property by such Ineligible Purchaser, the owner-occupancy requirements of Section 2 hereof shall not apply, and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by such third party purchaser at the foreclosure sale, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance to such third party purchaser or the enforceability of the restrictions herein.

(g) Upon satisfaction of the requirements contained in this Section 7, the Monitoring Agent shall issue a Compliance Certificate to the foreclosing Mortgagee which, upon recording in the Registry, may be relied upon as provided in Section 6(b) hereof as conclusive evidence that the conveyance of the Property pursuant to this Section 7 is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider.

(h) The Owner understands and agrees that nothing in this Deed Rider or the Regulatory Agreement (i) in any way constitutes a promise or guarantee by MassHousing, DHCD, the Municipality or the Monitoring Agent that the Mortgagee shall actually receive the Mortgage Satisfaction Amount, the Maximum Resale Price for the Property or any other price for the Property, or (ii) impairs the rights and remedies of the Mortgagee in the event of a deficiency.

(i) If a Foreclosure Notice is delivered after the delivery of a Conveyance Notice as provided in Section 4(a) hereof, the procedures set forth in this Section 7 shall supersede the provisions of Section 4 hereof.

8. Covenants to Run With the Property.

(a) This Deed Rider, including all restrictions, rights and covenants contained herein, is an affordable housing restriction as that term is defined in Section 31 of Chapter 184 of the Massachusetts General Laws, having the benefit of Section 32 of such Chapter 184, and is enforceable as such. This Deed Rider has been approved by the Undersecretary of DHCD.

(b) In confirmation thereof the Grantor and the Owner intend, declare and covenant (i) that this Deed Rider, including all restrictions, rights and covenants contained herein, shall be and are covenants running with the land, encumbering the Property for the Term, and are binding upon the Owner and the Owner's successors in title and assigns, (ii) are not merely

personal covenants of the Owner, and (iii) shall enure to the benefit of and be enforceable by the Municipality, the Monitoring Agent and DHCD and their successors and assigns, for the Term. Owner hereby agrees that any and all requirements of the laws of the Commonwealth of Massachusetts have been satisfied in order for the provisions of this Deed Rider to constitute restrictions and covenants running with the land and that any requirements of privity of estate have been satisfied in full.

9. Notice. Any notices, demands or requests that may be given under this Deed Rider shall be sufficiently served if given in writing and delivered by hand or mailed by certified or registered mail, postage prepaid, return receipt requested, to the following entities and parties in interest at the addresses set forth below, or such other addresses as may be specified by any party (or its successor) by such notice.

Municipality: Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

Grantor: Catherine Zizlavsky
308 Carl Street
Rockville, Maryland 20851

Owner: Jeremy Todd Callahan
P. O. Box 1141
2 Meadow Road #4
Provincetown, MA 02657

Monitoring Agent: Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

Others:

Any such notice, demand or request shall be deemed to have been given on the day it is hand delivered or mailed.

10. Further Assurances. The Owner agrees from time to time, as may be reasonably required by the Monitoring Agent, to furnish the Monitoring Agent upon its request with a written statement, signed and, if requested, acknowledged, setting forth the condition and occupancy of the Property, information concerning the resale of the Property and other material information pertaining to the Property and the Owner's conformance with the requirements of the Comprehensive Permit, Program and Program Guidelines, as applicable.

11. Enforcement. (a) The rights hereby granted shall include the right of the Municipality and the Monitoring Agent to enforce this Deed Rider independently by appropriate legal proceedings and to obtain injunctive and other appropriate relief on account of any violations including without limitation relief requiring restoration of the Property to the condition,

affordability or occupancy which existed prior to the violation impacting such condition, affordability or occupancy (it being agreed that there shall be no adequate remedy at law for such violation), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Municipality and the Monitoring Agent.

(b) Without limitation of any other rights or remedies of the Municipality and the Monitoring Agent, or their successors and assigns, in the event of any sale, conveyance or other transfer or occupancy of the Property in violation of the provisions of this Deed Rider, the Municipality and Monitoring Agent shall be entitled to the following remedies, which shall be cumulative and not mutually exclusive:

- (i) specific performance of the provisions of this Deed Rider;
- (ii) money damages for charges in excess of the Maximum Resale Price, if applicable;
- (iii) if the violation is a sale of the Property to an Ineligible Purchaser except as permitted herein, the Monitoring Agent and the Municipality shall have the option to locate an Eligible Purchaser to purchase or itself purchase the Property from the Ineligible Purchaser on the terms and conditions provided herein; the purchase price shall be a price which complies with the provisions of this Deed Rider; specific performance of the requirement that an Ineligible Purchaser shall sell, as herein provided, may be judicially ordered.
- (iv) the right to void any contract for sale or any sale, conveyance or other transfer of the Property in violation of the provisions of this Deed Rider in the absence of a Compliance Certificate, by an action in equity to enforce this Deed Rider; and
- (v) money damages for the cost of creating or obtaining a comparable dwelling unit for an Eligible Purchaser.

(c) In addition to the foregoing, the Owner hereby agrees and shall be obligated to pay all fees and expenses (including legal fees) of the Monitoring Agent and/or the Municipality in the event successful enforcement action is taken against the Owner or Owner's successors or assigns. The Owner hereby grants to the Monitoring Agent and the Municipality a lien on the Property, junior to the lien of any institutional holder of a first mortgage on the Property, to secure payment of such fees and expenses in any successful enforcement action. The Monitoring Agent and the Municipality shall be entitled to seek recovery of fees and expenses incurred in a successful enforcement action of this Deed Rider against the Owner and to assert such a lien on the Property to secure payment by the Owner of such fees and expenses. Notwithstanding anything herein to the contrary, in the event that the Monitoring Agent and/or Municipality fails to enforce this Deed Rider as provided in this Section, DHCD, if it is not named as Monitoring Agent, shall have the same rights and standing to enforce this Deed Rider as the Municipality and Monitoring Agent.

(d) The Owner for himself, herself or themselves and his, her or their successors and assigns, hereby grants to the Monitoring Agent and the Municipality the right to take all actions with respect to the Property which the Monitoring Agent or Municipality may determine to be necessary or appropriate pursuant to applicable law, court order, or the consent of the Owner to prevent, remedy or abate any violation of this Deed Rider.

12. Monitoring Agent Services; Fees. The Monitoring Agent shall monitor compliance of the Project and enforce the requirements of this Deed Rider. As partial compensation for providing these services, a Resale Fee [] shall not be payable to the Monitoring Agent on the sale of the Property to an Eligible Purchaser or any other purchaser in accordance with the terms of this Deed Rider. This fee, if imposed, shall be paid by the Owner herein as a closing cost at the time of Closing, and payment of the fee to the Monitoring Agent shall be a condition to delivery and recording of its certificate, failing which the Monitoring Agent shall have a claim against the new purchaser, his, her or their successors or assigns, for which the Monitoring Agent may bring an action and may seek an attachment against the Property.

13. Actions by Municipality. Any action required or allowed to be taken by the Municipality hereunder shall be taken by the Municipality's Chief Executive Officer or designee.

14. Severability. If any provisions hereof or the application thereof to any person or circumstance are judicially determined, to any extent, to be invalid or unenforceable, the remainder hereof, or the application of such provision to the persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby.

15. Independent Counsel. THE OWNER ACKNOWLEDGES THAT HE, SHE, OR THEY HAVE READ THIS DOCUMENT IN ITS ENTIRETY AND HAS HAD THE OPPORTUNITY TO CONSULT LEGAL AND FINANCIAL ADVISORS OF HIS, HER OR THEIR CHOOSING REGARDING THE EXECUTION, DELIVERY AND PERFORMANCE OF THE OBLIGATIONS HEREUNDER.

16. Binding Agreement. This Deed Rider shall bind and inure to the benefit of the persons, entities and parties named herein and their successors or assigns as are permitted by this Deed Rider.

17. Amendment. This Deed Rider may not be rescinded, modified or amended, in whole or in part, without the written consent of the Monitoring Agent, the Municipality and the holder of any mortgage or other security instrument encumbering all or any portion of the Property, which written consent shall be recorded with the Registry.

Executed as a sealed instrument this _____ day of _____, 20__.

Grantor: _____

Owner: _____

By: _____

By: _____

COMMONWEALTH OF MASSACHUSETTS

_____ County, ss.

On this ____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, the _____ of _____ in its capacity as the _____ of _____, proved to me through satisfactory evidence of identification, which was [a current driver’s license] [a current U.S. passport] [my personal knowledge], to be the person whose name is signed on the preceding instrument and acknowledged the foregoing instrument to be his or her free act and deed and the free act and deed of _____ as _____ of _____.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

_____ County, ss.

On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was [*check one*]: [] a current driver’s license, [] a current U.S. passport, [] my personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
My commission expires:



**Provincetown Select Board
AGENDA ACTION REQUEST
September 28, 2020**

00B

Harbor Hill Deed Restriction

Under Inclusionary Zoning: Unit #20A

Requested by: Housing Specialist 9/22/20

Action sought: Authorizations

Proposed Motion(s)

MOVE to accept the new affordable housing deed rider from the Provincetown Year Round Market Rate Rental Housing Trust for 37 Bradford Street Extension Unit #20A at Harbor Hill, to secure the future affordability of such unit; and, further, to sign and/or authorize the Chair to sign on the Board’s behalf any and all other documents necessary or convenient to accomplish the foregoing.

Additional Information

See attached restriction. The Planning Board on March 14, 2019 issued to the YRRT a Special Permit for Use under the Provincetown Zoning Bylaws Article 2, Section 2440; Site Plan Review by Special Permit under Article 4, Section 4015; and Article 4, Section 4180 (the Inclusionary Zoning Bylaw) (the “Special Permit”), for the construction of two additional dwelling units located at Harbor Hill, thereby increasing the number of housing units on the Subject Premises from twenty-six (26) units to twenty-eight (28) units. This allowed for the creation of 2 new accessible units.

Board Action

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

AFFORDABLE HOUSING RESTRICTION

Under Inclusionary Zoning Bylaw

Town of Provincetown

The **Provincetown Year Round Market Rate Rental Housing Trust** (“Grantor”), having a mailing address of 260 Commercial Street, Provincetown, MA 02657, grants with quitclaim covenants, to the **Town of Provincetown** (the “Holder”), a Massachusetts municipal corporation, having a mailing address of 260 Commercial Street, Provincetown, MA 02657, its successors and assigns, exclusively for the purpose of ensuring retention of housing for occupancy by moderate income persons and families, the following described Affordable Housing Restriction (this “Restriction”) on a one-bedroom handicap-accessible housing unit located at **37 Bradford Street Extension Unit #20A** (the “Property”), within the property known as Harbor Hill, in the Town of Provincetown, Massachusetts, and described more particularly below.

RECITALS

WHEREAS, Grantor was created through Chapter 305 of the Acts of 2016, a municipal trust to create and preserve year-round market rate units in the Town of Provincetown including, but not limited to, market rate units;

WHEREAS, Grantor is the owner of four parcels of land, each with a building thereon, located at 3 Harbor Hill Road, 4 Harbor Hill Road, 8 Harbor Hill Road, and 37 Bradford Street Extension, Provincetown, Massachusetts, known collectively as “Harbor Hills” and described more particularly in a deed filed as Document No. 1353766 with the Barnstable County Registry District of the Land Court (the “Subject Premises”); the Property is a portion of the Subject Premises;

WHEREAS, the Town of Provincetown Planning Board on March 14, 2019 issued to Grantor a Special Permit for Use under the Provincetown Zoning Bylaws Article 2, Section 2440; Site Plan Review by Special Permit under Article 4, Section 4015; and Article 4, Section 4180 (the Inclusionary Zoning Bylaw) (the “Special Permit”), for the construction of two additional dwelling units located on the Subject Premises, thereby increasing the number of housing units on the Subject Premises from twenty-six (26) units to twenty-eight (28) units;

WHEREAS, the purpose and intent of *Article 4, Section 4180, the Inclusionary Housing Bylaw of the Zoning Bylaw, of the Provincetown Zoning Bylaws, as amended*, is to:

- (a) Encourage the creation of a range of housing opportunities for households of all incomes, ages and sizes in order to support a strong, stable and diverse year-round community and a viable and healthy local workforce and to prevent the displacement of Provincetown residents;
- (b) Mitigate the negative impact of residential development on the availability and cost of housing;

- (c) Protect the long-term affordability of such housing through appropriate, enforceable restrictions that run with the land;
- (d) Provide a mechanism by which residential development can contribute in a direct way to increasing the supply of Affordable and Community Housing in exchange for a greater density or intensity of development than is otherwise allowed as a matter of right and to the exclusion of the protections that are varied or waived that would normally be afforded under the Zoning Bylaw;
- (e) Support the goals of Provincetown’s December 2006 Affordable and Community Housing Action Plan and its January 2014 Update. A secondary purpose is to create dwelling units eligible for inclusion in the Town’s Chapter 40B Subsidized Housing Inventory as maintained by the Department of Housing and Community Development (DHCD).

WHEREAS, Grantor is required, as a condition of said Special Permit, to impose a Restriction on the Property, ensuring that the Property shall be used as Moderate Income Community Housing in perpetuity, which restriction shall run with the Subject Premises and bind Grantor and its successors and assigns; eligibility for occupancy shall be limited to households whose income is at or below 100% of Barnstable County median income

WHEREAS, the United State Department of Housing and Urban Development (“HUD”) periodically publishes median income statistics for Barnstable County non-metropolitan area (the “AMI”), which is utilized as the basis for defining median income;

NOW, THEREFORE, for good and valuable consideration, including the issuance of the Special Permit, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby covenants as follows:

1. Use Restrictions: Grantor covenants and agrees that the Property shall be reserved and used exclusively for Moderate Income Community Housing purposes and available for rent to Eligible Tenants at a cost not to exceed the Maximum Rent (defined below) (the “Permitted Uses”), and for no other purpose, during the full Affordability Term. The Property shall contain complete facilities for living, sleeping, eating, cooking and sanitation that are to be used on other than a transient basis.

2, Occupancy Restriction: The Property shall be available for occupancy by an eligible household with an annual household income up to 100% of AMI, adjusted for household size (an “Eligible Tenant”). The monthly rent charged for the Property shall not exceed 30% of annual income for a household at or below 80% of the Barnstable County AMI, including utilities, adjusted for housing size (the “Maximum Rent”).

3. Affordability Term: This Restriction and all of the covenants, agreements and restrictions contained herein shall be deemed to be an “other restrictions held by a governmental body” as set forth in G.L. c.184, § 26 and an affordable housing restriction as that term is defined in G.L. c. 184, §§31-33. This Restriction shall bind, and the benefits shall inure to, respectively, Grantor and its successors and assigns and Grantee and its successors and

assigns. Grantee has determined that the acquiring of such affordable housing restriction is in the public interest. The term of this Restriction shall be perpetual (the "Affordability Term"). The rights and restrictions contained in this Restriction shall not lapse if the Subject Premises are acquired through foreclosure or deed in lieu of foreclosure or similar action, and the provisions hereof shall continue to run with and bind the Subject Premises.

4. Rent Schedule: The projected initial monthly Maximum Rent for the Property shall be as set forth in Exhibit B attached hereto. If there is an increase in the median income of the Barnstable AMI, the monthly Maximum Rent may increase accordingly. Rent for the Property shall not be increased above the monthly Maximum Rent without the Holder's prior written approval of a specific request by Grantor for a rent increase, which shall not be withheld unreasonably for tenants occupying the Property (the "Residents") who no longer qualify as eligible Tenants. Notwithstanding the foregoing, any rent increases shall be subject to the provisions of outstanding leases and shall not be implemented without at least thirty (30) days' prior written notice by Grantor to the affected Residents and, notwithstanding any provision in a lease or occupancy agreement to the contrary, in the event of any increase in the rent payable by such Residents in connection with an increase in the income of such Residents, consistent with the terms hereof, the Residents shall have the right to terminate their lease or occupancy agreement by written notice to Grantor delivered within such 30 day period.

5. Resident Selection: Grantor shall comply with the following provisions:

(a) Nondiscrimination: Grantor shall not discriminate on the basis of race, religious creed, color, sex, age, marital status, sexual orientation (which shall not include persons whose sexual orientation involves minor children as the sex object), gender identity, genetic information, veteran status, membership in the armed forces, ancestry, national origin, handicap, blindness, hearing impairment, or because a person possesses a trained guide dog as a consequence of blindness, hearing impairment or other handicap of such person or any other basis prohibited by law;

(b) Selection Policies: Grantor shall adopt resident selection policies and criteria for the Property that are consistent with the purpose of providing housing for a median income family as defined above and related to eligibility including priority for the need for fully accessible unit.

6, Transfer Restrictions: Grantor shall not sell, transfer, convey, rent (except for leases or occupancy agreements made in connection with the Permitted Uses) or encumber the Property as security for financing, without the express written permission of the Holder.

7. Binding Agreement: This Restriction shall run with the land for the Affordability Term, shall bind Grantor and its successors and assigns, and shall inure to the benefit of the Holder and its successors and assigns.

8. Income Verification: Grantor shall determine whether an Eligible Tenant occupying the Property meets the income requirements set forth herein at the time of initially leasing the Property and thereafter annually. In verifying the Residents' income, Grantor shall examine the source documents evidencing the Residents annual income (e.g., wage statements, interest statements, unemployment compensation statements).

9. Records: Grantor shall maintain as part of its records copies of all leases for the Property; all initial and annual income certifications by the Residents of the Property; and any additional records the Holder may deem necessary to ensure compliance with the requirements of this Restriction. The Holder and Grantor shall treat as confidential any of the foregoing information relating to a specific Resident in compliance with state and federal statutes and regulations, including M.G.L. c. 66A, and shall implement adequate systems and procedures for maintaining the confidentiality.

10. No Demolition: Grantor shall not demolish the building in which the Property is located except in conjunction with renovation or rehabilitation of the Property or the construction of a new project within Subject Premises.

11. Casualty: Grantor agrees that if the Property, or any part thereof, shall be damaged or destroyed, Grantor will use its best efforts to repair and restore the Property to substantially the same condition as existed prior to the event causing such damage or destruction, and shall thereafter continue to operate it in accordance with the terms of this Restriction.

12. Inspection: Grantor hereby grants to the Holder and its duly authorized representatives the right to enter the Property at reasonable times and in reasonable manner for the purpose of inspecting the Property to determine compliance with this Restriction and, except in the event of an emergency, in which case the Maker shall provide such notice as is practicable, after thirty (30) days prior written notice to Grantor, to take any reasonable and appropriate action under the circumstances to cure any violation of the provisions of this Restriction. The notice shall include a clear description of the course and approximate cost of the proposed cure.

