

*Provincetown*  
2003 ANNUAL TOWN REPORT

**Cover:** Vince Guadazno's photograph of the Town Hall Steeple looking out over Provincetown Harbor.

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### **Acknowledgements**

Thanks to the Town Boards and Departments for submitting reports for inclusion in this year's Annual Town Report. Thanks as well to Richard Faust for editing the reports, and to the design team of Gary Delius, Doug Allen, and Edward Terrill.



**ANNUAL TOWN REPORT  
YEAR 2003**

**TOWN OF PROVINCETOWN**

PROVINCETOWN, MASSACHUSETTS

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Annual Reports of the Officers of the Town of Provincetown,  
Massachusetts for the year ending December 31, 2003.

Financial Reports for the fiscal year ending June 30, 2003.

[www.provincetown-ma.gov](http://www.provincetown-ma.gov)

Compiled and Prepared by  
Doug Johnstone, Town Clerk

***In Memory of***

**Sidney W. Bamford**

Airport Commission, Bicycle Committee,  
Open Space/ Recreation Committee  
Temporary Assistant Registrar, Zoning Board of Appeals

**Beatrice Cabral**

Public Works Seasonal Employee

**Alden E. Clapp**

Parking Department Seasonal Employee

**Dorothy Costa**

Public Works Seasonal Employee

**Marcel “Coty” Cote**

Harbor Committee, Parking Department Seasonal Employee

**James H. Green**

Municipal Advertising Committee,  
Police Department Study Committee

**Vivian R. Kolz**

Teacher

**Nancy McNulty**

Bicentennial Committee, School Committee

***In Memory of***

**William McNulty**

Town Manager  
Assistant Harbormaster, Building Commissioner  
Harbor Development Committee,  
Police Needs Study Committee  
Police Building Advisory Committee,  
Water Resources Advisory Council

**William D. Roberts**

Charter Enforcement Commission

**Albert C. Rocheteau**

School Custodian

**Anthony Souza**

Parking Department Seasonal Employee

**John F. Souza, Jr.**

Public Works Employee

**Damianne Lea Strong**

Recreation Seasonal Employee

**Michael A. Torre**

On-Call Secretary, Temporary Bookkeeper

**Francis J. Ventura**

Public Works Employee



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**Elected Officials***Elected by Voters***Town Moderator**

Elizabeth Steele-Jeffers 5/06

**Board of Selectmen**

Mary-Jo Avellar, Chair 5/06

Michele Couture 5/05

Sarah Peake 5/05

Dr. Cheryl Andrews 5/04

Richard Olson 5/04

**Board of Library Trustees**

Carol Noyes 5/06

Marcia Fair 5/06

Anita Berman 5/05

James Cole 5/05

Arthur Pike 5/04

**Charter Enforcement****Commission**

Amanda Futrow 5/06 5/06

Peter Garza 5/06 5/06

John Braden 5/05 5/05

Fred Pappalardo 5/05 5/05

Henryk Tyszkas 5/04 5/04

**Housing Authority**

Arturo Alon 5/06

Pamela Parmakian 5/06

Margaret Carroll-Bergman 5/04

Teri Nezbeth 5/04

Vacant (State appointed) 7/06

**School Committee**

Terese Nelson 5/06

Molly Perdue 5/06

Peter Grosso 5/05

Debra Trovato 5/04

Dr. Frank Wills 5/04

**Appointed Officials***Appointed by the Board of Selectmen***Town Manager**

Keith A. Bergman

**Secretary to Bd of Selectmen**

Vernon Porter

**Appointed Officials***Appointed by the Town Manager***Assistant Town Manager**

Michelle Jarusiewicz (acting)

**Town Mgr. Sec./Emp. Benefits Mgr.**

Pamela Hudson

Douglas Johnstone (Promoted)

**Grant Administrator**

Michelle Jarusiewicz

**Town Clerk**

Douglas Johnstone

**Town Counsel**

Kopelman &amp; Paige, P.C

**Department of Municipal Finance****Director of Municipal****Finance & Town Accountant**

Bruce Miller

**Treasurer**

John Fitzgerald

**Collector**

Barry Stephen

**Principal Assessor**

Dana Faris

**Public Safety Departments****Chief of Police**

Ted Meyer

**Police Staff Sergeant**Warren Tobias  
Robert Russell (Retired)**Parking Administrator**

Donald Richards

**Marine Superintendent**

Christopher Flavell

**Shellfish Constable**

Tony Jackett

**Department of Public Works****Director of Public Works**

David Guertin

**DPW Deputy Director**

Sandra Turner

**Water Superintendent**Vacant  
Louis Briganti (Resigned)**Highway Department Foreman**

Ramao Duarte

**Department of Community  
Development****Community Development Director**

Jon Gilmore

**Community Development Dep. Dir.**

Mark Latour

**Building Commissioner**

Warren G. Alexander

**Licensing Agent**

Elizabeth Hartsgrove

**Health Inspector**

Patricia Pajaron

**Permit Coordinator**

Maxine Notaro

**Cape End Manor Nursing Home****CEO**

Dennis Anderson

**Administrator**

Eileen Thomas

**Director of Nursing**

Jacqueline Rozza

**Human Services Department****Council on Aging/Public Health Dir.**

Valerie Carrano

**Library Director**

Debra A. DeJonker-Berry

**Recreation Director**

Dennis Clark

**Veterans Agent**

Earle Chaddock

**Appointed Town Boards***As of February 1, 2004**Appointed by Town Moderator***Finance Committee**

Sue Buerkel	4/06
Ruth Gilbert	4/06
Robert Vetrick	4/06
Mark Leach	4/06
Matthew Clark	5/05
Gail Enos	4/05
Thomas Thurston	4/05
Ann Maguire	4/04
Virginia Ross	4/04
Vacant Alternate	4/06
Vacant Alternate	4/04

**Personnel Board**

Sandy Fay	12/06
Len Stewart	12/06
Steven Roderick	12/05
Lisa Westervelt	12/04
Vacant	12/06
Vacant Alternate Seat	12/06

<b>Appointed Town Boards</b>		<b>Cable Advisory Commission</b>	
<i>As of February 1, 2004</i>		Thanassi Kuliopulos	6/06
<i>Appointed by the</i>		Palma Ryan	6/06
<i>Board of Selectmen</i>		Catherine Russo	6/05
		Terry Siegel	6/05
		Lou Ann Bowen	6/04
		Frank Carroll, Alt.	6/04
<b>Airport Commission</b>		<b>Cape Cod National Seashore</b>	
Richard L. Silva	12/06	<b>General Management Plan Imple-</b>	
Steve Tait	12/06	<b>mentation Advisory Committee</b>	
Dr. Leonard Alberts	12/05	Patrick Patrick	6/06
Joan Drysdale	12/05	John Thomas	6/06
Steven Page	12/04	Don Richards	6/05
Jason Stover, Atl.	12/06	Kerry L. Adams	6/04
		KC Dunn Smith	6/04
<b>Art Commission</b>		Barbara Prato, Alt.	6/04
Peter Siegel	12/05	<b>Cape End Manor</b>	
Diane Shumway	12/05	<b>Board of Directors</b>	
Stephen Borkowski	12/04	Patrick Patrick	12/06
Georgia Cox	12/04	Dr. Janet Whelan	12/06
Peggy Prichett	12/04	Robert Cabral	12/05
Michael Bunn, Alt.	12/04	Rev. Henry Dahl	12/04
		Marilyn Downey	6/04
<b>Board of Assessors</b>		Sandy Dobyn, Alt.	12/05
Leslie Parsons	12/06	Katherine Perry, Alt.	12/04
Rick Tourgee	12/06	<b>Council on Aging</b>	
Minerva Newman	12/05	Brunetta Wolfman	12/05
Jack Kosko	12/04	Gladys Johnstone	12/05
Pam Parmakian	12/04	Anita Berman	12/04
Gregory Muse, Alt.	12/05	Gregory Howe	12/04
		Geraldine Brennan	12/04
<b>Beautification Committee</b>		Florence Alexander, Alt.	12/06
Jennifer Crooks	12/06	<b>Cultural Council</b>	
Robin Evans	12/05	Dorothy Antezak	12/06
James Mack	12/05	Melanie Braverman	12/06
Mary Ann Powers	12/05	Cheri Mittenthal	12/06
Lou Ann Bowen	12/04	Patricia Ann DeLuca	12/05
Vacant Alternate Seat	12/06	Marian Roth	6/05
		Michael Wright	12/05
<b>Building Committee</b>		Greg Anton	12/04
Regina Binder	12/06	Maryalice Johnston	12/04
Paul DeRuyter	12/06	Pasquale Natale	12/04
Joyce Guide	12/06	Diane Shumway	12/04
Ellen Rosseau	12/06		
Vacant	12/06		
James Pipilas, Alt.	12/06		

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<b>Harbor Committee</b>		<b>Licensing Board</b>	
Alice Brock	6/06	Hunter O'Hanian	12/06
Heather Bruce	6/06	Keith Brickel	12/05
Kerry Adams	6/05	John Foley	12/05
Beverly Dwyer Ormston	6/05	Nick Robertson	12/04
Gerard Irmer	6/05	Irene Rabinowitz	12/04
Melville Cote, Alt.	6/06	Two Vacant Alts.	12/05
<b>Board of Health</b>		<b>Local Comprehensive Plan Implementation Committee</b>	
David McLean	12/06	Anne Howard	6/06
Mark Baker	12/05	Regina Binder	6/06
Ken Janson	12/05	Ted Malone	6/04
Cynthia Gast	12/04	Vacant	6/05
Duane Gregory	12/04	Vacant	6/05
David McLean, Alt.	12/03		
<b>Historic District Commission</b>		<b>Local Housing Partnership</b>	
Lewis Church	9/06	Teri Nezbeth	6/06
John Dowd	9/05	Scott Campbell	6/05
Tom Boland, Chair	9/04	Arturo Alon	6/04
Polly Burnell	10/05	Cindy Bowes	6/04
Meg Stewart	9/06	Tim Hazel	6/04
Roger Keene, Alternate	9/05	Eileen Kennedy, Alt.	6/06
Carol Neal, Alternate	9/06		
<b>Historic District Study Com.</b>		<b>Open Space Committee</b>	
Howard Berman	12/04	Stephen Milkewicz	5/05
Thomas Boland	12/04	Miriam Collinson	5/06
Eric Dray	12/04	Robin Evans	5/04
Christine McCarthy	12/04	Celine Gandolfo	5/05
Betty Steele-Jeffers	12/04	Hatty Walker Fitts	5/04
		Vacant Alternate Seat	5/05
<b>Human Services Committee</b>		<b>Planning Board</b>	
David Eliseo	6/05	Barnett Adler	12/06
Teri Nezbeth	6/05	Ellen Battaglini	12/03
Robert Jackson	6/04	Howard Burchman	12/04
Betty Krier	6/04	Annie Howard	12/04
James Pipilas	6/04	Vacant	12/06
Vacant	6/06	Vacant Alt.	12/06
Vacant	6/06		
<b>John Anderson Francis Family Scholarship Comm.</b>		<b>Recreation Commission</b>	
Brenda Haywood	12/06	Robert Cahill	12/06
Carol Westcott	12/06	Treg Kaeselau	12/05
Anita Berman	12/04	Susan Cook	12/04
David Lindstrom	12/04	Jill Macara	12/04
Betty Villari	12/04	Candice Silva	12/04
		Vacant Alt.	12/06