13. Enforcement: Upon any violation by Grantor of any of the provisions of this Restriction that is not cured within thirty (30) days after written notice from the Holder thereof, or if, a cure cannot reasonably be accomplished within said thirty (30) days, that is not cured within an additional thirty (30)- day period(provided that the Grantor has commenced the cure of such violation within the initial thirty (30) day period and is thereafter diligently pursuing the cure to completion), the Holder shall have the right (but not the obligation) to enforce the terms of this Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including without limitation relief requiring restoration of the Property to its condition prior to any such violation (it being agreed that the Holder will have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Holder. Grantor covenants and agrees to reimburse to the

Holder all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Restriction or in taking reasonable measures to cure any violation hereof, provided that a violation of this Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. By its acceptance of this Restriction, the Holder does not undertake any liability or obligation relating to the condition of the Property or Harbor Hills. If any provision of this Restriction shall to any extent be held invalid, the remainder shall not be affected. No delay or omission on the part of the Holder in enforcing the restrictions contained herein shall operate as a waiver of the right to enforce it, nor shall any delay, omission or waiver on any one occasion be deemed to be a bar to or waiver of the same or of any other right on any future occasion.

14. Notices: Any notices, demands or requests that may be given under this Restriction shall be sufficiently served if given in writing and delivered by hand or mailed by certified or registered mail, postage prepaid, return receipt requested, to the following entities and parties in interest at the addresses set forth below, or such other addresses as may be specified by any party (or its successor) by such notice.

Grantor: **Provincetown Year Round Market Rate Rental Housing Trust**
260 Commercial Street
Provincetown, MA 02567
Attention: Town Manager

Holder: **Town of Provincetown**
260 Commercial Street
Provincetown, MA 02567
Attention: Board of Selectmen

15. Severability: If any provisions hereof or the application thereof to any person or circumstance are judicially determined, to any extent, to be invalid or unenforceable, the remainder hereof, or the application of such provision to the persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby.

26. Amendment; Governing Law: This Restriction may not be rescinded, modified or amended, in whole or in part, without the prior written consent of the Holder, which written consent shall be recorded with the Registry. This Restriction shall be governed by the laws of The Commonwealth of Massachusetts.

Executed as a sealed instrument this _____ day of _____, 2020.

Grantor:

Provincetown Year Round Market Rate Rental Housing Trust

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 2020, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was [a current driver's license] [a current U.S. passport] [my personal knowledge], to be the person whose name is signed on the preceding instrument and acknowledged to me that he/she/they signed the foregoing instrument for its stated purpose.

Notary Public
My commission expires:

Exhibit A: Property Description
Exhibit B: Initial Rent Schedule

Exhibit A: Property Description

CONDOMINIUM UNIT DEED

I, **Warren E. Agin**, as Chapter 7 Bankruptcy Trustee for the estate of Harbor Hill At Provincetown Condominium Trust, u/d/t dated August 12, 1991, and filed with the Barnstable County Registry District of the Land Court (the "Registry") as Document No. 535460, ("Grantor") for consideration of EIGHT MILLION ONE HUNDRED ONE THOUSAND SIX HUNDRED TWENTY and NO/100 DOLLARS (\$8,101,620.00) and other good and valuable consideration paid,

grant to the **Provincetown Year-round Market Rate Rental Housing Trust**, a municipal trust established by the Chapter 305 of the Acts of 2016, by and through its board of trustees, with an address of 260 Commercial Street, Provincetown, MA ("Grantee"),

WITH QUITCLAIM COVENANTS, all the Grantor's right, title and interest in and to the following described property:

Unit 1, Unit 2, Unit 3, Unit 4, Unit 5, Unit 6, Unit 7, Unit 8, Unit 9, Unit 10, Unit 11, Unit 12, Unit 13, Unit 14, Unit 15, Unit 16, Unit 17, Unit 18, Unit 19, Unit 20, Unit 21, Unit 22, Unit 23, Unit 24, Unit 25, and Unit 26 (the "Units") in Harbor Hill At Provincetown Condominium (the "Condominium"), a condominium established pursuant to M.G.L. c. 183A, by a Master Deed dated August 12, 1991, and filed with the Registry as Document No. 535459, as amended, and noted on Certificate of Title C-297. The plan of the Units are shown on the floor plans filed with said Registry to which is affixed the verified statement required by Section 8 of said Chapter 183A.

The post office address of the Units is: 3 Harbor Hill Road, 4 Harbor Hill Road, 8 Harbor Hill Road and 37 Bradford Street Ext., Provincetown, MA.

The Units are intended to be used only for residential purposes and such other uses as are set forth in the Master Deed.

Exhibit B: Initial Rent Schedule

Income Eligibility up to 100% Area Median Income:

Income limits FY 2020

Barnstable County

Household Size	100% Income Limit Median MHP CPA
1	\$67,620
2	\$77,280

One-Bedroom ADA Unit:

Priced up to 80% AMI

2020 MHP Maximum less utility allowance: \$1,450 per month

Income and rents to be adjusted annually

ACCEPTANCE OF RESTRICTION

On this _____ day of _____, 2020, the Town of Provincetown, acting by through its Select Board, hereby accepts the foregoing affordable housing restriction from Provincetown Year Round Market Rate Rental Housing Trust on property located at **37 Bradford Street Extension**, Provincetown,.

TOWN OF PROVINCETOWN,
by its Select Board

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public, personally appeared _____, member of the Provincetown Select Board, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Provincetown.

Notary Public
My Commission Expires



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, September 28, 2020**

1

PUBLIC STATEMENTS

Requested by: Select Board

Action Sought: Open

Proposed Motion(s)

Three (3) minutes maximum. Selectmen do not respond during Public Statements.

Additional Information

At this time, public statements will be through virtual participation.

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # **287 238 22**

Meeting can be viewed on channel 18 or at
<http://www.provincetowntv.org/>

Board Action

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



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, September 28, 2020

2

SELECT BOARD MEMBER'S STATEMENTS

Requested by: Select Board

Action Sought: Discussion

Proposed Motion(s)

Five (5) minutes maximum

- Robert Anthony
- Lise King
- Louise Venden
- John Golden
- David Abramson

Additional Information

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # **287 238 22**

Meeting can be viewed on channel 18 or at
<http://www.provincetowntv.org/>

Board Action

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



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, September 28, 2020

3A

PUBLIC HEARING – CURB CUT

509 Commercial Street

Requested by: Lyn Plummer

Action Sought: Public Hearing/Approval

Proposed Motion(s)

Move that the Select Board vote to continue the curb cut public hearing until October 13, 2020 and request the applicant provide additional information as requested by staff.

Additional Information

- Please see attached application and staff comments

Board Action

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



Select Board

Public Hearing

Curb Cuts: 509 Commercial Street

The Provincetown Select Board will hold a Public Hearing on **Monday, September 28, 2020 at 7:00 p.m.** in the Judge Welsh Hearing Room, Provincetown Town Hall, 260 Commercial Street, Provincetown, MA 02657 pursuant to General Bylaws Section 11-6-2, for the following application:

Application by Lyn Plummer, requesting approval to install an 18-foot wide driveway on the front of the property located at 509 Commercial Street, Provincetown, MA in order to access the property for parking. (Assessor's Map 15-1, Parcel 15-0-R).

Comments may be submitted in writing by Tuesday, September 22, 2020, 12 p.m. to the Office of the Select Board, 260 Commercial Street, Provincetown, MA 02657 or selectmen@provincetown-ma.gov or virtually by dialing (833) 579-7589. When prompted, enter the following conference number: 287 238 22#.

*David Abramson, Chair
Select Board*

Policy Statement

2016-01-25A (Supersedes Policy 2010-05-10)

Curb Cut Permit Guidelines and Procedures

These procedures are to be used in conjunction with the Provincetown General Bylaws Section 11-6-2 Curb Cuts:

No person shall break or dig up the ground or surface of a town or public way or sidewalk, to create a new access way to any property which would alter existing parking and traffic patterns, without the express permission of the Select Board after a duly advertised hearing.

A curb cut permit shall be required for any new parking space or driveway with access from a public road that can not clearly demonstrate having previously existed on a plan recognized by the Planning Board or on file with the Barnstable County Registry of Deeds. A curb cut permit shall also include any pedestrian walkway or gate if it is determined that the walkway or gate would impact or alter existing parking and traffic patterns in the public way or negatively impact public safety within the public way.

The intent of a curb cut permit is: 1) to protect the edge of the roadway pavement and prevent debris from entering the road; 2) to allow for proper or improved stormwater drainage; and 3) to ensure adequate public safety and access for both vehicles and pedestrians within the public right-of-way.

Pursuant to Zoning Bylaw, a parking space shall mean a space adequate to park a standard automobile, plus means of access and shall be not less than 8' x 18'.

Evaluation Criteria:

- The Selectmen shall review curb cut requests to ensure that the location of any curb cut or driveway is suitably located so as to preserve public safety and convenience.
- Where feasible, curb cuts should be avoided on Route 6.
- Where feasible, curb cuts should be favored on side streets over Bradford Street and Commercial Street or other high traffic streets or congested areas.
- Curb cuts should accommodate a legal parking space outside of the public right-of-way and have sufficient backup clearing to avoid disruption to existing traffic patterns and public safety.
- Curb cuts should ensure sufficient sight lines for backup into traffic and pedestrian ways.
- Curb cuts should be considered in relation to existing on-street parking patterns and should not reduce the number of available parking spaces.
- Curb cuts should not exceed 18 feet in width except to meet a roadway standard.
- Curb cuts or driveways should not be permitted that increase stormwater flow onto any public sidewalk or way without drainage systems that adequately mitigate stormwater incorporated into the design.

Curb cuts shall be reviewed on a case by case basis and shall not be considered precedent setting.

Curb cuts that serve a project requiring site plan review shall meet the minimum standard as set forth by the Planning Board and approved by the Fire Chief.

Fee:

A curb cut request shall be accompanied by a fee of \$200.00. The fee is based on the cost of Town staff to review and evaluate the requests and the cost associated with the public hearing.

Application Procedure:

Step 1: Applicant requests an abutters' list from the Assessor's Office.

Step 2: Curb Cut Application is filed with the Department of Community Development and must be accompanied by:

- Abutters list provided by the Assessor's Department
- Certified to-scale plot plan indicating both the existing or proposed conditions identifying the actual location of the proposed curb cut and abutting areas (including all structures, trees, landscaping, fences, power poles, utility equipment, Title V septic system, propane or oil tanks).
- Any supporting documentation provided by the applicant (letters of support from abutters, pictures, etc.)

Step 3: Once the application is deemed complete, the Permit Coordinator will schedule a public hearing with the Selectmen's Secretary.

Step 4: The Permit Coordinator will prepare a legal notice that will be posted in the Town Hall and printed in the newspaper not less than fourteen (14) days prior to the public hearing. This legal notice will be provided to the applicant. The applicant must.—The Secretary will mail the notice to abutters not less than fourteen (14) days prior to the public hearing. Applicant shall retain return receipts of the certified mail to abutters, and shall present them to the Select Board at the public hearing.

Step 5. Prior to the public hearing, the Permit Coordinator will distribute individual copies of the application and plans to the Assistant Town Manager, Chief of Police, DPW Director, Fire Chief, Building Commissioner and Town Planner for their review and comments.

Step 6. The applicant or his/her representative must be present at the public hearing. Public input in support of and in opposition to the application will be heard at the hearing.

Step 7. The Selectmen reserve the right to alter the proposed layout or place conditions on the approval of any curb cut request at the public hearing. The Permit Coordinator will forward the approved permit with conditions confirming the motion and vote of the Select Board to the applicant.

Step 8. Once the curb cut and driveway are installed, the applicant shall schedule a final inspection with Local Building Inspector.

Adopted January 25, 2016

In favor: Donegan, Andrews, Richter and Anthony

Opposed: none.



TOWN OF PROVINCETOWN
Community Development Department
260 Commercial Street, Provincetown MA 02657
Phone: 508 487-7020 Fax: 508 487-0032

CURB CUT PERMIT

Location: 509 Commercial Street

Applicant: Lyn Plummer

Applicants Mailing Address: P.O. Box 310284, Brooklyn, NY, 11231

Applicant's Phone number: 781 856 4117 Applicant's Email: lyn6258@yahoo.com

This Curb Cut Permit is issued pursuant to Provincetown General Bylaws Section 11-6-2 and in accordance with Select Board Policy Statement 2016-01-25A.

The Select Board held a public hearing on 09-28-20 and approved your Curb Cut request with the following conditions:

1. The applicant shall grade and place erosion control devices as needed to prevent stormwater and debris from flowing onto the Town road and into drainage structures during construction.
2. Upon Completion of the project, the applicant shall ensure that the edge of the paved road is supported and not undermined and that disturbed areas are restored and/or re-vegetated. Any construction damage to the Town road shall be repaired by the applicant.
3. Dig-safe must be contacted as required by state law.
4. Contact the Police Department at 508-487-1212 if a police detail will be required for work within the right-of-way.
5. Once the curb cut and driveway are installed, the applicant shall schedule a final inspection with Local Building Inspector at 508-487-7020.
6. Other: _____

Select Board:

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. These plans and specifications are incorporated into the conditions of this permit.

This permit is granted upon the condition that the work authorized herein is commenced within one year after the date of the approval noted above. If the work authorized by this permit is not commenced within one year or if such work is suspended in significant part for a period of one year after the time the work is commenced, this permit shall expire and be of no further effect; provided that, for reasonable cause, one or more extensions of time, for periods not exceeding ninety days each, may be allowed. Such authorization shall be provided in writing by the Building Commissioner.

Final Inspection Sign-off:

_____ Date: _____

Curb Cut Application

Location: 509 Commercial Street Parcel Number: 15-1-15-0-R

Applicant: Lyn Plummer Property Owner: ODD Future LLC

Applicants Mailing Address: P.O. Box 310284 Brooklyn, NY 11231

Applicant's Phone number: 781 856 4117 email: lyn6258@yahoo.com

Pursuant to General Bylaw Section 11-6-2, I hereby request permission of the Select Board to establish a curb cut as per the attached plans showing existing conditions and proposed curb cut. (Please attach certified to-scale plot plan showing existing conditions, the actual location of the proposed curb cut, and the immediate area, including nearest adjacent curb cuts, public parking spaces, all structures, trees, landscaping, fences, power poles, utility equipment, Title 5 septic systems, propane or oil tanks, etc... Also include any photos of the existing conditions taken from various vantage points, other supporting documentation if necessary, and a written project narrative if warranted.)

Submitted on ViewPoint
Applicant's signature

8-17-20
Date

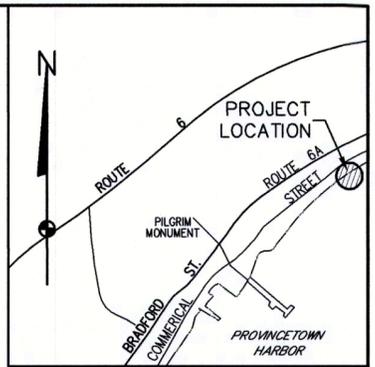
For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief			
Police Chief			
Building Commissioner			
Town Planner			
Assistant Town Manager			
Emergency Coordinator			

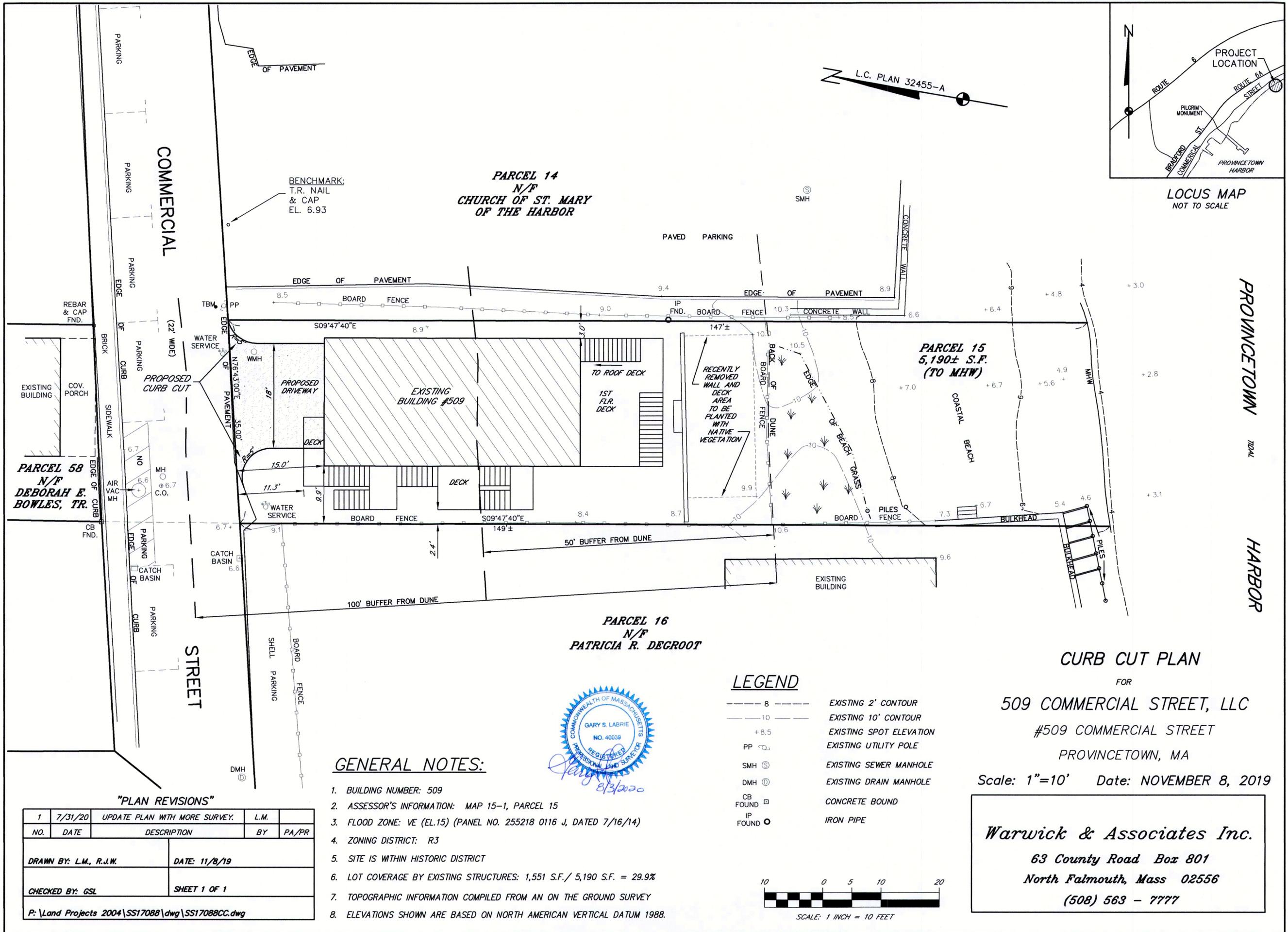
Comments: _____

August 17, 2020

The property at 509 Commercial St has a curb cut already. This application is to request the curb cut to be moved on the lot. The house was required to be lifted to meet FEMA regulations, which required egress stairs in the location of the original driveway.