**Recycling Committee**

Lou Ann Bowen	12/06
Anna Carter	12/06
Decker Johnson	12/06
Vacant	12/06
Vacant	12/05

**Board of Registrars of Voters**

Joan Drysdale	12/06
Olive Ahmuty	12/05
Bob McCandless	12/04
Doug Johnstone	Indefinite

**Shellfish Committee**

Michael Anderson	12/04
John Baldwin	12/04
Alex Brown	6/04
Dan Notaro	12/04
Vacant	12/06
Vacant Alt.	12/04

**Visitor Services Board**

Mick Rudd	6/06
Lynn Davies	6/05
Stephen Melamed	6/05
Barbara Rushmore	6/05
Rose Basile	6/04
Pasquale Natale	6/04
Michael VanBelle	6/04

**Water & Sewer Board**

Anne Lord	12/06
Jonathan Sinaiko	12/06
Sacha Richter	12/06
Terry Seigel	12/05
Vacant	12/06
John Ciluzzi, Alt.	12/04

**Zoning Board of Appeals**

Peter Bez	12/06
Patrick Eleey	12/06
Stephen Melamed	12/06
Gary Reinhardt	12/06
Lynne Davies	12/05
Brian Falvey	12/05
Peter Page	12/04
Vacant	12/05
Vacant Alt.	12/05
Vacant Alt.	12/04

**Appointed Town Boards***As of February 1, 2003**Appointed by the Town Manager***Cemetery Commission**

Mary Henrique	12/05
Laurel Guadazno	12/06
Nancy Whorf Kelly	12/06
Joe Peters	12/04
Vacant	12/05
Vacant Alternate Seat	12/04

**Conservation Commission**

Elaine Anderson	12/06
Dieter Groll	12/06
George Bryant	12/05
Sarah Robin	12/05
Vacant	12/05
Francis Santos, Alt.	12/05
Paul Tasha, Alt.	12/04

**Disability Commission**

Terry Horwitz	12/06
Elizabeth Villari	12/06
Jo Ann DiOri	12/05
Pat Farwell	12/05
Jim Pipilas	12/05
Doug Johnstone	12/04
Toni Schiff	12/04

**Board of Fire Engineers**

Warren Alexander	12/04
Gerard Menangas	12/04
Marilyn Monks	12/04
James Roderick	12/04
Michael Trovato	12/04
Adam Wolf	12/04
Russell Zawaduk	12/04

**Historical Commission**

Ardis Markarian	12/06
Stephen Milkowicz	12/06
John Dowd	12/05
Roger Keene	12/05
Austin Knight	12/05
Fred Pappalardo, Alt.	12/06
Vacant Alt.	12/05

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# **BOARD OF SELECTMEN & TOWN MANAGER**



*Library Groundbreaking Ceremony, November 2003*



# BOARD OF SELECTMEN

Several major issues faced the selectmen this year, not the least of which has been siting and rebuilding a new Cape End Manor Care Campus. This project was well underway last year until the Commonwealth transferred the site for the project to another state agency. Since then, the Selectmen have been engaged in negotiations with the towns of Truro and Wellfleet in an attempt to find a suitable site for a non-for-profit facility in one of those towns. We have not been successful. As this report goes to print, the Determination of Need for a new manor is still under consideration by the Commonwealth at the site of the town's DPW garage. This would involve unknown costs in finding a suitable site for the DPW as well as the inherent costs in moving the DPW operation. The Selectmen also have serious concerns about as yet unknown potential environmental degradation at that site which would need to be remediated. Our architects and engineers have now determined that the DPW site is not sufficient for a care campus, which would need to include assisted living and rehabilitation facilities in order to make the project self-sufficient. We have recently discovered that a new facility could be built on the present Manor site and adjacent property at Motta Field. As presented, the skilled nursing facility would be located on that portion of Motta Field currently used for tennis and little league only. The assisted living and rehab facilities would then be located on the current Manor site. We are currently in discussions with the School Committee regarding this process and have pledged our cooperation in relocating the little league diamond and the tennis courts. The Selectmen are concerned that should the town be prevented from going forward with this combined site, the end of the Cape End Manor as we know it may be realized. The town has to absorb upwards of \$750,000 per year in subsidizing what is now generally regarded as an out-of-date and sub-standard facility. We are committed to continuing the process of saving the Manor and will continue to explore any and all avenues to that end. We thank all concerned,



*Mary-Jo Avellar*



*Cheryl Andrews*



*Michele Couture*



*Sarah Peake*



*Richard Olson*

especially the Manor’s Board of Directors, Dennis Anderson and Eileen Thomas for their continued advice and support.