LOCUS MAP
NOT TO SCALE



PROVINCETOWN
70244
HARBOR

PARCEL 14
N/F
CHURCH OF ST. MARY
OF THE HARBOR

PARCEL 15
5,190± S.F.
(TO MHW)

PARCEL 16
N/F
PATRICIA R. DEGROOT

CURB CUT PLAN

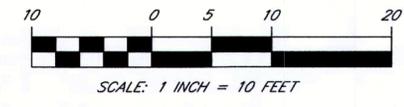
FOR
509 COMMERCIAL STREET, LLC
#509 COMMERCIAL STREET
PROVINCETOWN, MA

Scale: 1"=10' Date: NOVEMBER 8, 2019

Warwick & Associates Inc.
63 County Road Box 801
North Falmouth, Mass 02556
(508) 563 - 7777

LEGEND

- 8 --- EXISTING 2' CONTOUR
- 10 --- EXISTING 10' CONTOUR
- +8.5 EXISTING SPOT ELEVATION
- PP ○ EXISTING UTILITY POLE
- SMH ⊙ EXISTING SEWER MANHOLE
- DMH ⊙ EXISTING DRAIN MANHOLE
- CB □ CONCRETE BOUND
- IP ○ EXISTING IRON PIPE



GENERAL NOTES:

1. BUILDING NUMBER: 509
2. ASSESSOR'S INFORMATION: MAP 15-1, PARCEL 15
3. FLOOD ZONE: VE (EL.15) (PANEL NO. 255218 0116 J, DATED 7/16/14)
4. ZONING DISTRICT: R3
5. SITE IS WITHIN HISTORIC DISTRICT
6. LOT COVERAGE BY EXISTING STRUCTURES: 1,551 S.F./ 5,190 S.F. = 29.9%
7. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
8. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

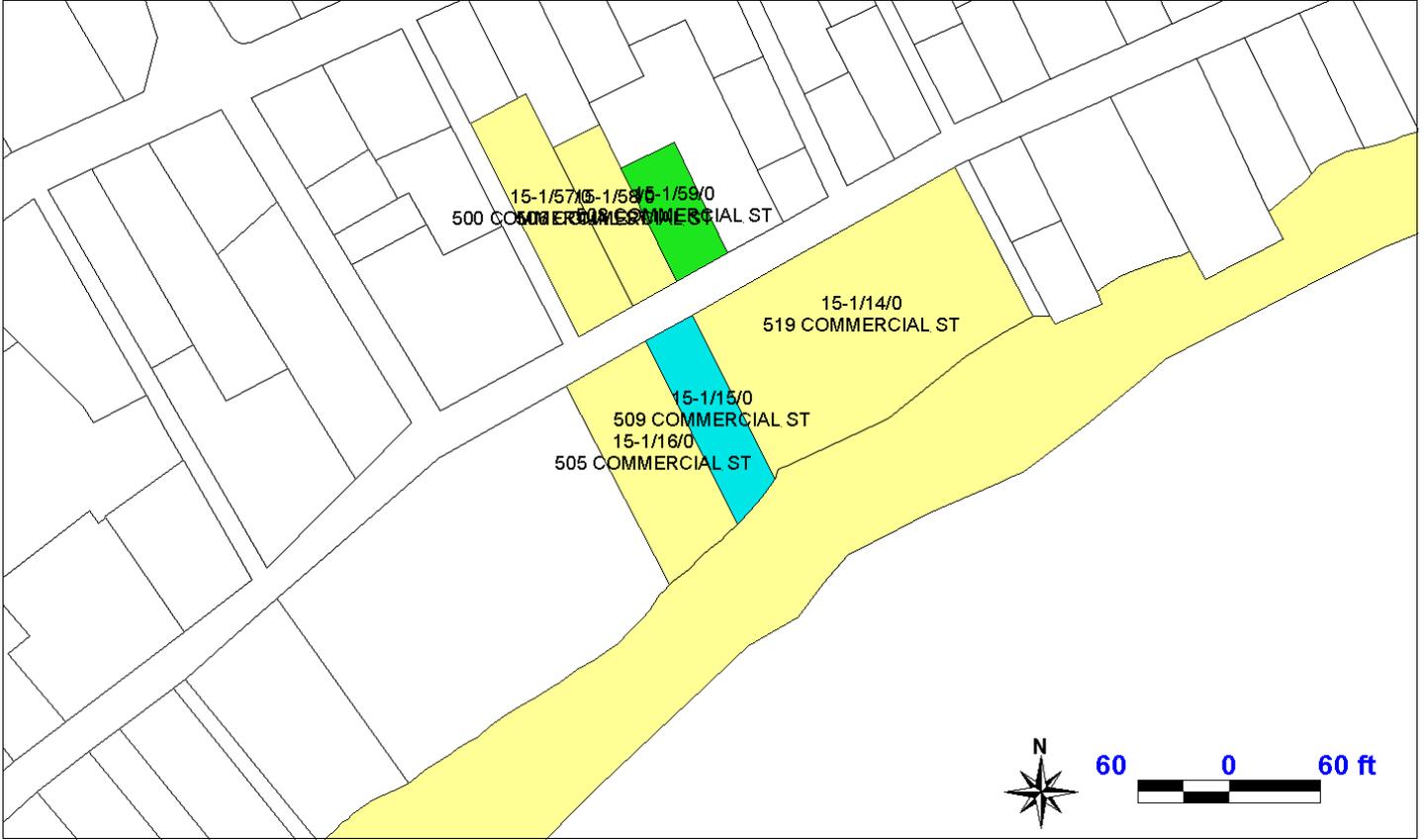


"PLAN REVISIONS"

NO.	DATE	DESCRIPTION	BY	PA/PR
1	7/31/20	UPDATE PLAN WITH MORE SURVEY.	L.M.	
DRAWN BY: L.M., R.J.W.		DATE: 11/8/19		
CHECKED BY: GSL		SHEET 1 OF 1		
P: \Land Projects 2004\SS17088\dwg\SS17088CC.dwg				

TOWN OF PROVINCETOWN, MA
 BOARD OF ASSESSORS
 260 Commercial Street

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3170	15-1-14-0-E	CHURCH OF ST MARY OF THE HARBOR INC	519 COMMERCIAL ST	519 COMMERCIAL ST	PROVINCETOWN	MA	02657
3171	15-1-15-0-R	ODD FUTURE LLC	509 COMMERCIAL ST	PO BOX 310284	BROOKLYN	NY	11231
3172	15-1-16-0-R	PACKARD FAMILY LIMITED PARTNER	505 COMMERCIAL ST	621 COMMERCIAL ST	PROVINCETOWN	MA	02657
3273	15-1-57-0-R	THURSDAY MORNING REV TRUST MARY J MARTIN TTEE	500 COMMERCIAL ST	500 COMMERCIAL ST	PROVINCETOWN	MA	02657
3274	15-1-58-0-R	DEBORAH E BOWLES TR DEBORAH E BOWLES TTEE	506 COMMERCIAL ST	506 COMMERCIAL ST	PROVINCETOWN	MA	02657
3275	15-1-59-0-R	HEIN KRISTIN E ET VIR PHILIP C COZZI	508 COMMERCIAL ST	PO BOX 976	PROVINCETOWN	MA	02657

15-1-14-0-E

CHURCH OF ST MARY
OF THE HARBOR INC
519 COMMERCIAL ST
PROVINCETOWN, MA 02657

15-1-15-0-R

ODD FUTURE LLC
PO BOX 310284
BROOKLYN, NY 11231

15-1-16-0-R

PACKARD FAMILY LIMITED PARTNER
621 COMMERCIAL ST
PROVINCETOWN, MA 02657

15-1-57-0-R

THURSDAY MORNING REV TRUST
MARY J MARTIN TTEE
500 COMMERCIAL ST
PROVINCETOWN, MA 02657

15-1-58-0-R

DEBORAH E BOWLES TR
DEBORAH E BOWLES TTEE
506 COMMERCIAL ST
PROVINCETOWN, MA 02657

15-1-59-0-R

HEIN KRISTIN E ET VIR
PHILIP C COZZI
PO BOX 976
PROVINCETOWN, MA 02657

Curb Cut Application

Location: 509 Commercial Street Parcel Number: 15-1-15-0-R

Applicant: Lyn Plummer Property Owner: ODD Future LLC

Applicants Mailing Address: P.O. Box 310284 Brooklyn, NY 11231

Applicant's Phone number: 781 856 4117 email: lyn6258@yahoo.com

Pursuant to General Bylaw Section 11-6-2, I hereby request permission of the Select Board to establish a curb cut as per the attached plans showing existing conditions and proposed curb cut: (Please attach certified to-scale plot plan showing existing conditions, the actual location of the proposed curb cut, and the immediate area, including nearest adjacent curb cuts, public parking spaces, all structures, trees, landscaping, fences, power poles, utility equipment, Title 5 septic systems, propane or oil tanks, etc... Also Include any photos of the existing conditions taken from various vantage points, other supporting documentation if necessary, and a written project narrative if warranted.)

Submitted on ViewPoint
Applicant's signature

8-17-20
Date

For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director	 Conditionally		8/31/2020
Fire Chief			
Police Chief			
Building Commissioner			
Town Planner			
Assistant Town Manager			
Emergency Coordinator			

Comments: Curb Cut width including maneuvering flare shall be no wider than 18 feet.
No vehicles shall stick out into roadway and therefore parking space shall be parallel to roadway.
If plan is to park vehicles below building, the exterior of the building should be fire rated.

No on-street parking spaces shall be removed with this curb cut request.

Curb Cut Application

Location: <u>509 Commercial Street</u>	Parcel Number: <u>15-1-15-0-R</u>
Applicant: <u>Lyn Plummer</u>	Property Owner: <u>ODD Future LLC</u>
Applicants Mailing Address: <u>P.O. Box 310284 Brooklyn, NY 11231</u>	
Applicant's Phone number: <u>781 856 4117</u>	email: <u>lyn6258@yahoo.com</u>

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Submitted on ViewPoint
Applicant's signature

8-17-20
Date

For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief			
Police Chief			
Building Commissioner		AS PRESENTED CANNOT APPROVE	8/31/2020 REVISED 9/22/2020
Town Planner			
Assistant Town Manager			
Emergency Coordinator			

Comments: 1) demonstration that floor assembly of building complying with fire resistance rating of 1hr. not indicated if parking to occur under building;
2) width of curb cut should be reduced to meet criteria of bullet #7 of 2016-01-25A policy;
3) radius of 5' should be considered to be reduced
4) width between pilings under building does not support 2 cars, side by side perpendicular to Commercial St 5) 2 dwelling units in building, plan does not demonstrate each space for indiv. units,

M. [Signature]

Curb Cut Application

Location: 509 Commercial Street Parcel Number: 15-1-15-0-R

Applicant: Lyn Plummer Property Owner: ODD Future LLC

Applicants Mailing Address: P.O. Box 310284 Brooklyn, NY 11231

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Submitted on ViewPoint
Applicant's signature

8-17-20
Date

For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief			
Police Chief			
Building Commissioner			
Town Planner			
Assistant Town Manager		Recommend Continue for further info	Sep 22, 2020
Emergency Coordinator			

Comments: **Recommend the hearing be continued until further details can be provided.**

The curb cut is proposed at 18 feet in width, but the building is only set back 15 from the street and the porch is only 11 feet so does not provide adequate depth clearance for a legal space pursuant to the Guidelines. The plan must delineate the spaces on the property and demonstrate proper clearance. I understand that the owner may park under the building, but that opening is only 12 feet in width. Any parking under the building will require the proper fire rating.

The porch is a mere 11 feet from the property line and could not legally accommodate a parking space. The curb cut should be no larger than that required to accommodate the space (s) requested.



Curb Cut Application

Location: 509 Commercial Street Parcel Number: 15-1-15-0-R

Applicant: Lyn Plummer Property Owner: ODD Future LLC

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Applicant's Phone number: 781 856 4117 email: lyn6258@yahoo.com

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Submitted on ViewPoint
Applicant's signature

8-17-20
Date

For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief			
Police Chief			
Building Commissioner			
Town Planner		09/22/2020	
Assistant Town Manager			
Emergency Coordinator			

Comments: The proposed curb cut is greater than 18 ft. and the plan does not clearly identify that parking spaces of a minimum of 8' by 18' can be parked safely without encroaching into the public right-of-way. The Project could be made compliant by reducing the driveway width to 12 ft. wide with an apron no larger than 18 ft. and providing a plan showing proposed off-street parking spaces.
Additionally, the Driveway and parking area shall be crushed stone or shell or other pervious material - no asphalt. per Condition #2 of the Amended OOC from the Provincetown Conservation Commission

Curb Cut Application

Location: 509 Commercial Street Parcel Number: 15-1-15-0-R

Applicant: Lyn Plummer Property Owner: ODD Future LLC

Applicants Mailing Address: P.O. Box 310284 Brooklyn, NY 11231

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Submitted on ViewPoint
Applicant's signature

8-17-20
Date

For Office use Only

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief	<i>[Signature]</i>		<i>09/21/2020</i>
Police Chief			
Building Commissioner			
Town Planner			
Assistant Town Manager			
Emergency Coordinator			

Comments: _____



Provincetown Select Board
 AGENDA ACTION REQUEST



Monday, September 28, 2020

SENIOR WORK-OFF TAX ABATEMENT

Temporary Modifications

Requested by Scott Fahle, Assessor

Action Sought: Approve

Proposed Motion(s)

Move the Select Board vote pursuant to M.G.L. Ch. 59 §5K to temporarily modify the Senior Citizen Property Tax Work-Off Abatement criteria to allow partial credit to participants who were unable to complete the required service hours due to the COVID-19 pandemic for calendar years 2020 and 2021.

Additional Information

- Attached documents include; M.G. L 59 §5K and memo from the Assessor
- Per MGL Ch. 59 §5 participants are required to work the full number of hours in order to receive any abatement. With this motion the Select Board authorizes the Assessor's Office, through the Board of Assessors, to grant prorated Property Tax exemptions to participants of the Senior tax Work-off program based on the actual hours worked, if less than the full required amount. This modification is for Calendar years 2020 and 2021 only.

Board Action

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



Town of Provincetown
260 Commercial Street
Provincetown, Ma 02657
Telephone: (508) 487-7017
Email: sfahle@provincetown-ma.gov

**Department of Municipal Finance
Assessor's Office**

To: Provincetown Select Board

Through: Charlie Sumner, Interim Town Manager

From: Scott Fahle, MAA, Principal Assessor

Cc: Josee Cardinal Young, Assistant Town Manager for Finance & Administration
Chris Hottle Council on Aging Director
Shannon Corea Administrative Assistant, Council on Aging

Date: September 10, 2020

Re: Senior Citizen Property Tax Work-Off Abatement

G.L. Ch. 59 §5K establishes a Senior Citizen Property Tax Work-Off Abatement for taxpayers 60 years of age and older. Under the program, participating taxpayers volunteer their services to the municipality in exchange for a reduction in their tax bills.

As you know, the ongoing Covid-19 pandemic is disrupting the way most Town programs and operations function. In response to a request from the Council on Aging, Josee Young and I had a Teams Meeting with Chris Hottle, Council on Aging Director and Shannon Corea, Administrative Assistant, to discuss how the pandemic has caused the inability of most of the participants of the Senior Volunteer Work Exemption to complete the necessary number of hours worked in order to receive their exemption. Normally, a participant must work the entire number of agreed upon hours before they are eligible for compensation of any amount.

The purpose of this memo is to request that, due to the ongoing pandemic, the Select Board authorize the Assessor's office, for Calendar years 2020 and 2021 only, to grant exemptions to participants for the number of actual hours worked. Normally, participants must work the full number of hours in order to receive the exemption. This modification will allow participants to receive compensation for 2020 and 2021 for whatever hours are actually worked.

If you do not grant this modification, the senior participants who have already worked in 2020 will lose any and all compensation for the hours that they have worked this year.

Section 5K: Property tax liability reduced in exchange for volunteer services; persons over age 60

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, September 28, 2020**

4B

COMMUNITY WIDE SURVEY ANALYSIS

Presentation by Health Director Morgan Clark

Requested by: Interim Town Manager Charles Sumner

Action Sought: Discussion/Approve

Proposed Motion(s)

Discussion Dependent/Votes May Occur

Additional Information

Board Action

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

September 22, 2020

Report on COVID-19 Survey Results

Community Survey (August 2020)



Photo credit: Pete Hocking

Executive Summary

The Provincetown Health Department released two surveys in August 2020. The surveys sought to take the temperature of the general community and the business community on how they are faring six months into the COVID-19 pandemic, as well as, their plans and

concerns for the off-season. For planning purposes, we also wanted to know if we would be welcoming more community members this off-season than normal. Data from both surveys suggests that this off-season Provincetown may welcome around 50 or so residents who do not normally live here in the off-season. However, most survey respondents reported they live in Provincetown year-round.

The survey gives a good overview of the status of Provincetown's older residents, many of whom (58%) report household yearly incomes of over \$100,000, and most of whom are white. The survey did not ask about household size, so it is not known whether the reported household yearly incomes support families, couples, or individuals. The residents who comprise the majority of the survey respondents appear to be doing relatively well six months into the pandemic.

There were some glimpses into the lives of those who report household income of less than \$100,000 a year. Notably the income bracket that reported a higher loss of income were those who reported a yearly income between \$35,000 - 49,999 a year. Just over a third (35%) of all participants expect to see a loss in income in the next two months because of the pandemic. The income brackets where more respondents report expecting a loss in income are \$25,000 - \$34,999 (62%) and \$35,000 - \$49,999 (60%).

Most survey respondents (65%) reported they are currently employed; of the 35% who reported they are not currently employed, most (66%) are retired. Other reasons for not working included employment was temporarily closed (8%) and reduction in business/furlough (7%). Only three percent of respondents reported being laid off due to the pandemic. Most participants (62%) reported no loss of income, a little over a third (38%) reported they lost income.

The survey asked participants questions about food security, both before the pandemic and currently. The data in this section should be considered in light of the demographics of the survey participants, and not be considered representative of the entire Provincetown community. Most participants reported answers that indicate economic stability and food security. Those who reported that sometimes they did not have enough to eat before the pandemic reported yearly incomes of less than \$34,999.

Most respondents indicated that they will get a flu shot this year and, when it's declared safe and effective, a vaccine for COVID-19, though this survey was conducted before COVID-19 vaccinations became increasingly politicized.

The population surveyed reports that they are doing relatively well in terms of mental health during this pandemic. Most respondents reported that they are not overwhelmingly experiencing feeling nervous or on edge, feeling depressed and hopeless, or feeling they can't stop worrying. Respondents value service-oriented activities such as helping friends and family (89%), supporting people at risk (78%), and supporting people experiencing hardship (77%).