The new wastewater treatment facility has gone on line with most of the Phase One sewer hookups having been completed. Except for one serious problem at 479 Commercial Street, we are very pleased with the speed and efficiency with which the project went forward. We continue to engage in discussions with the Water and Sewer Board over where to site a laundromat. We congratulate all those who worked so hard to bring this project in on time and with minimum disruption to the community at large.

The Selectmen have continued their commitment towards increasing the town’s availability of affordable housing stock. An affordable housing task force has met throughout the winter, actively exploring rationales which would facilitate the building or reconstruction of existing properties to create more affordable housing. We look forward to hearing their final recommendations.

We were dismayed this past winter when the floating finger piers, housing Provincetown’s fishing fleet, came apart during a modest Nor’easter. The broken floats now sit on MacMillan Pier while the Selectmen and the administration consult with Town Counsel and the engineers to determine how to solve this problem, as well as who will pay for it. The Selectmen are also in negotiations with the Provincetown Public Pier Corporation over the newly created corporation’s lease with the town. This is an ongoing negotiation which was hoped to have been entered into long before now.

Our Selectmen’s quarterly meetings with the public have been very successful. Proposed by Selectman Michele Couture, these forums provide the public and the Selectmen the ability to enter into lively colloquies, something not afforded either party during regular Selectmen’s meetings. We enjoy these meetings very much and hope the public does as well.

**Board Attendance for 2003**  
**Total Number of Meetings = 50**

<i>Selectman</i>	<i>Attended</i>	<i>Absence</i>
Mary-Jo Avellar	42	(5 excused, 3 conflict-Pier)
Cheryl Andrewa	45	(3 excused, 2 conflict-Manor)
Michele Couture	49	(1 excused)
Sarah Peake	49	(1 excused)
Richard Olson	46	(4 excused)

The Selectmen are now beginning to explore the possibility of the Town providing some of its own energy, via a windmill, perhaps at the Wastewater Treatment Facility or elsewhere. We will be meeting with a state agency which develops

these projects and are planning to visit the windmill in Hull, which has contributed greatly in the reduction of electrical bills to that community.

Since the recent Massachusetts Supreme Judicial Court ruling which will establish the right of same sex couples to marry in the Commonwealth, the Selectmen, the Town Manager, Town Counsel and the Town Clerk are working towards setting up procedures and guidelines to streamline this process, especially since Provincetown has received nationwide attention as the “Niagara Falls of same sex unions.”

The Selectmen would like to thank the Town Manager and all of the Town’s staff who have worked so hard this year. It wasn’t easy having so many major projects on tap at one time. We also appreciate everyone’s willingness to work cooperatively in continuing to make Provincetown a great place to live.

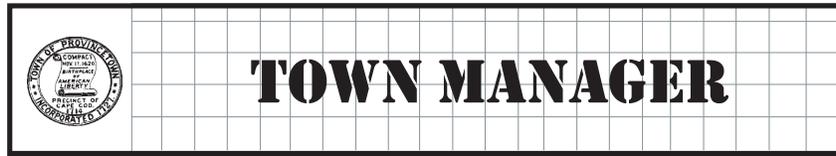
*Respectfully submitted for the Board of Selectmen,*

**Mary-Jo Avellar**

Chair



*Board of Selectman Chairman Mary-Jo Avellar and Town Manager Keith A. Bergman holding Innovation Award presented to the Town by the Massachusetts Municipal Association for the Town’s unique wastewater solution.*



I am pleased to submit this, my fourteenth, annual report as Town Manager of the Town of Provincetown.

**The Preservation of Community.**

The Town of Provincetown is at an important juncture in its long history, and our voters will soon have before them important measures which would allow us to preserve our community and to chart its course for years to come.

In 2003, the Affordable Housing Task Force addressed the challenge of providing affordable housing not only for those who want to live here, but also for those who work here. Adoption of the aptly-named Community Preservation Act is chief among the Task Force’s recommended strategies to help produce 144 units of affordable housing in the next five years—to address the needs of low /moderate, median, and middle income households.

In 2003, the Town launched a community vision process whose challenges include helping us to strike the appropriate balance between the environment that surrounds us and the need to maintain a vibrant community of human beings in our seasonal tourist economy. And we recognize that having some sort of year-round economy—which includes the schools, health care, the arts and culture, commercial fishing and aquaculture, and governmental services—is vital to maintaining our seasonal tourism base.

The future of Cape End Manor remains a defining issue for our community, and one which soon needs to come to resolution. The stakes are high— not only for the Town’s long-term financial health and the continued provision of needed skilled care services in this community, but also for the expansion of those services to provide a continuum of care opportunities including affordable assisted living and out-patient rehabilitation therapies. The ability to attract a qualified non-profit health care entity to come to Provincetown and build and operate that care campus is real. But the proposal must be financially viable to ensure its long-term success. And along the way, compromise and consensus will be needed for the entire community to benefit and prosper.

**Community Vision.**

In 2003, the Town launched a Community Vision process, with a series of meetings and community forums facilitated by Mr. John Goodrich, who was so instrumental in developing our unique wastewater solution. The community vision process looks

to achieve consensus on implementation strategies for the Local Comprehensive Plan, focusing on affordable housing, open space/land use, transportation, and economic development. Our approach is to achieve a thoughtful balancing between potentially competing objectives, and to select appropriate policy tools that match our goals. Those policies would then be translated to that map, so that we have consensus on what open space land acquisitions can be made with limited available funding, on where affordable housing can be created which has the least impact on infrastructure and open space, and on what we can do collectively to preserve and enhance our local economic base.

**Affordable Housing.** The participants of the Affordable Housing Task Force have reached a consensus on the production goal of creating of 144 units of affordable housing over the next five years. This goal includes adding 44 subsidized units in the low/moderate income category to reach the total of 206 units, or 10% of the Town's total year-round housing units. In addition, we are looking to add another 100 units over the next five years, with a third of each in the income categories of low/moderate, median, and middle income. Two-thirds of these would be rental [96 units], and one-third home ownership [48]. The Task Force also reached the consensus to bring forward the following measures for the Spring of 2004 to achieve these goals:

Community Preservation Act: adoption of the 3% property tax surcharge under MGL C.44B for community housing, open space, historic preservation, and recreation, with up to 80% of those funds (\$6.0-million over 20 years) available for community housing, which includes households up to median income. The AHTF looks for the establishment of a locally-based non-profit as a principal potential recipient of those funds, and with a focus of using CPA funds for rehabilitation of existing properties and for rental subsidies.

Zoning [Barnstable-style]: amnesty program for accessory apartments to be made available for low/moderate income households.

Zoning: growth management amendment to bank any gallons per day of Title 5 capacity saved from use conversions and to reallocate those GPDs for affordable units for low/moderate income and middle income households.

**Economic Development.** The Economic Development Task Force was formed at the Community Vision's December 2003 working group meeting and is open to anyone who would like to participate—and so is modeled after the Affordable Housing Task Force. One of the near term goals of the Economic Development group will be to develop a good, current database for economic development, particularly for tourism. The data should be local in nature and have wide credibility. One long-term goal could be to develop a strategic plan for economic development for Provincetown, that continues to recognize that our economy is based first and foremost upon tourism, but also that important opportunities exist with the arts and our cultural institutions, and that having some sort of year-round economy (which includes health care, the schools, commercial fishing and aquaculture, and governmental services) is vital to seasonal tourism as well.

**Transportation.** The Town of Provincetown remains committed to promoting inter-modal transportation that provides reliable public transportation and less dependency on the automobile. While our stated goal of expanding year-round bus service on the Outer Cape was unexpectedly threatened by Plymouth & Brockton's announced service reductions in September, the Town, P&B, and the Cape Cod Regional Transit Authority have since agreed to pursue state grant funds for a hybrid service where CCRTA buses would augment P&B service to provide better year round service at reduced costs. Federal grant funding is also being sought for the proposed expansion of the summer shuttle to Provincetown Municipal Airport.

#### **Sewer System Commences Operation**

After 50 years of discussions and with nearly a decade in the making, the Town of Provincetown went "on-line" on July 15, 2003 with its first-of-its-kind wastewater solution—a system so unique it required five special pieces of state legislation to bring it about. The Massachusetts Municipal Association awarded its 2003 Municipal Innovation Award to the Town of Provincetown for its "Unique Wastewater Solution." Provincetown's solution is a model for other communities looking to construct a sewer system which principally serve those properties that cannot comply with Title 5 on site, as well as those adjacent properties which choose to connect, by establishing special legislation— a "checkerboard" district where properties opt-in. Also, the system is paid for only by those properties which connect to the sewer- through another change in state law. Through the use "administrative consent orders" in the years preceding commencement of sewer operations, it allowed property owners with failed systems to set aside escrow funds to pay for their sewer betterments, rather than having to use those funds to upgrade septic systems that would soon be abandoned. Provincetown's system is "growth neutral" and does not fuel growth simply by building a sewer system, but instead limits connecting properties to the greater of their current legal use or their Title 5 design capacity, whichever is greater.

Because the actual use of the sewer system appears to be well below its design capacity, DEP will likely allow the Town to make the excess sewer capacity available for in the next year or so. Planning is already underway to determine the criteria that would be used to help decide which properties and which neighborhoods would be eligible to use that surplus capacity.

#### **Cape End Manor Care Campus – our last and best option**

Being a town that cares for its elderly has been a defining feature of the Provincetown community for decades. It remains a top priority for the Town government, as we have looked both in town and out to find a viable solution to the need to replace our 100 Alden Street facility with a state-of-the-art facility that provides an expanded level of services for this region. To achieve the goal of a financially viable Cape End Manor Care Campus, we have identified what appears to be our last and best option.

The Board of Selectmen has announced that it is pursuing a “same-site scenario” that would require some adjacent Town-owned property.