In the future, the Health Department will use different research methods to engage a broader, more representative cross-section of the Provincetown population.

Methods

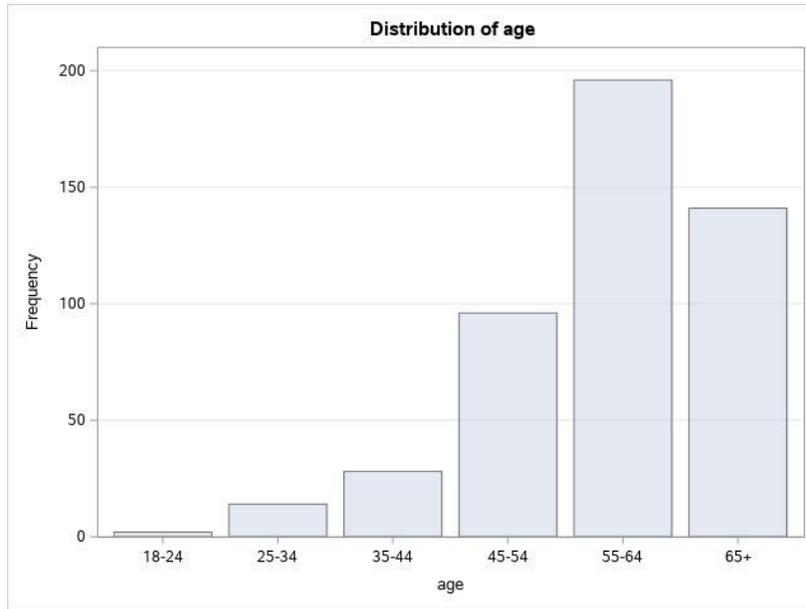
The survey was open August 19 - August 26, 2020. It was promoted through the Part-Time Resident Taxpayers Association, the Provincetown Chamber of Commerce, the Provincetown Business Guild, public service announcements, social media, and media coverage and also was distributed through email to businesses licensed by the Town, Town COVID-19 updates, and Town Department newsletters.

Where possible, the survey used pre-tested questions, including from the Household Pulse Survey During COVID-19 sponsored by the U.S. Census Bureau and other federal agencies, the U.S. Household Food Security Survey by the USDA, and other pre-tested surveys.

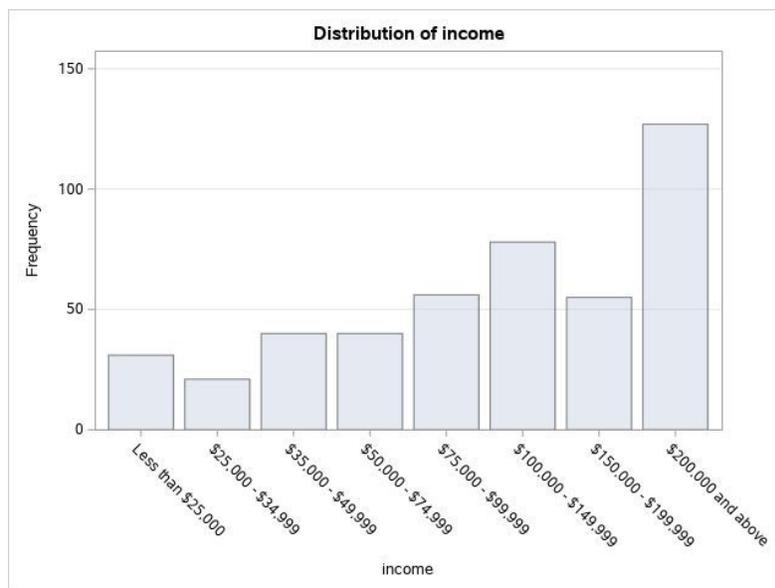
Participants

486 participants filled out the survey, not all participants answered all questions.

Community survey participants were predominantly older (91% were 45 and older) and white (91%). Less than ten percent of participants were 44 years old or younger. Slightly more men (57%) completed the survey than women (42%).



Just over 70% of survey participants reported yearly incomes of \$75,000 or higher, seven percent of participants reported yearly income of less than \$25,000.



The majority of participants (56%) reported they live here year-round, and 35% reported they live here part of the year. Non-residents who work in Provincetown accounted for 7% of the survey participants.

RESULTS

Off-Season Population

As a means of understanding whether the population this off-season would be markedly different than in past years, the community survey asked participants about whether they normally live in Provincetown for the off-season and whether they planned on living here this off-season. Most participants (85%) reported that they typically live in Provincetown for some part of the off-season. Of the 74 people who reported they do not typically live in Provincetown for some part of the off-season, 20 reported they will be living here this off-season, 9 were not sure, and 6 reported they will live here for part of the off-season. All but three of those participants were 45 years or older; all but four reported yearly incomes over \$75,000.

The Health Department also released a survey for businesses and organizations to understand their plans for the off-season. That survey asked business/organization representatives about their and their employees' plans for the off-season. Seven business owners reported planning to live here in the off season who normally do not. Business survey respondents reported approximately 17 workers may live here in the off-season who typically do not.

Data from both surveys suggest that Provincetown may welcome around 50 or so residents who do not normally live here in the off-season this off-season. This is just an approximation and may not be indicative of actual population changes.

Impacts of the pandemic

The survey asked questions about financial well-being, food security, health care, and feelings. It is important to recall the relative wealth of the survey participants when viewing the following data from the survey. Very few participants were from the lowest income brackets, and thus the data here cannot be considered representative of the community as a whole.

Personal finances

The community survey asked about the financial circumstances of the participants since March 2020. Most participants (62%) reported no loss of income, a little over a third (38%)

reported they lost income. The income bracket that reported more loss of income than no loss of income were those who reported making between \$35,000 - 49,999 a year. Just over a third (35%) of participants expect to see a loss in income in the next two months because of the pandemic. The income brackets where more respondents report expecting a loss in income are \$25,000 - \$34,999 (62%) and \$35,000 - \$49,999 (60%).

Most survey respondents (65%) reported current employment. Just over half (54%) of the respondents 65 and older reported they are not currently employed. The survey asked the main reason that participants were not working, and the majority (66%) indicated they were retired. Other reasons for not working included employment was temporarily closed (8%) and reduction in business/furlough (7%). Only three percent of respondents reported being laid off due to the pandemic.

The survey asked whether participants had paid their last month's rent or mortgage on time: 94% of participants reported they had, 2% reported they did not, and 4% reported their payment was deferred. Most participants (83%) reported high confidence that they will be able to pay their next month's rent or mortgage on time, two percent reported payment will still be deferred, 13% indicated a slight or moderate confidence, and two percent indicated they have no confidence that they will be able to pay on time.

Food security

The survey asked participants questions about food security, both before the pandemic and currently. The data in this section should be considered in light of the demographics of the survey participants, and not be considered representative of the entire Provincetown community.

Most participants (89%) reported they had enough food before the pandemic, ten percent reported they had enough to eat but not always what they wanted before the pandemic, one percent responded that sometimes they did not have enough to eat. Those who reported that sometimes they did not have enough to eat before the pandemic reported yearly incomes of less than \$34,999.

When asked about whether they had enough to eat in the past seven days, most participants (85%) reported they had enough to eat, 14% reported they had enough but not

always what they wanted, and under two percent reported either sometimes or often not having enough to eat. Of the 88 participants who indicated they did not have enough to eat, most (47 people) reported it was because the stores did not have the food they wanted; sixteen participants said they were afraid or did not want to go to stores to buy food, and fifteen said they could not afford to buy food. Eight participants who reported not having enough food to eat said it was because of either transportation or mobility issues, and two reported they did not have enough to eat because they could not get food delivered to them.

Most survey participants (68%) reported they are very confident they can afford the kinds of food they need for the next two months, sixteen percent were moderately confident, fourteen percent were somewhat confident, and three percent were not at all confident.

Health Care

One of the goals of the survey was to determine whether people were moving to Provincetown during the pandemic, and if so, whether they had what they needed to live here safely, including access to health care. Just over half of survey respondents (52%) reported that they have a primary care provider on Cape Cod. Fortunately, that does not mean that half of the respondents need a primary care provider, as that question was asked as well. Only 15% of participants reported they need a primary care provider. The survey offered a space for participants to include their contact information to be connected to primary care; that information was shared with Outer Cape Health Services to make a connection.

Vaccinations

The survey also asked participants if they were planning on getting a flu shot this year. Most (80%) reported they are, eight percent were not sure, and eleven percent said they were not planning to get a flu shot this year. The survey gave options for locations where participants might get their flu shot and they could select as many as they wished. The locations respondents selected included Outer Cape Health Services (47%), CVS (30%), Stop & Shop (21%), other doctor's office (16%), other (12%), employer flu clinic (5%), and regional flu clinic (3%).

Respondents were also asked whether they would get a vaccine for COVID-19 when one was approved as safe and effective¹. Most respondents (77%) indicated they would, 21% indicated they were not sure, and only two percent reported they would not get a vaccine.

Feelings

The survey asked questions about participants' feelings in light of the pandemic. First it asked about whether participants found certain service-oriented behaviors to be necessary and useful during a pandemic. The activities that most respondents ranked as very useful and necessary were helping friends and family (89%), supporting people at risk (78%), and supporting people experiencing hardship (77%). Donating blood (36%) and helping with neighborhood assistance (48%) were ranked as very useful and necessary at lower frequencies.

Participants were also asked about how they felt over the last seven days. Many (43%) reported they did not feel nervous or on edge, 32% said they felt nervous or on edge for several days, thirteen percent reported they felt nervous or on edge for more than half the days, and twelve percent reported they felt nervous or on edge nearly every day.

Even more respondents (63%) indicated they were not bothered with being able to stop or control worrying. Seven percent indicated they were not able to stop or control worrying more than half the days of the past week, and six percent reported that feeling nearly every day in the past week.

Most respondents (60%) also indicated they were not feeling down, depressed, or hopeless in the past week, though seven percent said they felt that way more than half the days of the past week, and four percent reported that feeling nearly every day in the past week.

When asked if they have little interest or pleasure in doing things, most respondents (65%) indicated this was not an issue for them, but six percent said they felt that way more than half the days of the past week and four percent reported they felt that way nearly every day in the past week.

¹ This survey was administered prior to President Trump's announcements that he would have a vaccine by the end of the year, and then before the election, which reportedly is eroding the public's trust in the vaccine approval process (source: <https://www.nytimes.com/2020/09/17/us/politics/trump-biden-coronavirus-vaccine.html>)

The survey also asked if respondents felt stressed or burdened by certain factors in the previous two weeks, the following table shows the responses by percentage:

	Very much	Somewhat	A little	Not at all	N/A
The current pandemic	40%	30%	23%	6%	<1%
Living in a small accommodation	6%	9%	10%	65%	11%
Being in quarantine / Staying at home	11%	20%	28%	33%	8%
Childcare	2%	<1%	<1%	46%	51%
My child(ren)s schooling	4%	4%	2%	40%	50%
Working from home	4%	9%	13%	46%	29%
Worries about my health	14%	26%	35%	24%	2%
Worries of not being able to get medical care	11%	15%	23%	48%	4%
Increased conflicts with people close to me	7%	14%	22%	54%	3%
Financial worries	13%	17%	25%	43%	2%
Uncertainties regarding my job, studies, or school	12%	15%	19%	42%	12%
Concerns for my own personal safety	13%	21%	30%	34%	3%
Concerns for the wellbeing of family members or friends	31%	28%	25%	10%	5%
Fears of what the future will bring, or that I won't be able to cope with everything	21%	21%	29%	26%	3%
Boredom	10%	16%	28%	42%	4%

On a whole, the people who filled out the survey do not report being overwhelmed by negative feelings. Understandably, many report feeling some level of stress or burden particularly concerning their friends and family's wellbeing, or fears about the future. Many

report feeling stressed by the current pandemic in general. Survey participants found value in many service-oriented behaviors, the highest of which were supporting people at risk, supporting people experiencing hardship, and helping friends and family.

It is important to remember that this survey was conducted in August. Weather and activity play a large role in mood and feelings, and we cannot assume that how people responded to these questions is indicative of anything further than their feelings at that point in time.

Takeaways

The goal of this survey was to get an idea of how the Provincetown community is doing six months into the pandemic, and to understand what community members feel their needs are moving into the off-season.

The survey gives a good overview of the status of Provincetown's older residents, many of whom (58%) report household yearly incomes of over \$100,000. Those residents appear to be doing relatively well six months into the pandemic.

There were some glimpses into the lives of those who make under \$100,000 a year. Notably the income bracket that reported a higher loss of income was those who reported making between \$35,000 - 49,999 a year. Just over a third (35%) of participants expect to see a loss of income in the next two months because of the pandemic.

Most survey respondents (65%) reported they are currently employed, and most of those who are not currently employed are retired (66%). Most participants (62%) reported no loss of income, a little over a third (38%) reported they lost income. The income brackets where more respondents report expecting a loss in income are \$25,000 - \$34,999 (62%) and \$35,000 - \$49,999 (60%).

The survey asked participants questions about food security, both before the pandemic and currently. The data in this section should be considered in light of the demographics of the survey participants, and not be considered representative of the entire Provincetown community. Most participants reported answers to indicate economic stability and food security. Those who reported that sometimes they did not have enough to eat before the pandemic reported yearly incomes of less than \$34,999.

Most respondents indicated that they will get a flu shot this year and, when it's declared safe and effective, a vaccine for COVID-19, though this survey was conducted before COVID-19 vaccinations became increasingly politicized.

The population surveyed reports that they are doing relatively well during this pandemic. Most respondents reported that they are not overwhelmingly experiencing feelings such as being nervous or on edge, feeling depressed and hopeless, or feeling they can't stop worrying. Respondents do value service-oriented activities such as helping friends and family (89%), supporting people at risk (78%), supporting people experiencing hardship (77%).

In the future, the Health Department will use different research methods to engage a broader, more representative cross-section of the Provincetown population.

September 22, 2020

Report on COVID-19 Survey Results

Business Survey (August 2020)



Photo credit: Pete Hocking

Executive Summary

In an effort to understand the plans and needs of Provincetown businesses and organizations, especially as we move into the off-season during the COVID-19 pandemic, the Provincetown Health Department issued a survey. The survey was promoted through the media, social media, and public service announcements, as well as distributed by

business groups, licensing channels, and Town department emails. The survey was completed by 165 businesses and organizations in Provincetown, with lodging, dining, and retail businesses representing the highest number of participants.

Survey respondents reported slightly different plans for the off-season this year versus prior “normal” years. Just over a third of respondents (37%) reported they are not closing earlier than usual. Those who are closing earlier than usual gave the following reasons: concerns about not having enough customers (32%), concerns about keeping staff safe from COVID-19 (18%), concerns about staffing (11%), supply chain issues (6%), or something else (2%).

Almost half of survey respondents (47%) reported their business experienced a large negative economic effect, and those rates were reported by most industries. Four businesses (one each of dining, lodging, attraction/museum, and nonprofit) reported closing temporarily and one business (health/wellness) reported closing permanently due to the coronavirus pandemic.

Most survey respondents (83%) reported that if more residents live in the community in the off-season, that would not change their operating plans for the off-season. However, some industries reported that a larger off-season population may change their operating plans - restaurants (32%), gallery (31%), and retail (22%).

Most respondents have plans in place to operate if the state is required to re-enter a previous phase in the Reopening Plan, but elimination of indoor dining may cause up to half of the restaurant owners who responded to close. The business owners who participated in the survey seem to be optimistic about reopening in 2021, with most of those who are not open year-round planning to reopen in May 2021.

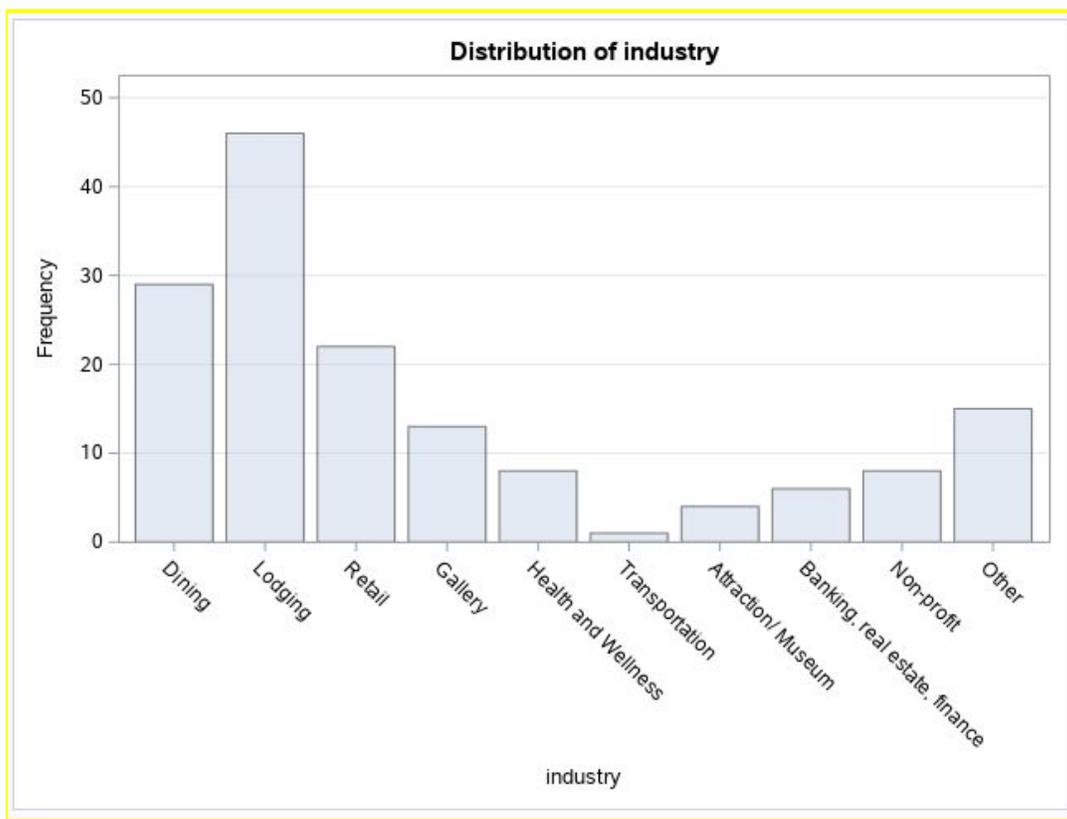
Methods

The survey was open August 19 - August 26, 2020. It was promoted through the Provincetown Chamber of Commerce, the Provincetown Business Guild, public service announcements, social media, and media coverage and also was distributed through email to businesses licensed by the Town, Town COVID-19 updates, and Town Department newsletters.

The survey was filled out by 165 respondents; not all questions were completed by all respondents. All businesses and organizations that operate in Provincetown were welcome to participate.