Without a community consensus, this proposal cannot proceed. It requires special legislation to overcome a reverter clause in the 1953 deed from the Commonwealth to the Town. It requires a two-thirds vote of town meeting for what is essentially a land deal. The Town would have to issue— for a third time— a request for proposals from qualified non-profit health care entities. Final disposition would be subject to a subsequent Town Meeting vote, after the special legislation has been enacted and the successful proposal selected. That way, the later Town Meeting would be voting on a specific proposal with its terms and conditions known to it. In the event that the Town votes to adopt the Community Preservation Act, then CPA funds (matched by state funds) could be available to address the construction of the recreation corridor, as well as the housing component of the Care Campus. The project would require Cape Cod Commission review as a Development of Regional Impact, but we would seek a hardship exemption under the recently-created category of “Project of Community Benefit”—which best describes how the Provincetown community needs to view this project in order for it to succeed.

**Transitions in 2003:**

*Congratulations to . . .* Town Clerk **Douglas Johnstone**, Town Manager’s Secretary/Employee Benefits Coordinator **Pamela Hudson**, Police Staff Sergeant **Warren Tobias** and Sergeant **James Golden** . . . on their well deserved promotions this year.

*Thanks and best wishes to . . .* Town Clerk **Greta Holman**, Police Staff Sergeant **Robert Russell**, and Water/Wastewater Superintendent **Louis A. Briganti** who left the Town’s employ in 2003.

*Welcome to . . .* Marine Superintendent **Christopher H. Flavell** . . . who joined the management team this year.

Provincetown’s second longest-serving Town Manager, William McNulty, died December 3, 2003. Mr. McNulty served two non-consecutive terms as Town Manager from May 1980 to December 1983, and from March 1987 to October 1989.

Let me express my appreciation to the Board of Selectmen for their support over these past fourteen years, and for unanimously approving an extension of my employment contract through May of 2007. I look forward to continuing to work on the many challenges and opportunities which face the Town of Provincetown. My special thanks to all Town employees, board members, and volunteers— and to the citizens of Provincetown— whom it is our privilege to serve.

*Respectfully submitted,*

**Keith A. Bergman**

Town Manager



2003 was a busy year with a great deal of activity and the completion of several significant projects; the Winthrop Street Cemetery, MacMillan Pier, and the Water Transmission Main, to name a few. In addition to the Grant Administration function, I continued in the Acting Assistant Town Manager position. Below, I have listed some of the grant activity during 2003.

**Winthrop Street Cemetery:** With funding assistance under two program years from the Department of Environmental Management, the Winthrop Street Cemetery was restored. Grant funds totaling \$92,082, combined with town funds, provided a new granite and rail fence, along with new plantings, two new entryways, and signage. Public Work department crews, with assistance from Americorps volunteers, removed significant amounts of overgrowth which concealed numerous burial plots.

**MASSACHUSETTS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS:**

**FY 2002 Community Development Fund - Water Transmission Main:** In May 2003, with the completion of the final overlay paving, the replacement of a 100-year-old water transmission main was complete. Surpassing the goal of 7,000 linear feet under Phase 2, through the excellent work of the Water Department, the engineering firm, Environmental Partners Group, the contractor, Robert B. Our, and some luck, the town was able to complete the entire length of the water main – 9,350 linear feet –and eliminated the need for a Phase 3. Phase 2 was funded largely through a \$750,000 grant from the Department of Housing & Community Development [DHCD].

**FY 2003 Community Development Fund - Provincetown Business Development Center:** The Town subcontracted with the Lower Cape Cod Community Development Corporation to administer the Provincetown Business Development Center [PBDC]. The PBDC has been very successful providing microenterprise assistance to an average of 130 low/moderate income residents of Provincetown each year. The Center’s staff provides one-on-one business consulting and technical assistance on various topics. The Center has also provided needed technical assistance to entrepreneurs in many fields including fishermen, artists, restaurateurs, and shopkeepers. This is funded under a \$223,850 grant received in December 2002 from DHCD.

**FY 2002 Housing Development Support Program:** The Town continued to work with the Housing Land Trust for Cape Cod and Community Housing Resource on the acquisition of 40A Nelson Avenue by the Housing Land Trust for Cape Cod to be developed into 6 units of affordable rental housing. The Town received a grant of \$372,800 in 2002 in support of that effort. Construction is underway with completion anticipated by June 2004.

**Ready Resource:** Another MCDBG/DHCD program, the Ready Resource program, provided a \$490,000 grant as part of the \$16.7 million reconstruction project which was completed in the Spring of 2003! Other grants included Sea Port Bond Bill, Economic Development Administration, Public Works Economic Development, Community Development Action Grant, and Ferries & Terminals.

#### **COMMUNITY-ORIENTED POLICING:**

**Executive Office of Public Safety:** The Town continues its Community-Oriented Policing efforts with funding assistance from a variety of state and federal agencies. The Provincetown Police Department received a \$10,000 Community Policing grant from the Massachusetts Executive Office of Public Safety (EOPS) Programs Division for the implementation of several activities including the purchase of police equipment and continuation of the Alcohol Servers Training Program. In addition to the \$15,500 grant under the Local Law Enforcement Public Safety Equipment that the Police Department received in December 2002 from EOPS as part of the state's efforts to enhance the capabilities of local law enforcement to prevent, prepare for, and respond to acts of terrorism, the Fire Department also received a \$15,000 grant.

In addition to the grant activities mentioned above, the Town receives many other grants through individual departments, including the Library, the Council on Aging, and the Department of Public Works. I would like to thank everyone who has assisted with these projects including Town Manager Keith A. Bergman, Public Works Deputy Director Sandra Turner, Public Works Director David Guertin, HIV Grant Coordinator Patrick Manning, and Police Chief Ted Meyer.