Participants (Types of Businesses)

Lodging accounted for the largest percentage of survey respondents (30%), followed by dining (19%), retail (14%), gallery (9%), and “other” (10%). Nonprofits and health/wellness related businesses each represented approximately 5% of respondents.



RESULTS

Perceived Economic Impacts of COVID-19

When asked about the economic impacts of COVID-19 on their organization, almost half of respondents (47%) reported that COVID-19 had a large negative effect. Just over a third (38%) reported that COVID had a moderate negative effect. Just under 7% of respondents indicated any type of positive economic effect (moderate and large, combined).

Examining the impacts by industry, all but two industries reported similar effects as indicated above. Organizations in the banking/real estate/finance industry and the nonprofit industry reported moderate negative effects rather than large negative effects to their operation.

Four businesses (one each of dining, lodging, attraction/museum, and nonprofit) reported closing temporarily, and one business (health/wellness) reported closing permanently due to the coronavirus pandemic.

In a Normal Off-Season...

Approximately a third of respondents (38%) indicated that their business is typically open year-round. Twenty percent (21%) indicated they typically close after Halloween. Almost a quarter of respondents (24%) reported usually closing after the holidays/new year. Seven percent (7%) of respondents indicated they typically close for only one month in the off-season.

This Off-Season...

The survey asked respondents what their plans for the business are this off-season. Just under a third (30%) reported they will be open year-round. A quarter (26%) reported they will close after Halloween. Just over ten percent (12%) indicated they will close after the holidays/new year, which is about ten percentage points lower than a normal year (24%). Under 3% of respondents reported they will only close for one month this off-season, and 16% percent indicated they have “something else” planned for closing this off-season.

Just over a third of respondents (37%) reported they are not closing earlier than usual. Respondents who reported closing earlier than usual were asked why. The following were given as reasons: concerns about not having enough customers (32%), concerns about keeping staff safe from COVID-19 (18%), concerns about staffing (11%), supply chain issues (6%), or something else (2%). The industries that reported the highest concern were as follows: concerns about not having enough customers (dining, lodging, retail), concerns about keeping staff safe from COVID-19 (dining and lodging), concerns about staffing (dining), and supply chain issues (dining).

The survey gave an opportunity for those who reported plans to close earlier than usual to self-describe their reason why. Some of those reasons listed include concerns with whether restaurants, galleries, and shops will be open in the off-season, concerns about enough foot traffic and out-of-town visitors in the off-season, concerns about the effect of the quarantine order on tourism, and concerns about safety and compliance with state guidance. Many respondents described pre-existing conditions which preclude staying open in the off-season, such as lease conditions or lack of winterization in their building.

A majority of survey respondents (83%) reported that if more residents live in the community in the off-season that would not change their operating plans for the off-season. However, some industries reported that a larger off-season population may change their operating plans; those industries are restaurants (32%), galleries (31%), and retail (22%).

For those who reported planning to close but wanting to remain open, the survey asked what they would need to stay open. In order, respondents reported needing small business grants (29%), employees (17%), something else (13%), small business loans (10%), and testing for asymptomatic employees (9%). By industry, the industries that reported the highest level of interest in each are: small business grants (dining, lodging, retail), employees (dining, lodging, retail), small business loans (lodging), asymptomatic testing for employees (dining, lodging), something else (lodging).

Asymptomatic Employee Testing

Almost 20% percent of respondents indicated they would like to have their asymptomatic employees tested, and another 20% were not sure. Dining and lodging were the industries that indicated the highest level of interest. Of those who reported some interest in testing for asymptomatic employees, most indicated (44%) they would prefer monthly testing.

Operations in Phase 1 & 2

The survey asked restaurants with indoor seating what they would do if the state rolls back to a prior stage of reopening. Forty-two survey respondents answered this question. Half of the responding restaurants with indoor seating indicated they would close. A little over a

quarter of respondents (28%) indicated they would offer takeout, and the rest (21%) indicated they planned “something else.”

For all businesses, a majority of respondents (75%) indicated they had plans in place to operate if the state rolls back to an earlier phase. The industries that reported being slightly less prepared for a roll back were lodging and attraction/museums. The survey gave respondents an opportunity to self-describe what would help them operate in Phase 1 or 2; responses included access to personal protective equipment (PPE), business rent assistance, asymptomatic testing with rapid turnaround for visitors, free testing, more options/flexibility for outdoor dining, paycheck protection loans.

Plans for 2021

The survey asked businesses when they planned to reopen in 2021. The majority of participants reported planning to open in May, and many reported being open year-round. Survey respondents reported plans to reopen in the following times in 2021: Open year-round (28%); January/February/March 2021 (11%); April 2021 (19%); May 2021 (32%); June 2021 (3%); July/August 2021 (1%); other (3%); permanently closed (2%). By industry, May was still the month most businesses reported reopening, particularly in dining, lodging, retail, galleries and attraction/museums. The industries that reported primarily (between 50-75%) being open year-round were health/wellness, banking/real estate/finance, nonprofit, and other.

Other comments or suggestions for Town leaders

The survey left space for respondents to leave other comments or suggestions for Town leaders. Suggestions regarding testing were prevalent, including prioritizing Town funds for testing, offering free testing for workers, offering fee-based asymptomatic testing for the general public, faster testing turnaround times. Some economic suggestions include regulatory relief for operation requirements (Ed. note: this may reference year-round liquor license requirements or zoning or economic development requirements), financial assistance for businesses, including business rent assistance and the interconnectedness between the lodging industry and the other tourist-related industries such as dining, retail, and galleries. Many praised the efforts of the town and the community in keeping the town safe.

Takeaways

The survey was completed by 165 businesses and organizations in Provincetown, with lodging, dining, and retail businesses representing the highest number of participants.

Survey respondents reported slightly different plans for the off season this year versus prior “normal” years. Slightly fewer businesses reported plans to remain open year-round this year (30%) versus past years (38%). More businesses reported plans to close after Halloween this year (26%) than normally do (21%). Just over ten percent (12%) indicated they will close after the holidays/new year this year, which is about ten percentage points different from a normal year (24%), but the difference may be that some businesses will be closing earlier than usual. Under 3% of respondents reported they will only close for one month this off-season versus 7% in a normal year. This year, 16% percent indicated they have “something else” planned for closing this off-season, in normal years 6% of survey respondents chose that option.

Just over a third of respondents (37%) reported they are not closing earlier than usual. For those who are closing earlier than usual, the following were given as reasons: concerns about not having enough customers (32%), concerns about keeping staff safe from COVID-19 (18%), concerns about staffing (11%), supply chain issues (6%), or something else (2%).

Almost half of survey respondents (47%) reported their business experienced a large negative economic effect, and those rates were reported by most industries. More organizations in the banking/real estate/finance industry and the nonprofit industry reported moderate negative effects than large negative effects to their business. Four businesses (one each of dining, lodging, attraction/museum, and nonprofit) reported closing temporarily and one business (health/wellness) reported closing permanently due to the coronavirus pandemic.

A majority of survey respondents (83%) reported that if more residents live in the community in the off-season that would not change their operating plans for the off-season. However, some industries reported that a larger off-season population may change their operating plans - restaurants (32%), gallery (31%), and retail (22%).

The majority of respondents have plans in place to operate in previous phases, but elimination of indoor dining may cause up to half of the restaurants who responded to close. The businesses that participated in the survey seem to be optimistic about reopening in 2021, with most of those who aren't open year-round plan to reopen in May.

Provincetown policymakers can consider some of the following suggestions that were proposed by survey respondents as ways to support local businesses and organizations:

- Paying for or subsidizing testing for workers
- Advocating for fee-based testing for the asymptomatic general public
- Providing regulatory relief for business who are required to be open for a certain number of months through Town licensing or permitting
- Encouraging businesses that other businesses rely on to operate (restaurants, retail, galleries, etc.) remain open as long as possible
- Providing economic assistance to businesses, particularly those who are open year-round or for the longer season
- Advocating for economic assistance from other levels of government (state, federal)

Appendix A - Qualitative Responses

If you are closing earlier than usual this year, why = Something else -- Please describe:

Response:	Frequency
Customers	3
Better town response to covid not looking the other way and fostering Ptown as a party destination a peanut butter sandwich or hummus does not make a bar a restaurant with expanded seating outdoors and drinks to go really and I can book several places on line for lodging for 3 nights and an Arkansas address really!	1
Renters need quarantine lifted from their states or MA	1
More foot traffic in February, March, April.	1
To know there will be visitors in town. Very few locals buy art from the galleries in town.	1
Heat and customers we are on a Wharf.	1
Customers!	1
We don't have enough indoor seating because of an appeal from our neighbours and our inability to use our back dining room.	1
Our lease does not allow operation after Halloween	1
I never close.	1

As a guest house owner I need shops, restaurants and galleries to remain open. Telling a guest you have 3 choices of restaurants and no shops are open is not a selling feature.	1
BAR OPEN	1
Better relations between full time and part time residents. These rants and unrest are not pleasurable and make the town ugly.	1
Winterization which is not poss	1
We do not want to be open December-March	1
I don't want to stay open past Columbus day. Summer cottage rentals with no heat	1
We would need the pandemic under much greater control than it currently is before we would even consider opening up to the public. We cancelled our summer season of guests this past summer, and only were available for close friends/family that we trusted and who also do NOT have second homes (I.e. only available for city folks w COVID PTSD who have spent the pandemic alone in small apartments. We have been quite pleased to give some friends a respite, despite the loss to our bank account. (We are lucky as we mostly live off of our investments, so, we have tripled our generosity, i.e through giant tips, or free lodging, solely for known entities, in our vacation rental.)	1
Our non-profit business is a Sailing School. It is not free but subsidized by reduced fees and donors. If we had a little space, less than 3 % surface area, on Macmillan Pier for our proposed adult including disabled sailing school and the 2 ton, 3 ton max, jib hoist, we would could justify our plans for donor capital and open except during bad winter months. At other New England venues that is the case.	1
Too cold to run after Halloween	1

I'm an interior designer and I'm open for business year round despite the lack of business, I still have client work in progress.	1
---	---

Is there anything you need that would help you run your business safely under the guidance for your industry in Phase 1 or Phase 2? If yes, please describe:

A NEW PRESIDENT, AKA, BIDEN!

Access to loans if necessary, access to PPE (gloves, sanitizer, masks, etc)

As long as Telemedicine is reimbursed by insurance companies - I'm all set.

Better town response and enforcement

Business Rent assistance - Business rent cancellation - business rent payments through a government program... anything that helps take the rent off our hands. We are struggling with income, and all of the small revenue we make has to go toward rent, and there is nothing left for life's essentials. That is the biggest problem of all right now, the burden of rents.

Business support and the town or government should reimburse small businesses for buying the protective gear. Somewhere along the line the responsibility and policing has been left up to small businesses. In reality there should be a grant or support that replaces those costs of reimbursed back to the small businesses. Example Masks gloves plexi barriers cleaning materials.

Fast test for guests to take and get the results back in minutes not days.

Fitting room use is critical.

Free covid testing. Free supplies like masks and gloves and hand sanitizer.

I am a therapist in private practice. I live and work in Truro and also have an office in Orleans.

My practice is very busy working with the impact of Covid and the political situation.

I am not allowed to operate under Phase 1 or 2.

I have several "Sanitation Stations" set up in Christof's (i.e., gel disinfectant that kills 99.9% of germs, wet sanitation wipes as well as disposal bags specifically for these wipes. All summer, people have been very good about utilizing the gel and wipes even if they are not in the store to not necessarily purchase but to even just browse. That was good to see. What I think should continue - until perhaps it gets too cold, is the "Ambassador Program". Many customers have mentioned how much safer they have felt being here because of that specific effort they see the town making to keep everyone safe. In fact, this program idea is something many told me they wanted their own towns and communities to also do as it seemed a "friendly" way to get everyone to comply with wearing a mask.

Just as other sailing venues are promoting masks, distancing, washing, and double handed training, the same would be true for our school. So for sailboats that have customarily required 3-5 crew, teach 2 crew techniques for Covid-19 safety.

MONEY

More clarity from the town for visitors about masks above noses and social distancing especially. People here have been mostly very thoughtful and respectful, but we would like a town ordinance mandating masks everywhere in town, not just on Commercial St. and some consequence for not complying. Also more education about social distancing.

More options to make the outside/patio area usable in the winter

National Leadership to fight this disease.

Not sure if lodging is allowed during phase 1 or phase 2

Once the winter population is settled in, then a request that all residents get a test after returning from off cape. This would allow us to open inside with a level of confidence that all is well and also allow our customers to make an informed decision about removing their masks once seated. Remember there will be no outside dining after September.

Phase 1 had my business and most small business in town closed

Phase 2 is broadly the same for my industry

Phase 1 we had to remain close. Phase 2 step 1 retail sales in advance no shop entry basically meant we were still closed. Shop ahead and pick up at the store does not mean anything for our business esp if no tourists can travel to town.

plan_limit_op_help

PPL loans for next season as well.

Size of shop limits to two customers at a time currently; not worth curbside pickup. Online presence has had more traffic.

Survey can't capture a huge amount of economic activity in the town. Big example, publishers, consultants and others in media who do not have the same open and close schedule. Don't have hours of operation but do have employees. I have to think that this is important and there must be other sectors employing 25-50 people in town in total but they add up.

Executives working from home are the key to the community you want and that is many more.

Off the top of my head: Ptown Arts, banner, independent, ptownie, ptown magazine, ptownhacks, art guide, book publishing, wildlife calendar, small broadcasters, towleroad.com, Womr. etc.

If interested in tourism then galleries matter.

Testing question asked in too much of a vacuum. what are provisions for paying employees if sick or quarantined and guaranteeing they have a job.

Testing is the biggest thing. stop spending even a penny on mask enforcement and put all of that limited money chasing any outbreak through testing as opposed to indulging at huge cost the irrational fears about the 2 percent not masking. The chances are less likely that those 2 percent will spread anything on commercial street than the 100% of people doing things off Commercial street that we know cannot be regulated.

Seriously, the only thing that spending is doing is inviting more irrational fears from folks who think they are somehow smarter than all the scientists in the world. Get testing at any

cost and make an environment in which people will get the tests as opposed to following the current incentives for as long as possible hoping they are asymptomatic because of fear for jobs and money. This is what people are doing, knowing most young people don't get hit hard by it and as a DIRECT RESULT of the again non scientific approach of shaming and calling the cops, why would anyone want to be tested or feel that any good would come out of taking the chance of testing positive.

If we have an outbreak in this town and it is found to be because someone did not go get tested it will be liability on Lise King and the other board members who were informed of this but chose to pander and demagogue to the few with irrational fears, leaving these potentially lifesaving efforts by the wayside. Seriously. Speak up if you see this kind of malpractice. In effect we are more at risk or the hyped up efforts that think they go beyond science and many are pissed.

Why is indoor dining still happening when no one feels comfortable with it.? .

Town assistance with employee testing. I believe if the town is spending on tourism, they should also pay to test all employees.

Town wide ordinance for out of state/town vendors, drivers, deliveries, contractors to follow local guidelines, per health dept.

Zoning relief to accommodate outdoor dining

Any comments or suggestions that you would like the Health Department to share with Town leaders?

Business Rent assistance - Business rent cancellation - business rent payments through a government program... anything that helps take the rent off our hands. We are struggling with income, and all of the small revenue we make has to go toward rent, and there is nothing left for life's essentials. That is the biggest problem of all right now, the burden of rents.
--

comments_leaders

Great job! Thank you for the clear communication and guidance

Have a plan

Have an open and honest science not fear driven discussion

Try and look at the data for schools from other places such as Australia that takes kids temperature at the gates but does not engage in masks or distancing children or creating future mental health problems from lack of sharing touching or play.

Look at the data between Finland where masks and closures and distancing was practised and Sweden where schools for u12 remained open with few restrictions, apparently infection and transmission of and between children and teachers is identical.

Build a consensus that enables confidence and kindness not fear and acrimony

I follow all of the state requirements and feel safe doing so. I've had costumers tell me they felt safe shopping at my store. - I wish there was enforcements for business not following the rules. It makes it harder for those of us who are and confusing to visitors.

I think it is unfair to ask my kitchen employees working in front of an open flame to wear masks, just because there's ignorant people complaining about it. Instead, explain to those complainers the health and fire hazards of it.

I think the Health Department has done an admirable job in keeping us all as safe as we could hope to be in a town with a tourist- based economy. We are all safer because of their efforts. Retailers, Galleries, Restaurants, have all been negatively affected by this pandemic - and that is just a fact - but overall having safety be the primary concern has done much to keep up safe.

If I could a suggestion for one thing from this summer season, it would have been this: to create specific and designated outdoor areas for people who buy take out food items (especially ice cream) to sit and eat that food and finish it - instead of looking for places to stand or sit on their own which usually means choosing to gathering in front of other nearby non food businesses - often blocking display windows and entrance and exit ways.

Not only are those food customers interfering with surrounding retail businesses but most importantly, they also "maskless" for the duration of however long it takes them to eat their summer treats. All summer, and for the very first time in my 20 years of having Christof's, this has been a problem and it is because tourist do not want to walk down Commercial street without a mask so they gather in front of my display windows, often sitting on a tiny brick ledge to eat and socialize. This has never ever been the case before this summer. In fact, at first I just thought it was a bit odd, however, It quickly became a pattern: Buy an ice cream, go to a nearby business, stand in front of that business, or sit on that business's steps, pull the mask down and eat the ice cream.

Just today, I noticed that SHOR just added what will amount to fencing in front of his retail space and I suspect, with a high- degree of certainty, that SHOR too has been having the same problem as many tourists take their snacks and ice cream over to his steps while he too is trying to keep his entrance ways clear for paying customers.

What this says to me is that tourists do not want to non-compliant with mask- wearing but they also are not being given a solution as to where they should specifically go if they are not continuing down Commercial Street as they have for the last 19 years I have had my business. This "mask free: loitering has created a constant problem for those of us whose businesses are not food. I am not sure who owns the beach area behind Whaler's Wharf, but perhaps the town can turn that into a bench friendly place - so that tourists, who want to comply, can have a place to sit and polish off an ice cream or snack without (unknowingly) disrupting other retail businesses. From May-Septemeber that beach can become a place for people to sit, enjoy themselves, re-mask, and then head back out to Commercial Street.

This would make me feel safer as I would then not be having to be in constant contact with people who their masks pulled down and are all within a few feet of me and each other.

I would be in favor of more transparent reporting regarding employees that live outside of Provincetown or visitors who test positive. I would also be in favor of publicly reporting businesses that are closed due to a COVID event. A failure to be transparent undermines public trust. Other than those issues I believe that Provincetown as a municipality, as a business community, and as a community has done a fantastic job of dealing with the Pandemic this summer. A Job well done.

I would like to see a permanent testing site at CVS or Outer Cape that employees, owners and even our guests to stop in and get a test. If we offered a rapid test it would open the economy up to a broader audience and a piece of mind. Consumers pay hundreds if not thousands to come here what is another \$100.00 for a test.