**Community Housing:** Faced with the critical need for affordable housing, the Provincetown Board of Selectmen established as one of its top goals the development of affordable housing strategies including increasing the stock of safe, affordable, and accessible housing. Current strategies focus on the development of Community Housing and a 10-year plan to produce 350 units of community housing for a year-round workforce, with affordability across a range of income groups; Low/Moderate, Median, Middle, and Market, the "4Ms." Community housing is to be developed within current growth management limits, with priority on reuse, conversion, and rehabilitation with

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the least impact on the town's infrastructure and open space. Seasonal workforce needs will also be addressed as a means of freeing up year-round housing.

The Town of Provincetown conducted an Affordable Housing Roundtable on December 6, 2002, inviting the community to participate in a Roundtable discussion with Town officials and affordable housing advocates and experts. Subsequently, an Affordable Housing Task Force was established and has been meeting regularly since January 2003. The Task Force has been quantifying the need for affordable housing and establishing goals. Meeting the needs of year-round employees is viewed as a top priority.

In order to be eligible for certain grants and to gain bonus points (and therefore be competitive), the town seeks housing certification annually through Executive Order 418. For FY 2003, the Town was certified by DHCD with 35 points (14 points required)! For FY 2004, the EO 418 Housing Certification process evolved into a number based system, with creation of new units for low, moderate, and middle income required. Certification for FY 2004 was submitted in December 2003 with the Town receiving certification shortly thereafter, thus continuing to be eligible for certain grants. The housing certification reflects the diligence by the town in addressing housing issues through various strategies.

The success of all of our endeavors, including the grant-funded projects, is through the hard work of many people. I would like to thank all of those involved, both paid staff and volunteers, for the many hours of effort to make this happen.

*Respectfully submitted,*

**Michelle Jarusiewicz**

Grant Administrator, Acting Assistant Town Manager

# TOWN MEETING & ELECTIONS

## Town Meetin' Blues

### The Stakeholders' Ode to Madame Moderator Roslyn Garfield

*Sung to Roslyn Garfield.*

*More or less to the tune of Folsom Prison Blues  
by Johnny Cash during the 2003 Town Meeting.*

I hear that gavel pounding;  
It's pounding in my brain.  
Town Meeting Time is over-  
It just won't be the same.  
Oh, Madam Moderator,  
You kept us on our toes.  
Yet Town Meeting kept on spending  
Despite our budget woes.



*Roslyn Garfield*

“This place needs song-and-dance men,”  
You ruled when zoning bored.  
No yeas and nays were called for,  
So Stakeholders took the floor!  
That must have been the last straw:  
'Cause the next year you retired.  
And tonight's your last chance to tell us  
**Our five minutes have expired!**

*(musical interlude)*

Through you to the previous speaker  
May we say we'll all miss you.  
We still need a gadfly  
If you're looking for sump'n to do.  
It's time to move the question-  
We know you've paid your dues-  
Won't we see you in the front row  
Singing Town Meetin' Blues?



Town Moderator Roslyn Garfield called the meeting to order on Tuesday, April 8th, 2003 at 6:00 p.m.

### PRELIMINARY MOTIONS

(1) Mary-Jo Avellar moved that the Town vote to waive the reading of the warrant.  
**Motion carried**

(2) Mary-Jo Avellar moved that the Town vote to grant permission to speak at the April 7, 2003 Annual Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Dennis Anderson, Cape End Manor CEO; Edward Boxer, PHS Principal; Dennis Clark, Recreation Director; Patricia Fitzpatrick, Tourism Director; Elizabeth Gallerizzo, Licensing Agent; Jon Gilmore, Director of Community Development; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., Town Counsel; Michelle Jarusiewicz, Acting Assistant Town Manager; Bruce T. Miller, Director of Municipal Finance and Town Accountant; Maxine Notaro, Permit Coordinator; Paul O'Shea, Massachusetts Division of Fisheries and Wildlife; Patricia Pajaron, Health Inspector; Jane Raasch, Health Agent; Anthony Teso, Principal, Veterans Memorial Elementary School; Eileen Thomas, Cape End Manor Administrator; and Dr. Colette Traylor, Superintendent of Schools. **Motion carried**

(3) Mary-Jo Avellar moved that on all matters to come before the April 7, 2003 Annual Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion carried**

**Article 1. To Hear Town Reports.** To see if the Town will vote to hear the reports of the Town Officials and Committees and to act thereon.