Is there a way to message to part timers that they are welcomed/encouraged to stay for the off season or, for those who are in PTown in the off season, to stay more often?

Make masks mandatory everywhere all the time when not in private home. Enforce wearing masks and safe distancing. Continue to educate the public especially visitors. Protect businesses from abuse when they merely ask customers to wear masks and safely distance. Put hand sanitizer dispensers all over town. Lock down if our numbers rise. Eliminate all public events until this is over. Offers voting outside when the time comes. Keep up with the ambassador program - it's great!

make testing free

Many visitors comment on how safe they feel and other places are not as compliant. As difficult as this is for everyone, I think we're doing a pretty good job of staying safe while trying to have some return to normal activities.

Mask 24/7 a must. Passengers that visited our town on my vessel were very pleased with the town on the most part and wished that things were that way in there home town. They felt safe here.

Nice work navigating all of this!

No one can say for certain where we will be after Labor Day. With all October event cancelled and the weather not co-operative I may close after September, if in fact we are still open.

No. People are being great. All is well.

Property tax on businesses where the property is the business (hotels for instance) should not have to pay such tax when the government doesn't allow them to operate.

Provincetown has mostly been doing a great job, in our view. We only wish the rest of the country were so good. We desperately need a new president and administration. Grownups. Sanity.

quicker tests at no cost

Stop letting the town make decisions on anything but science. Make sure that the town leaders understand that they wasted 4 months and all the money down the drain in additional police waste and put us at greater risk in this pandemic...no matter if we somehow get through with zero more cases, the leadership put us at more risk. and please explain that concept of probabilities and risk and that it is part of life and that the irrational fears of a few do not actually put anyone at greater risk, except when they are allowed to influence decisions and leaders do irrational things like put all their time and resources against something that is incredibly low risk and don't rise to the occasion on the things that will lower risk, like testing, and so here we are. pissed off. community divided. at higher risk. and there is risk in everything. let's not be the greatest risk to ourselves out there if possible. with the state policy following the science and being in place here. All of that time and energy only put into place the tiny sliver of a policy covering in a limited zone all the people not wearing masks walking MORE than 6 feet from each other on the street in a town with zero cases and a breeze. embarrassing. embarrassing.

Testing needs to happen on a regular basis and should be free to employees and employers. If we only test once--we will not truly understand if our employees have the virus.

Thank you for FINALLY making masks mandatory 24/7 in the commercial district along Commercial St, the Pier, Lopes Sq and Town Hall. Clear and direct easy for tourists to understand. It has been frustrating that our local police staff and their "courtesy" / traffic officers do not help to openly enforce mask wearing. Additional marked lack of police presence at night--many visitors ignore 6" distancing and gather in large groups

The interconnection between restaurants and inns cannot be overstated. Inns cannot effectively be open if there is nowhere for guests to eat.

The lack of financial support for businesses has made it impossible to operate. I couldn't qualify for any of the SBA funds because my business is too small, and with all of the cancelations I lose less money being closed than being open with fewer customers. It's unclear if I'll be able to reopen next year since there are no government grants available to support business that have been decimated by the forced government closures.

The practices we are enforcing in our retail stores (both employee and customer) are not being practiced by either employees or customers outside of our shops.

House parties, groups eating food, drinking or smoking on the street all occur with face masks down, close group contact, and complete disregard for social distancing.

Then they walk into our business, and pretend to be concerned and doing the right thing. How did we end up being the enforcement mechanism in order for our licenses to remain valid.

Just doing something to say you are doing something is an overreach of any government body.

The town needs more accessible and "quicker results" testing for residents who want to be tested and are asymptomatic.

This survey seemed skewed towards restaurants, and as a guesthouse, many questions did not apply to our biz model. So, I feel this was a bit flawed as a questionnaire. So many businesses in town are similar to ours, a vacation rental that really is only run by the two of us. So many questions above were not geared to our business.

We personally feel that the tourist boom in August was completely nuts and has had us all feeling very on edge about not being able to handle the crowds and their ignoring the state guidelines on quarantining and not traveling from certain states. Overall deeply disappointed in the lack of leadership.

We submit that our business model is one of P-town's Growth and Health engines for the future. Our non-profit business is a Sailing School. It is not free but subsidized with town allocated space, reduced fees and donors (e.g. Sail Newport). If we had a little space, less than 3 surface area, on Macmillan Pier for our proposed adult including disabled sailing school and the 2 ton, 3 ton max, jib hoist, we would could justify our plans and open except during bad winter months. At other New England venues that is the case. Ask us to explain.

Like and Follow us.

Sailing4AllPtown Crew

(617) 848-8844 Main

(508) 413-2630 Customer Service

info@sailing4allptown.org

<https://sailing4allptown.org>

<https://www.facebook.com/sailingforallptown>

<https://www.instagram.com/sailing4allptown>

PLEASE DONATE HERE - [paypal.me/SFAPDONATE](https://www.paypal.me/SFAPDONATE)

Sailing4AllPtown is a charitable not-for-profit 501(c)(3) educational sports entity.

Will the town provide relief from the operations requirements to year-round license holders if they choose to close for longer than one month during the pandemic?

The decision to stay open in the off season Will be dictated by the status of the virus and the level of business. It may require a series of openings and closings through the off-season. We have yet to decide what direction we will take after Labor Day.

Without the health and well being of our blue collar, working residents , the economy here will falter further. Better housing, better health care and affordable housing for DENTISTS.

Yes, create a town grant to allow small businesses to apply to be reimbursed for all the protective gear that was required by the state and local government.



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, September 28, 2020**

4C

EXECUTIVE SEARCH CONSULTANT

Groux-White Consulting LLC

Requested by: Interim Town Manager Charles Sumner

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>

APPROACH TO RECRUITMENT

TOWN MANAGER

July 31, 2020

Explained below is a description of how Groux-White Consulting will approach the recruitment of the Town Manager for the Town of Provincetown, Massachusetts and a description of the services to be performed. Please note that this approach assumes the Provincetown Select Board will use a Screening Committee to assist the Board and that we would work closely with the Screening Committee as well as with the Board itself.

1. Consultation with the Provincetown Select Board and Screening Committee (Plan for Search):

It is most important to have a clear understanding from the Provincetown Select Board on the experience and personal attributes the Board believes the next Town Manager should possess. We like to meet with Select Board at the very beginning to obtain their collective and individual views on this matter. The consultants, with their extensive experience as Town Managers and 15 plus years recruiting Managers and Administrators across Massachusetts, will be able to provide valuable advice to the Board in this regard. It is important to develop the plan for the search working with the Screening Committee.

It is also important to have the views of Department Heads and key town officials. The next Town Manager will be working daily with many of these individuals. Therefore, input from such sources is important. This input is usually obtained by the consultant meeting with Department Heads and staff. Most towns usually assist us to gather these views by having the Select Board's Office staff coordinate such meetings.

2. Screening Committee

Groux-White Consulting has extensive experience working very successfully with citizen Screening Committees in such towns as Easton, Belmont, Shirley, Princeton, Littleton, Charlton, Duxbury, Wellfleet, Yarmouth, Wellfleet, Lexington, Framingham, Westford, Hingham, Hamilton, and Foxborough to name a few.

Groux-White Consulting generally attends all meetings of the Screening Committee and has found that such committees are most important to a successful recruitment and selection of a chief administrative officer.

3. Job Description and Professional Qualifications

The Town Charter and associated by-laws offers much of this information. However, there are many features and challenges of the job that simply are not spelled out in the Charter. It is important that we are able to get some direction from the Board as to The Town Manager's expected role, performance expectations and authority prior to recruitment. The consultant will be sure to identify these functions with assistance and direction from the Board because it is important for the next Town Manager have a clear understanding of the expectations of the Select Board.

4. Salary Range and Benefits

The salary range and benefit package need to be addressed at the outset of the recruitment. The consultant will advise the Select Board on standard industry expectations in this regard. However, the Select Board must decide what parameters it wants to establish. The specifics on a compensation and benefit package should be confidential since they will be a part of negotiations with the final candidate. But it is important for the Select Board to advise the consultant as to what these parameters are so that the consultant is properly guided as they conduct the recruitment.

5. Recruiting Brochure and Outreach

An important part of a full recruitment effort should include a formal profile of the Town and the position, normally set forth in a recruiting brochure, as well as an outreach effort by the consultant to prospective candidates. Copies of brochures this consultant has used in other communities are enclosed.

As the samples show, the profile describes the Town and the Town government's organizational structure. The profile will also describe the responsibilities of the new Town Manager (based on the Charter); it will describe the management style, experience, etc. desired by the Board of Selectman and it will identify the current issues that the new Town Manager will be expected to deal with during his or her initial year of service.

The profile serves several other purposes. We send the profile to prospective candidates to introduce and attract them to the position and acquaint them with the Town of Provincetown. We also send it to any individuals who apply on their own. The profile helps community leaders clarify their understanding of the nature and scope of

responsibilities of the position they are planning to fill. The profile is also placed on the Town's official website. We have found that the profile is a valuable recruiting tool.

6. Advertisements and Pro-Active Solicitation of Candidates

Groux-White Consulting will prepare the necessary advertisements and recommend the most effective places to advertise. However, the most important role the consultant can perform is to conduct a targeted outreach effort to prospective, qualified candidates. It is unacceptable to simply advertise and wait for applications to be submitted.

Experience has shown that highly qualified and desired candidates do not always respond to advertisements. This is especially so in the public sector involving high profile positions such as Town Manager. Concern about premature public disclosure of his or her name can often have adverse effects on a candidate's current position. Therefore, it is preferable for the consultant to initiate contact with quality candidates who might not otherwise apply due to confidentiality concerns. This approach, when made by the consultant, does not commit the Town of Provincetown to any particular applicant, but it can result in a larger and more qualified pool of candidates.

The consultants, with their extensive experience as Town Managers in Massachusetts and other northeastern states, as well as their 20 years recruiting Town Managers will be able to draw on a wide network of contacts during the recruitment phase.

Review of Applications

7. Confidentiality of Applicants and Resumes

It is important to maintain confidentiality of each inquiry and application. Applications and resumes should be sent directly to Groux-White Consulting who will maintain confidentiality. Any resumes sent to the Provincetown Select Board or the Screening Committee should be forwarded to the consultant. All resumes need to be acknowledged by the consultant.

All resumes will be made available by the consultant to both the Screening Committee and the Select Board as required by law.

8. Initial Review of Resumes

The consultant will review all submitted applications and resumes to determine which ones meet the Town's criteria as required by the Charter and as further required by the Select Board for the Town of Provincetown. This initial review is simply to screen "out" those applicants whose resume indicates they do not meet the Town's qualifications.

9. Second Review

After screening out not-qualified applicants, the consultant will then prepare a confidential assessment of all remaining applications. This assessment will summarize each applicant's relative experience, education, etc. and will be reviewed with the Screening Committee on a confidential basis. The consultant will also advise the Screening Committee which of these qualified applicants are more qualified than others. The consultant and Screening Committee will then review these applications and resumes in executive sessions. During this stage the Committee, with assistance from the consultant, will make the choice of which applicants to invite for executive session interviews. The consultant recommends a pool of approximately eight (8) candidates be personally interviewed by the Screening Committee.

10. Interviews by Screening Committee

The consultant will assist the Screening Committee with all aspects of the interview process. This includes notifying candidates, scheduling interviews, preparing the committee for the interviews (suggesting questions, methods of interviewing, methods for evaluating candidates, etc.).

The consultant recommends that the Screening Committee interview candidates only once. A second interview by the Screening Committee should be avoided because a second interview generally must be conducted in open session. Good candidates are likely to withdraw from consideration if they are asked to come to a public interview without being sure he or she will likely be a finalist for the position.

11. Referral of Finalist Candidates to the Select Board

The Select Board should advise the consultant and Screening Committee of the number of finalists the Board wishes to interview. The consultant recommends this number be approximately four.

The candidates referred to the Select Board should not be "ranked" by either the consultant or the Committee. Ranking of candidates, before they are interviewed in public for the first time, is counter-productive to a fair and open search process. Ranking prior to interviews by the Board of Selectman puts candidates at a disadvantage and can bias the Select Board prior to conducting their own interviews.

In lieu of any ranking the consultant recommends that a concise description of each finalist candidate be prepared and attached to the finalists' resumes at the time those candidates are recommended to the Select Board.

12. Checking References of Finalists

It is important that reference checking, by the consultant, not proceed without written authorization by the candidates and then only if he or she is to be a final candidate for the

position. This is both to provide for confidentiality of the applicant, but also to protect the Screening Committee, Select Board and the Town from charges that an applicant's privacy has been compromised.

The consultant will conduct reference checks for the Select Board. All finalists are to provide a list of professional references to the consultant. Working from those lists Groux-White Consulting would expand reference checks further (to individuals not specified by the candidate) in order to obtain a more complete and objective assessment of the candidate.

13. Assist the Select Board with Interviews

The consultant will assist the Select Board with all phases of the interview process: preparation, scheduling, evaluations, etc. Generally, Board of Selectman's conduct two interviews. The Board may wish to eliminate one or more finalists from the initial pool after the first interviews. It is common for a Select Board to narrow the finalist pool following the first set of interviews by the Board.

14. Acquainting Candidates with Community and Staff

The consultant recommends that the Select Board arrange for visits (apart from the Board interviews) by finalist candidates to give them an opportunity to become acquainted with Provincetown and with Town employees, particularly key Town officials. At the same time this allows Town staff and key Town officials a chance to obtain a better understanding of the individual candidates. Many Boards of Select Board appreciate receiving feedback from employees about candidates.

15. Selecting Individual from Finalists.

Once the Board of Selectman is prepared to vote on the person they plan to offer the position to they should "condition" that vote on the successful negotiation of a contract as well as any further reference checking the Board feels is necessary. Be aware that there is the possibility that a finalist may withdraw, or information may result from any on-going reference checking that may cause the Board to reconsider its initial selection. In the event this happens the Board may find it necessary to re-consider one of the other finalists.

16. Negative and Anonymous Calls and Communications.

The consultant cautions Screening Committees and Select Boards to be aware that once candidates' names become public Select Board will likely begin receiving negative information from anonymous sources. Often this material comes from internet sites such

as Google or from other unknown sources. This kind of information is often quite biased against the candidate. Our experience indicates that such negative and unflattering information is often unfounded and should not be taken at face value. The consultant often can get past this information to determine truth from fiction.

17. Negotiation of Contract

Some Select Boards prefer to handle this process on their own or through the Office of the Town Counsel. Normally, a Select Board will appoint a sub-committee of the Board to negotiate a contract with their new Town Manager that is then brought back to the full Board for approval. Groux-White Consulting can provide valuable assistance to the Board, or the committee, in negotiating an employment agreement with the selected finalist. The fee proposal includes negotiation assistance to the Board of Selectman and or its Town Counsel.

Groux-White can handle the negotiation process if requested by the Select Board.

18. Other Services Available

Some Boards of Select Board like to have the performance review process and evaluation tool be presented to the final candidate during the time employment contract is negotiated. Groux-White has developed performance review processes and evaluation tools in the past. We can develop a process and specially designed evaluation tool for the Board of Selectman if desired. Our fee proposal does not include this service.

19. Price Proposal - Fees and Expenses and Assurance

Groux-White Consulting, LLC will perform the executive search as described in this proposal and as directed by the Provincetown Select Board. Our Price Proposal of nine thousand, four hundred and fifty dollars (\$9,450.00) as submitted is comprehensive and all-inclusive except for advertising costs as determined by the Select Board. .

***Assurance:** Groux-White Consulting commits to repeat, without fee, the entire recruitment process, should a candidate recommended by Groux-White Consulting and appointed by the Select Board, fail to remain as Town Manager for eighteen (18) months. Only expenses would be invoiced if a second recruitment is conducted due to the above circumstances.*

Town of Provincetown

Town Managers Recruitment
 schedule
 {Draft}

Week	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8
Preparation																		
Input: Select Board		X	X															
Input: Search Committee		X	X															
Input: Staff		X	X															
Job Description and profile			X	X	X													
Advertisement			X	X	X	X	X											
Outreach/solicit	X	X	X	X	X	X	X	X										
Recruitment & Screening																		
Receipt & Ack of Resumes			X	X	X	X	X	X										
Screening out of Resumes							X	X	X	X	X	X						
2nd Screening of Resumes							X	X	X	X	X	X						
Evaluating Field																		
Discussion of Applicants											X	X						
Select Cond'tl Finalists												X						
Consent & Reference Cks												X	X					
Finalists Referred to SB													X					
Select Board																		
1st Interview w/ SB													X	X				
2nd Interview w/ SB															X	X		
Vote TA & Nego't Contract																X	X	

31-July-20



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, September 28, 2020**

4D

SELECT BOARD'S INVESTIGATIVE AUTHORITY

Per Chapter 3 Section 5 of the Provincetown Charter

Requested by: Chair David Abramson

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>

Chapter 3. THE SELECT BOARD

Section 1. Composition, Compensation and Vacancies

- a. There shall be a Select Board consisting of five members elected for three-year overlapping terms. The Board collectively is the executive branch of Town Government.
- b. Each member of the Select Board may receive an annual stipend as set forth in the Provincetown Bylaws, subject to appropriation by Town Meeting.
- c. If a member of the Select Board dies, resigns, is convicted of a felony while serving, or ceases to be a registered voter, the resulting vacancy may be filled by special election in accordance with Massachusetts General Laws.

Section 2. General Powers and Responsibilities

- a. The Select Board shall exercise the powers and duties prescribed by the Massachusetts General Laws, this Charter, and the Provincetown General Bylaws. The Select Board may delegate powers and duties to the Town Manager or to another Town Board. The Select Board shall enforce the laws and orders of the Town, including this Charter.
- b. The Select Board is the primary policy-making, planning, and goal-setting agency of the Town. The Select Board directs the Town Manager, who shall administer the day-to-day affairs of the Town in accordance with such goals, policies, or plans. The Select Board may refer matters or issues to the Town Manager for advice or recommendation.
- c. The Select Board has the responsibility to protect the assets of the Town.
- d. The Select Board makes provisions for traffic regulation and control following consultation with the Police Chief.
- e. The Select Board is the issuing authority for all fishing and shell-fishing grants, permits, and licenses that are issued under the provisions of Massachusetts General Laws Chapter 130 and over which the State's Division of Marine Fisheries has any power of review or administrative control.
- f. The Select Board shall ensure that the Provincetown General Bylaws are current.
- g. The Select Board has the exclusive authority to award and execute contracts for all town departments and offices and, if requested, for the school committee and for the board of library trustees.
- h. The Select Board shall have the full role of and all of the powers and authority of a board of selectmen under any general or special law and its members and officers shall have the full role of and all of the powers and authority of the members and officers of a board of selectmen under any general or special law.

Section 3. Written Records and Communication to the Town

- a. Any goal, policy, plan, or official act adopted by the Select Board shall be in writing and included in its entirety in the minutes of the Meeting at which it was adopted. The Town Manager shall ensure that a file containing a complete list of the Select Board's current policies and goals shall be posted on the Town's website for public reference. No person shall be accountable for failure to carry out an order issued by the Select Board unless it was made in writing, and either forwarded to that individual or generally distributed to all registered voters.
- b. The Select Board shall compile and publish an Annual Town Report for each calendar year which shall year which shall include reports from all elected and appointed Town Officials, including the Moderator and all Department Heads, and the Town Boards. The Annual Town Report shall be available at least 14 days before the Annual Town Meeting.
- c. Within sixty (60) days after the Annual Town Election, the Select Board shall hold a Meeting for the purpose of stating the Board's goals for the coming fiscal year, referred to as the Annual Goal Setting Meeting.

Section 4. Powers of Appointment

- a. The Select Board shall select, and enter into a contract with, a Town Manager. If the Town Manager position becomes vacant for any reason, the Select Board shall promptly hire a new Town Manager.
- b. The Select Board has the authority to appoint and remove members of Town Boards designated in the Chapter on Town Boards of this Charter to be appointed by the Select Board, subject to the provisions of that Chapter.
- c. The Select Board shall appoint a Secretary to the Select Board.

Section 5. Investigatory Powers

- a. The Select Board may investigate the alleged misconduct of the Town Manager, any Town Board, or any member of a Town Board. The Select Board may direct the Town Manager to investigate the affairs of the Town, the conduct of any Town Department or Town Employee, and any claim against the Town.
- b. Any criminal matter shall be referred to the Police or the Attorney General's Office for action after an initial investigation to determine if criminal behavior may have occurred.
- c. Investigations shall be based only upon factual allegations that can be confirmed or denied. If allegations are received from an individual, that person must be identified and the allegations must be in writing and must be specific. Any anonymous allegation or one of general behavior shall not be responded to.
- d. The individual who is the subject of an investigation shall be informed in writing of the investigation and shall have the right to a Public Hearing.
- e. The Select Board shall identify sanctions if the conduct is determined to be inappropriate. Sanctions may include an oral reprimand and guidance for future action at a Select Board open meeting, removal in accordance with procedures set forth in this Charter, or referral to an

appropriate body for action.

f. A report of the investigation shall be posted on the Town's website by the Town Clerk after review by Town Counsel for any matters protected by the State's privacy laws, which shall be deleted prior to posting. A summary of the investigation shall be printed in the next Town Report.



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, September 28, 2020**

5

TOWN MANAGER’S ADMINSTRATIVE MATTERS

Administrative Updates

Requested by: Interim Town Manager Charles Sumner

Action Sought: Discussion

Proposed Motion(s)

Discussion dependent – votes may be taken.

- A. Health Department’s COVID-19 Response Update
- B. Town Manager’s Report

Additional Information

Attached documents:

- Town Manager’s Report

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # 287 238 22

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

Memo

To: Select Board
From: Charles Sumner, Interim Town Manager
Date: September 23, 2020
Re: Department Update Report for the September 28, 2020 Select Board Meeting

Administration

- 2020 Annual Town Meeting: I think it's appropriate to take a moment to reflect on our recent 2020 Annual Town Meeting. I believe it is fair to say that the evening was highly successful and well received by the community. Special recognition is appropriate for David Gardner and Josee Young in finalizing the development of the FY2021 Town Budget and Warrant, which was done in certainly some trying circumstances. Additionally, many of our Town staff played an important role in planning and executing this important endeavor. Finally, we want to gratefully thank Father Mick from the St. Peter the Apostle Church; he was incredibly helpful and cooperative as we planned and executed this meeting.
- Community Ambassador Program: As you know this program was originally created with the original understanding that it would end after Labor Day. Tim Hess was tasked with managing this program, which was funded with parking and CARES funding. At one time we had approximately 12 employees working in this area; current staffing is now about 6 people. It is our intention to continue this program through the end of October on an as-needed basis, from Friday through Monday. I will also add that one of our Ambassadors, John Ahumada, did create a report that attempted to analyze the Town's Coronavirus measures and whether these measures were effective.
- Filming & Photography Applications: We have received three applications for filming and photography activities in Town, those being, 1) High Town Season II, 2) 20th Century Television Pilgrim, and 3) Soffit Shoe Company. I had a meeting on September 23 with several Town staff members to review these proposals in accordance with the Select Board's October 15, 2010 policy statement.
- Staff Introductory Meetings: I am continuing my efforts to meet individually with various Town staff and officials. Recently I met or spoke with, the following:
 - Regina Binder, Provincetown Pier Corporation

- Brandon Motta, Recreation Director
- Morgan Clark, Health Director
- Steve Katsurinis, Chair of the Board of Health
- David Abramson, Chair of the Select Board
- Personnel Board: I will be meeting on Thursday, September 24 with Marianne Clements and Regina Cassidy, Chair and Vice-Chair of the Personnel Board, along with Elise Zacaro, HR Director to discuss the status and role of the Personnel Board. One of the principal goals of this meeting is to improve communications and cooperation going forward. In addition, I would like to initiate a process to review and update the Town's Personnel policies.
- Town Clerk Position: As you are well aware, our Town Clerk, Phil Gaudet will be resigning effective September 25, 2020. I have done some outreach with Cape Cod communities in order to potentially identify some temporary resources to assist us this Fall, without much success to date. Linda Hutchenrider, the retired Town Clerk from Barnstable and the past President of the Massachusetts Town Clerk's Association did come to Provincetown to review our situation and offer some valuable advice relative to our readiness for the upcoming November Election. Additionally, she and several other Cape Cod Town Clerks are willing to provide advice on an ongoing basis during this period. Obviously, I will continue to work on this matter and evaluate more alternatives.
- EPA Cyber Security Assessment –Cody Salisbury, our Water Superintendent informed me that The Water Department will be participating in an EPA funded Cybersecurity Assessment that will start later this month. The main deliverable will be a Cybersecurity Action Plan that the town can use to seek funding and implement the recommended enhancements to our system.
- The National Fish & Wildlife Foundation has awarded a \$12,000 grant to the Town to support recovery and recycling of abandoned fishing gear over a four year period.
- Early Learning Center: Based on the concerns raised by Select Board members at our last meeting, I did reach out to the School Superintendent, Suzanne Scallion. We held a meeting on Tuesday, September 22, 2020 to discuss the status of the program, along with Eva Enos, School Committee Chair, Tim Reynolds, School Principal, Josee Young, Finance Director, Morgan Clark, Health Director and myself. For background purposes, the School Department's back to school program, which has been approved by the School Department, allows for remote learning as of September 16. This is a living document that will change as they adapt to new health metrics for COVID 19. Additionally, September 18 was the first day for school for Pre-school, Pre-K and Kindergarten. The infant and toddler's program is more problematic due to staffing, resignations and possible retirements. The School Department has done some advertisements for future staffing with no results. The School Department has had a few complaints about this program element, but frankly they are very limited in numbers. School

Committee Chair Enos also indicated that the School Committee has not received much if any feedback from parents. The School Department did survey their community to determine need for childcare and many, but not all, of these respondents have been covered within the current school program. Additionally, it seems that there was an extensive meeting in late June 2020, including a number of school, town, not for profit organizations to discuss childcare concerns. This group reached a consensus that individual babysitting services were the best option at the moment. The issue of some type of fundraising and/or town subsidy was mentioned. This information was transmitted to the Provincetown Town Manager on July 1, 2020. I am not aware of what action was taken on this recommendation. I have attached a copy of these minutes for your review. I will also note that the Town of Chatham does have a Childcare Voucher Program, which was recently funded by Town Meeting. This program is open to Chatham residents and Town employees. Awards are made upon need and availability of funds. The School Department did indicate that due to current operational conditions that they are not utilizing all of the funding provided for the ELC program, and that some funds might be available for an alternative program. This would require further evaluation and approval by the School Committee. I will admit that with the demands of the Annual Town Meeting, this was a quick and less than complete evaluation of this matter, but I wanted to get you some information in a timely manner. I would also add that the Provincetown School Committee is meeting on Wednesday, September 23, and it's possible that future programming will be discussed at this meeting. Finally, I would like to thank Superintendent Scallion and School Board Chair Enos for meeting with me on this matter in such a timely manner. They are busy dealing with challenging school issues and I appreciate their cooperation.

Ambassador Program

- Masks: To date the Community Ambassador Program has disseminated 13,250 masks since it's inception and start date on July 3, 2020 .

Building Department

- Permitting: Building permit applications continue to be accepted. The volume of applications has dropped off. This is not unusual for this time of year, however, applications to the regulatory boards has also slowed giving an indication of a decrease in work to be executed being sought.
- Energy Storage System: Progress continues on the Energy Storage System project at 90 Race Point Road, with the erection of the building to commence the first week in October.
- Bradford Access Project: The Bradford Access project at 1 High Pole Hill has completed the foundations for both the upper and lower pavilions and all but one of the intermediate platforms progressing up the hill. The lower area, once

backfilled, will see the start of the retaining wall on the West side of the parcel, adjacent to the Bas Relief Park.

Council on Aging/ Human Services

- Social Isolation: The COA received a Title III Cares Fund grant from Elder Services of the Cape & Islands for support and outreach services. Funds will be used for special items for homebound residents and fall/winter holiday programs designed to ease social isolation.
- Senior Center Month: In honor of Senior Center Month and because we were not able to hold our annual volunteer recognition event in April, COA staff visited volunteers at their homes to drop off cards and tokens of appreciation and hold outdoor, socially distanced visits to express appreciation and maintain the vital connection we have with our volunteers.
- Human Services Committee: The Committee will begin the FY2022 Human Services Grant Program funding cycle at its first meeting on 9/29/20.

Emergency Management/Transportation

- CERT Training: The Acting Emergency Management and Transportation Coordinator will be participating in a Community Emergency Response Training (CERT) workshop starting at the end of September. This program is something which the previous Coordinator had engaged in and will be looked into as an option for the Town. Anyone looking for additional information regarding this program should contact Erin Ellis at eellis@provincetown-ma.gov.
- November 2nd Traffic Hearing: Just a reminder that the Annual Traffic Hearing has been scheduled for Monday, November 2nd, starting at 5pm. Materials were due to the Select Board Secretary by 5pm on Monday, September 29th. A public notice about this hearing had been posted in the Provincetown Banner.

Environment/Conservation

- The Marine Coordinator and the Environmental Planner are pleased to report that the Towns of Provincetown, Truro, Wellfleet, and Eastham have again received a Coastal Resilience grant from the MA Office of Coastal Zone Management to continue our work with the Center for Coastal Studies for the next phase of developing a regional framework for shoreline management along Eastern Cape Cod Bay. The grant amount is \$248,470 for work to take place over two years. The four towns will work to update an intermunicipal geodatabase developed in Phase 1, explore a potential regional sand stockpiling system, identify parcels suitable for salt marsh migration, inventory low-lying roadways, and continue outreach and education with town staff and community members. The project addresses shoreline issues such as erosion and accretion and the alignment of regulatory frameworks and hazard vulnerabilities in both natural and built infrastructure in a way that allows the towns to work cooperatively. The regional framework also allows for real-world solutions to common issues such as the

concept of a regional sand bank which would enable the four towns to stockpile and reuse beach and dune nourishment material from projects, such as what occurred with the 4,000 cubic yards of clean, native sand conserved from the

- Eversource Community Battery project in Provincetown. Banking material allows towns to reduce cost of projects such as the Ryder Street Dune Enhancement project. The Marine Coordinator, Environmental Planner, Emergency Management Coordinator, and the Town Planner, with the advice and assistance of Cape Cod Commission staff, will be working this fall and winter on the five-year update of the Town's 2016 Hazard Mitigation Plan.

Housing

- Harbor Hill: 26 units are now occupied with another unit scheduled for 9/25, and possibly one more for October 1st – that will bring it to full 100% occupancy!
- Year Round Market Rate Rental Housing Trust: conducted virtual annual Public Hearing on September 15th at 4:00 pm. Annual Town Meeting on 9/21/20 generously approved the funds for the debt service for FY 2021.
- Ownership opportunities: approaching closing for both resale 2 Meadow Rd. #4 [\$157,796] and 21 Bradford St. Ext #10 [\$148,770].

Library

- Library Cards: September is National Library Card Sign-up Month. Residents can get a card by calling the Library (487-7094) or emailing (pplstreetside@gmail.com). A Provincetown Public Library gives you access to millions of items cape wide, as well as, streaming movies, downloadable magazines, eBooks and audiobooks.
- Virtual Learning: In collaboration with Outer Cape and Lower Cape libraries, the Library will participate in the creation of two six-week virtual program series aimed at home learners. The series will begin in October and will focus on STEAM-related programs to supplement virtual and home-schooling curriculum. The Provincetown Library's edition hopes to once again partner with the National Seashore to provide an arts and crafts and national sciences-centered program.
- Library Operations: While the building is closed to the public, the Library has been providing services throughout the pandemic as Library staff is available by phone and online during regular library hours (7 days a week) to offer reader's advisory, assistance with electronic resources assistance, and help answering questions and finding answers. Wireless printing is also available. Street-side-pick-up of circulating library materials continues. Delivery between CLAMS libraries has resumed, giving patrons access to items cape wide. Items may be requested through clamsnet.org, by calling 487-7094, or emailing pplstreetside@gmail.com.

Licensing

- Software Upgrade: Licensing information is being transferred from the Accela system into the new permitting software to enable licensees to renew online.

Marine Services

- Aquaculture permitting: MA Division of Marine Fisheries has required Provincetown to file a MEPA Environmental Notification Form before they will issue further aquaculture permits. This document has now been filed and is under review. It may trigger further filing requirements such as an Environmental Impact Report or Chapter 91 licensing.
- Ongoing Marine Response Training: Marine and MacMillan Pier staff to participate in a virtual USCG oil spill response coordination training exercise Sept 24, 2020, 9 am to 12 noon.
- AmeriCorps Service Placement: The coastal resources team will be working with our AmeriCorps service member to work on communications for emergency management planning as we work to update the Hazard Mitigation Plan over the off-season.

Pier

- The Pier/HM office continues to be open to the general public with limited services from 8AM- 12AM until at least Columbus day weekend, limiting customers to one at a time in the office. We will begin closing the office at 8pm after Columbus day to accommodate the last couple weeks of Ferry service
- Public Restrooms out on the end of the pier will continue be open well into October of this year, possibly November depending on staff availability.

Public Works

- Cape & Island Water Protection Fund: The Public Works Director has been appointed by the Select Board to represent Provincetown on this important Management Board. Our goal is to solidify an annual subsidy for existing debt and discuss possible expansion of sewer treatment capacity for the future.
- Baystate Roads: The UMass Transportation Center hosts a training program that offers technical assistance to local agencies through their Baystate Roads information program. The agency has asked Provincetown DPW to host a training session on green infrastructure and porous asphalt for their program session on October 27th. The training webinars are attended by hundreds of Town Managers, Public Works Directors, Engineers, and Contractors throughout New England. We are honored to lead this training session and happy that our ongoing environmental efforts are being noticed at the regional level.
- Project Update: The Peak Flow Storage Tank at the sewer treatment plant remains on schedule with installation of the pile foundation network over the next few weeks. Both the Bradford/Prince Street Intersection Improvement project and the Pilgrims First Landing Park is scheduled to begin the Tuesday after Columbus Day Weekend.

Childcare Meeting Notes
6/30/2020

Attendees: Jill Brookshire, Medical Case Management Director (ASGCC); Liz Stapleton, Cape Cod Children's Place (CCCP); Edgar Miranda, Early Learning Center; Eva Enos, Provincetown School Committee; Maggi Flanagan, Homeless Prevention Council (HPC); Michela Carew-Murphy, Seaside Sitters; Mary Berry, Helping our Women (HOW); Hadley Whalen, HOW Intern; Brianne Smith, Outer Cape Health Services/Navigator Program; Brandon Motta, Provincetown Recreation; Chris Hottle, COA/Human Services; Steve Katsurinis, PBOH Chair; Morgan Clark, Health Director; Jessica Kent, Health Intern

Question 1: What childcare options are available/Who do they serve?

Cape Cod Children's Place - currently not open for early education. May open in the fall, still evaluating. Permanently have closed the Wellfleet Sea Babies location, will be adding an additional classroom at the Eastham facility

Provincetown Schools - Is exploring opening facilities for summer childcare (age 4 and up) for essential workers, not under jurisdiction of EEC, closest emergency center at the Brewster YMCA*(which averages 5-10 kids a day) - discussed safety issues and other factors

- 537 emergency programs open statewide with 10,000 spaces available across those programs, 2500 were actually utilized*
- Emergency essential worker childcare programs have to close on 7/10/20

Rules and regulations for childcare centers are challenging - screening, social distancing, etc. Early learning center called all its families to determine need, only 1 family said they definitely would returned when reopened, 1 said definitely no, the others were maybes. Have been providing virtual services on one-on-one basis.

Provincetown Recreation Summer Program - is only summer program operation between Provincetown and Dennis. At full capacity at 40 kids, one kid on waitlist.

Seaside Sitters - has 20 extra sitters this year than in previous years. Their sitters are CPR trained and CORI checked. Next closest babysitting service is Chatham, and is less affordable.

John Henry Trust Fund - can be used for Provincetown children, administered through CCCP, for rent, utilities, childcare. Average distribution is \$5000 per quarter. Usually administered per family, but Chris Hottle/Human Services Committee could explore making a lump sum payment to a program to support Provincetown families

WERC is closed for the year, usually serves 400 kids on drop in basis

No other open day care or child care options were identified by the group.

Question 2: Need and Metrics

- Homeless Prevention is building in standardized childcare related questions to intake to collect better data

- Identify developmental situations appropriate for children (masks, social distancing)
- Costs for reopening under guidelines (even when allowed to open) are staggering - PPE for childcare workers and teachers is required
 - Cost of preparing schools to open - especially in light of budget cuts and the free Wee Care program is a major burden for Provincetown Schools
 - CCCP discussed the sheer impossibility of regulations for infants - including suiting up by caregiver in gowns, eye protection, gloves and mask to feed an infant.
 - Also discussed the social-emotional implications of an infant being cared for without eye contact or smiles
 - Child care providers are underpaid as is, cannot ask them to return in unsafe work environments
 - Many childcare providers are also lacking childcare for their children (summer programs/schools) and cannot return to work
- Child Care is different this year also because of family disruptions in workforce and temporary immigration

Question 3. Advocacy efforts?

- Homeless Prevention is taking part in national and statewide advocacy efforts including “Strategies for Children” and “Common Start”, Maggi will update the group on efforts
 - Common Starts Coalition - increase affordable access to early childhood education and wages for early childhood educators (Maggie)
- HEROS Act

Question 4. Possible Solutions?

- Everyone agreed that individual sitters like Seaside Sitters is the safest and best option right now. Discussed aspects such as:
 - SS already offers lower rates for locals, is willing to further reduce rates and can subsidize some of those fees for sitters from prior years earnings
 - Subsidize or Refer babysitting services?
 - GoFundMe? (Private Donations for Provincetown Residents)

Question 5. Concerns

- Draft a safety policy for babysitters going into homes

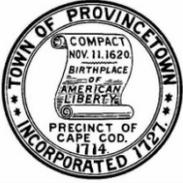
SEPTEMBER 21, 2020 ANNUAL TOWN MEETING

<i>Article</i>	<i>Action</i>	<i>Staff Responsible</i>
Article 1. Prior Year Bills	Allocate Funds	Finance Director
Article 2. PEG (Public Education and Government) Access and Cable Related Fund Acceptance.	Allocate Funds	Finance Director
Article 3. DPUTNC(Department of Public Utilities, Transportation Network Company) Ride Share Fund Appropriation	Allocate Funds	Finance Director
Article 4. FY 2021 Operating Budget.		
I. General Government	Allocate Funds	Finance Director
II. Finance	Allocate Fund	Finance Director
III. Public Safety	Allocate Funds	Finance Director
IV. Public Works	Allocate Fund	Finance Director
V. Public Services	Allocate Funds	Finance Director
VI. Public Schools	Allocate Funds	Finance Director
Article 5. FY 2021 Cape Cod Regional Technical High School Tuition Assessment.	Allocate Funds	Finance Director
Article 6. FY 2021 Enterprise Fund	Allocate Funds	Finance Director
6001 Water Enterprise Fund	Allocate Funds	Finance Director
6002 Wastewater Enterprise Fund	Allocate Funds	Finance Director
Article 7. Emergency Response Stabilization Fund	Allocate Funds	Finance Director
Article 8. Ryder Street Dune Enhancement Project	Allocate Funds	Conservation Agent Finance Director
Article 9. Community Preservation Budget for FY	Allocate Funds	Finance Director

<i>Article</i>	<i>Action</i>	<i>Staff Responsible</i>
2020 – Part 1, 2 & 3		
Article 10. FY 2020 Capital Improvements Program	----	---
<u>Fire Department Main Station Repairs</u>	1) Allocate Funds 2) Begin Maintenance	1) Finance Director 2) Fire Chief
<u>Fire Department Turnout Gear</u>	1) Allocate Funds 2) Purchase Gear	1) Finance Director 2) Fire Chief
<u>Fire Department Needs Assessment</u>	1) Allocate Funds 2) Carryout analyses	1) Finance Director 2) Town Manager
<u>Pier Infrastructure Maintenance</u>	1) Allocate Funds 2) Carryout Maintenance	1) Finance Director 2) Pier Manager
<u>Pier Electrical Upgrades</u>	1) Allocate Funds 2) Carryout upgrades	1) Finance Director 2) Pier Manager
<u>Police Vehicle Fleet Replacement</u>	1) Allocate Funds 2) Replace Vehicle	1) Finance Director 2) Police Chief
<u>Public Works Fleet Replacement</u>	1) Allocate Fund 2) Replace Vehicle	1) Finance Director 2) DPW Director
<u>Public Works – Stormwater Improvements</u>	1) Allocate Funds 2) Continue working with Design Engineers	1) Finance Director 2) DPW Director
<u>Public Works – Pavement Management Plan</u>	1) Allocate Funds 2) Work with Design Engineers and begin project	1) Finance Director 2) DPW Director
<u>Parking System Upgrade</u>	1) Allocate Funds 2) Begin Upgrades	1) Finance Director 2) Transportation Coordinator
<u>Public Works – Streets, Sidewalks and Bike Paths</u>	1) Allocate Funds 2) Begin Project	1) Finance Director 2) DPW Director
<u>Fire Department Rescue Ambulance</u>	1) Allocate Funds 2) Purchase Ambulance	1) Finance Director 2) Fire Chief
<u>Water Department Wellfield Redevelopment</u>	1) Allocate Funds 2) Begin work with Design Engineers	1) Finance Director 2) DPW Director/Water Superintendent
<u>Water Department Filtration Plant Maintenance Module Replacement</u>	1) Allocate Funds 2) Carryout improvements	1) Finance Director 2) DPW Director/Water Superintendent
Article 11. Funding for Provincetown Market Rate Year-Round Rental Housing Trust	1) Allocate Funds	1) Finance Director

<i>Article</i>	<i>Action</i>	<i>Staff Responsible</i>
Article 12. General Stabilization Fund	1) Allocate Funds	1) Finance Director
Article 13. Indigenous Peoples Consultant	1) Allocate Funds 2) Execute Contract	1) Finance Director 2) Interim Town Manager
Article 14. Petitioned Article – General Bylaw Amendment: Chapter 13 Prohibited Activities – Single Use Plastic Bottles Ban	File with the State	Town Clerk
Article 15. Petitioned Article – General Bylaw Amendment: Chapter 17 Climate Policy	File with the State	Town Clerk
Article 16. Petitioned Article – General Bylaw Amendment: Chapter 5 Town Boards.	DNP	
Article 17. Petitioned Article – General Bylaw Amendment Chapter 13 Prohibited Activities – Discharge of Fire Arms or Hunting on Public Property	File with State	Town Clerk
Article 18. Land Bank Expenses.	Allocate Funds	Finance Director
Article 19. Close Prior Year Unspent Articles.	Allocate Funds	Finance Director
Article 20. 0.5% Real Estate Transfer Fee - A Home Rule Petition.	1) Discuss with Delegation 2) File with State – Legislature	1) Interim Town Manager 2) Town Clerk
Article 21. Cape Cod Greenhead Fly Control District Assessment.	Allocate Funds	Finance Director
Article 22. Amendments to Personnel Bylaw/Classification and Compensation Plan.	Implement Plan	Finance Director HR Director
Article 23. Expenditures from the Tourism Fund.	Allocate Funds	1) Finance Director 2) Tourism Department
Article 24. FY2021 Human Services Grant Program.	Allocate Funds	1) Finance Director 2) COA Director
Article 25. FY2021 Revolving Fund Spending Limits.	Allocate Funds	Finance Director
Article 26. Funding for Economic Development Committee.	Allocate Funds	Finance Director Community Housing Specialist & Grant Administrator

<i>Article</i>	<i>Action</i>	<i>Staff Responsible</i>
Article 27. General Bylaw Amendment: Chapter 4 Town Meeting and Town Elections	File with State	Town Clerk
Article 28. Animal Welfare Committee - General Bylaw Amendment: Chapter 13 Prohibitive Activities – Section 13-2-7-3 Control of Dogs	File with State	Town Clerk
Article 29. Animal Welfare Committee - General Bylaw Amendment: Chapter 13 Prohibitive Activities – Section 13-2-7-12 Animals Left Unattended in Motor Vehicles	File with State	Town Clerk
Article 30. Animal Welfare Committee - General Bylaw Amendment: Chapter 13, Prohibited Use of Animals	File with State	Town Clerk



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, September 28, 2020

6

MINUTES OF THE SELECT BOARD'S MEETINGS

Requested by: Select Board

Action Sought: Approval

Proposed Motion(s)

Move that the Select Board approve the minutes of:

August 24, 2020 6pm (Regular) [] as printed [] with changes so noted

Additional Information

See attached minutes.

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)

Conference ID: # 287 238 22

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
AUGUST 24, 2020, 6:00 PM
VIRTUAL MEETING**

Chair Abramson convened the open meeting at 6:00 pm noting the following:

Select Board attending: Chair David Abramson, Vice Chair John Golden, Members Robert Anthony, Lise King and Louise Venden

Excused:

Other attendees: Interim Town Manager Charles Sumner, Finance Director Josee Young, Assistant Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

The August 24, 2020, the Provincetown Select Board is about to be convened. My name is Charles Sumner, Interim Town Manager, and I will begin by taking a roll call for quorum.

Chair David Abramson: Present
Vice Chair John Golden: Present
Robert Anthony: Present
Lise King: Present
Louise Venden: Present

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, the Governor's March 23, 2020, Order imposing strict limitations on the number of people that may gather in one place, and Chapter 53 of the Acts of 2020, therefore this meeting of the Provincetown Select Board is being conducted via remote participation. Persons who would like to view this meeting while in progress may do so by watching on PTV GOV Channel 18, as well as the online livestream of PTV GOV.

Public comment participation is only available through telephone by dialing (833) 579-7589 and entering conference number 359 980 35#. Clearly state your name when asked to do so, wait to be called on before speaking and use * 6 to mute and unmute your phone. Please remember to keep your background noise to a minimum and keep your phone muted when not talking.

Packet materials are available for viewing on the Town website. We will post a record of this meeting on the Provincetown's website as soon as possible. If it appears the meeting cannot or should not proceed the meeting will be continued to a later date and time.

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

A. Approve submission of September Deficit Spending

Without objection Chair Abramson waived the reading of the consent items and without further objection declared the consent agenda approved.

1. Public Statements – Three (3) minutes maximum. Select Board Members do not respond during public statements

- **Clifford Shore** – Asking the Select Board to consider changing the language of the memorandum of understand regarding the development of his property. There is now a misunderstanding of that property, would like to bring forward the questions of whether or not it is possible to amend a word in the agreement. ZBA has found there is grounds for a variance.
- **David Burbank** – Received noticed about the agenda item proposing to use the VSB to market to the part time homeowners. It is my opinion that this does not fall under the VSB marketing. Believes the Economic Development Committee to handle this.
- **Pat Miller** – President of the PTRTA, asking the Board to hold off voting on item 5B until after the survey is completed. Part timers are just looking for a place at the table to share our thoughts.

2. Select Board Member’s Opening Statements – Five (5) minutes maximum.

- **Louise Venden** – The community business survey has been sent out again, urge everyone to fill out that survey to give guidance to the Department of Health and other departments to help drive support. The Stellwagen Bank Visitor Center group was brought together last week. Funded by NOAA, the Town and other organization. It is a way to display something unique to this town.
- **John Golden** – Agrees the survey is an important instrument to assist the town. We have to keep going and head towards getting through this season amicably as possible.
- **Robert Anthony** – Agrees with Louise and John.
- **Lies King** – Early voting is available right now at Town Hall. ABCC was in town and there were no compliance violations found. Election Day is September 1st.
- **David Abramson** – Please take the time to fill out the survey. With the primary election coming up, you can drop your absentee ballot at town hall if you do not feel comfortable mailing them in.

3. Appointments – None

4. 7 PM Public Hearing – (Votes May be taken on the following items):

- A. Open the Public Hearing for the FY2021 Property Tax Rate Classification for the purpose of determining the percentages of the local tax levy to be borne in Fiscal Year 2021 by each class of real and personal property: residential, open space, commercial, and industrial and continue the public hearing to the October 13, 2020 Select Board meeting.**

Principal Assessor Scott Fahle presented the FY2021 Property Tax Rate Classification hearing. For this hearing, the Select Board are asked to consider several statutory exemptions. Each exemption reallocations the tax burden among and within the major classes of property. Member King asked if it was possible to classify residential properties that are used as short-term rentals for more than half the year as commercial. Mr. Fahle explained that change would have to happen at the state level.

Public Comment

Pat Miller – Asked the Select Board defer voting until after the results of the community survey has been reviewed.

Scott Van Hove – it is not clear what the documentation is required for RTE certification. There should be a periodic qualification. Rental units in other states you are not eligible for a residential tax exemption.

Move that the Select Board close the public comment section of the public hearing.

Motion David Abramson

Second John Golden

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

Move that the Select Board adopts/does not adopt a residential factor of “1”.

Motion David Abramson
Second Louise Venden

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

Move that the Select Board votes to not to split the rate.

Motion David Abramson
Second Lise King

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

Move that the Select Board vote to continue the residential exemption rate of 25%.

Motion David Abramson
Second Louise Venden

LV – The residential exemption was to help people who live here to stay here.

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

Move that the Select Board not adopt a small commercial exemption.

Motion David Abramson
Second John Golden

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

Move that the Select Board continues the public hearing to the October 13, 2020 Select Board meeting.
Motion David Abramson
Second Lise King

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

B. Joint Public Hearing with Finance Committee to hear comments from the public on the Town's proposed Fiscal Year 2021 operating budget.

Finance Committee Called to Order

Chair Mark Hatch
Dorrie Seavey
Mark BJORSTROM
Mark Del Franco
Scott Valentino
Kathleen Goodwin
Richard "Chip" Capelli
David Panagore
Bertram Perkel

Called to order at 7:53

Finance Director Josee Young presented the approved FY2021 Budget for the purpose of allowing the public comment pursuant to the Charter.

Public Comment

Scott Van Hove – thank you to Josee to her team for doing a good job. For part time residents the general fund, the largest funder of that is property tax, 85% is being paid by part timers. What is missing is the article on Harbor Hill. At the time of a pandemic, there is another layer being put on part-time residents.

Move that the Select Board close the public comment section of the public hearing.

Motion David Abramson
Second Lise King

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

5. Joint Meeting/Presentations/Requests – (Votes may be taken on the following items)

A. Follow-up of FY19 Audit Report Management Letter recommendations:

- 1. Parking Procedures**
- 2. Information Technology**

Finance Director Josee Cardinal Young gave a brief summary on the included packet materials that included the recommendations and follow up. Board Members thanked Josee for the thorough details that are included in the packet. Members Golden and Venden expressed concerns with the parking.

**B. Discuss formation of Community Economic Stabilization and Sustainability Subcommittee –
Select Member King and Select Member Venden**

Select Board Member Lise King presented the idea behind the formation of the new committee. The purpose of which will be to assess and address impacts of the COVID-19 crisis on the local economy and community, and to provide policy recommendations for both immediate economic stabilization and longer-term solutions for economic sustainability. First proposed this idea in June and now providing more information in the proposal. As a subcommittee to the Select Board would be to provide policy suggestions. Proposes having 7 members, one Selects Board member, town finance director or designate, one OPEB committee member, one PPRTA Member, one VSB member, one Finance committee member and one at large member.

Select Board Member Louise Venden spoke about her background in her hospitality background. Looking at this as a way to develop steps of actionable items. There are a number of programs already in place and we need to get feedback from them first before we get to far. There needs to be priorities and my concern is that in the next three months there will be a number of things that will shift. Staff are struggling and business owners are struggling because of that. I hope to be able to serve on this committee and we need to broaden the scoop of people who will serve on it. Select Board Member Robert Anthony – back in June when this proposal was first brought forward there was not enough information being provided. I appreciate Lise and Louise’s work. I don’t think the COVID pandemic is going on where. The only thing I didn’t hear is we still have a Town government we have to run. That is the operating budget and CIP budget. I just wish there would be a delegate from staff to look at the Town issues. I think it is a go-go. The Board discussed concerns about duplication what other committees and staff members are already working on and whether staff would have the ability to assist with this committee. Member King and Venden will be finalizing the mission and direction of the subcommittee and returning at the next meeting to discuss further with the Board.

Move that the Provincetown Select Board create an Economic Stabilization and Sustainability Committee to serve as a subcommittee of the Select Board

Motion: David Abramson

Second: John Golden

Roll Call Vote

Chair David Abramson: Aye

Vice Chair John Golden: Aye

Robert Anthony: Aye

Lise King: Aye

Louise Venden: Aye

C. Marketing Outreach to Second Homeowners to encourage them to make Provincetown their first home – Select Member Venden.

Select Board Member Louise Venden spoke to the Board about proposal to start a marketing outreach to encourage nonresidents to make the Town of Provincetown, prefer to table the idea at this time and would like to come back at a later meeting.

D. Secretary to the Select Board’s Annual Evaluation process

Move that the Select Board appoint Vice Chair John Golden and Louise Venden to review the performance evaluation with the Select Board Secretary.

Motion David Abramson

Second Lise King

Roll Call Vote

Chair David Abramson: Aye

Vice Chair John Golden: Aye

Robert Anthony: Aye

Lise King: Aye

Louise Venden: Aye

6. Town Manager Administrative Matters – Topics to include but not limited to: (Votes may be taken on the following items):

1. Health Department COVID -19 Update

Health Director Morgan Clark talked briefly about the Columbia University study being done on the wastewater system. As spoken about earlier, the ABCC came last weekend and found no violations of compliance. Reminded listeners to participate in the two community surveys. Spoke about eh a-systematic testing conducted last Thursday. Working with local groups on food security for the winter.

2. Town Manager’s Report

Interim Town Manager Charles Sumner gave a brief summary of his first week and discussed the upcoming Town Meeting Virtual Forum. Looking at purchases a secure drop box for ballots.

The Board welcomed Mr. Sumner aboard. Member Venden mentioned the YRRMRHT public meeting on September 14th at 4 pm

3. Town Meeting Timeline

6. Minutes – (Votes May Be Taken)

1. July 29, 2020 630 pm Special Meeting
2. August 7, 2020 10 am Special Meeting

July 29, 2020 630pm (Special) [] as printed [x] with changes so noted
August 7, 2020 10 am (Special) [] as printed [x] with changes so noted
Motion David Abramson

Roll Call Vote

Chair David Abramson: Aye
Vice Chair John Golden: Aye
Robert Anthony: Aye
Lise King: Aye
Louise Venden: Aye

7. Select Board Closing Matters - Topics to Include but not limited to: (Votes May be taken on the following items)

A. Pending Items List

- **Lise King** – Thank you and welcome Charlie
- **Louise Venden** – Welcome Charlie
- **John Golden** – Fill out the census
- **Robert Anthony** –
- **David Abramson** – Town Meeting with be September 21 at 5 pm at St. Peter’s church and the virtual town meeting forum on September 16th and the YRRHT on September 14th at 4 pm

Motion to adjourn without objection

Without objection the meeting was adjourned at 10:04 pm

Minutes transcribed by: Elizabeth Paine



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, September 28, 2020

7

SELECT BOARD CLOSING MATTERS

Closing Statements, Pending Agenda Request Items and Other

Requested by: Select Board

Action Sought: Discussion

Proposed Motion(s)

Five (5) minutes maximum

**Robert Anthony
Lise King
Louise Venden
John Golden
David Abramson**

Additional Information

- Please see attached pending topics list

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)

Conference ID: # [287 238 22](tel:28723822)

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

Pending Items List

September 9, 2020

Topic:

Requested by:

When:

1. Social Services – Housing
2. Sewer Expansion Planning
3. Legal Litigation Update
4. Provincetown Health Care Infrastructure – Needs assessment

Work Sessions

1. Communication
2. Police Station
3. New Funding Sources
 - a. Marijuana Tax
 - b. Short Term Rental Tax
4. Joint Meeting w/ Truro – Mass Housing Partnership – Outer Cape Housing

RA

Joint Meetings

1. Housing Authority

Upcoming Public Hearing

1. Set speed limit throughout Town at minimum 20 mph
2. Renaming of Bradford Street Extension as Mary Oliver Way