*[Requested by the Board of Selectmen]*

Mary-Jo Avellar moved that the Town vote to hear the reports of the Town Officials and Committees and to act thereon. **Motion carried**

**FY 2004 BUDGET ARTICLES**

**Article 2. FY 2004 Operating Budget.** To see to if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,134,013 to fund operating budgets for the several Town departments for Fiscal Year 2004 in accordance with Chapter 9, section 1 of the Provincetown Charter, as follows:

*[Requested by the Board of Selectmen]*

<i>Division</i>	<i>FY 2003</i>	<i>FY 2004</i>	<i>%</i>
I. General Government	\$ 1,035,708	\$ 1,022,305	-1.3%
II. Finance	5,690,609	5,982,192	5.1%
III. Public Safety	2,701,232	2,954,500	9.4%
IV. Public Works	1,833,740	1,876,828	2.3%
V. Public Services	3,797,507	4,121,429	8.5%
VI. Public Schools	4,126,724	4,176,760	1.2%
<i>Total Divisions I-VI</i>	<b>\$19,185,519</b>	<b>\$20,134,013</b>	<b>4.9%</b>

And further, that said available funds include the intended use of \$335,907 from the Land Bank Fund for the 157 Land Bank budget; \$347,881 from the Parking Fund for the 299 Parking budget; \$667,611 from the Tourism Fund for the 210 Police, 231 Ambulance, 482 Airport, 651 Beautification, and 699 Tourism budgets; and \$120,000 from Overlay Surplus for the 910 Retirement/Insurance/Fringes budget; or any greater or lesser sums applied to those or other budgets; or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS AS FOLLOWS:**

<b>Budget</b>	<b>Actual FY 2002</b>	<b>Budget FY 2003</b>	<b>Selectmen FY 2004</b>	<b>FinCom FY 2004</b>	<b>% 03-'04</b>
<b><u>I. GENERAL GOVERNMENT</u></b>					
<b>113 Elections &amp; Town Meetings</b>					
Expenses	\$7,681	\$8,569	\$8,496	\$8,496	-0.9%
<b>122 Board of Selectmen</b>					
Personal Services	38,652	40,975	40,975	40,975	
Expenses	<u>6,917</u>	<u>8,200</u>	<u>8,500</u>	<u>8,500</u>	
sub-total	45,569	49,175	49,475	49,475	0.6%
<b>123 Town Manager</b>					
Personal Services	179,903	194,452	134,760	134,760	
Expenses	<u>7,446</u>	<u>8,100</u>	<u>6,140</u>	<u>6,140</u>	
sub-total	187,349	202,552	140,900	140,900	-30%
<b>151 Legal Services</b>					
Expenses	142,799	120,000	140,000	140,000	16.7%
<b>156 Administration</b>					
Expenses	55,548	61,480	82,430	82,430	34.1%

<b>Budget</b>	<b>Actual FY 2002</b>	<b>Budget FY 2003</b>	<b>Selectmen FY 2004</b>	<b>FinCom FY 2004</b>	<b>% 03-'04</b>
<b>157 Land Bank</b> <i>funded by the Land Bank</i>					
Maintenance	11,713	13,548	9,676	9,676	
Affordable Housing	26,029	27,007	28,375	28,375	
Debt Service	<u>203,000</u>	<u>306,106</u>	<u>297,856</u>	<u>297,856</u>	
sub-total	240,742	346,662	335,907	335,907	-3.1%
<b>161 Town Clerk</b>					
Personal Services	60,782	58,622	55,201	55,201	
Expenses	<u>7,956</u>	<u>10,364</u>	<u>8,870</u>	<u>8,870</u>	
sub-total	68,738	68,986	64,071	64,071	-7.1%
<b>169 Licensing</b>					
Personal Services	32,000	34,698	34,698	34,698	
Expenses	<u>10,632</u>	<u>12,505</u>	<u>10,450</u>	<u>10,450</u>	
sub-total	42,632	47,203	45,148	45,148	-4.4%
<b>171 Conservation Commission</b>					
Expenses	758	1,584	1,504	1,504	-5.1%
<b>173 Housing Partnership</b>					
Expenses	1,872	1,000	1,140	1,140	14.0%
<b>174 LCP Implementation</b>					
Expenses	644	1,865	1,920	1,920	2.9%
<b>175 Planning Board</b>					
Expenses	2,067	2,192	2,330	2,330	6.3%
<b>176 Zoning Board of Appeals</b>					
Expenses	2,001	2,453	2,663	2,663	8.6%
<b>179 Historical Commission</b>					
Expenses	1,357	1,672	1,588	1,588	-5.0%
<b>482 Airport Commission</b> <i>funded in part by Tourism Fund (\$49,602)</i>					
Expenses		65,065	86,613	86,613	33.1%
<b>499 Cable Advisory Commission</b>					
Expenses	<u>0</u>	<u>55,250</u>	<u>58,120</u>	<u>58,120</u>	5.2%
<b>I. General Government</b>	<b>\$799,756</b>	<b>\$1,035,708</b>	<b>\$1,022,305</b>	<b>\$1,022,305</b>	<b>-1.3%</b>

**II. FINANCE****131 Finance Committee**

Expenses	\$4,032	\$5,100	\$5,300	\$5,300	
Reserve Fund	<u>22,800</u>	<u>35,000</u>	<u>35,000</u>	<u>35,000</u>	
sub-total	26,832	40,100	40,300	40,300	0.5%

**135 Town Accountant**

Personal Services	132,932	142,876	154,451	154,451	
Expenses	<u>84,356</u>	<u>32,100</u>	<u>32,900</u>	<u>32,900</u>	
sub-total	217,288	174,976	187,351	187,351	9.9%

**136 Information Systems Department**

Personal Services	38,110	44,984	47,008	47,008	
Expenses	<u>50,903</u>	<u>94,248</u>	<u>91,200</u>	<u>91,200</u>	
sub-total	89,013	139,232	138,208	138,208	4.7%

**141 Board of Assessors**

Personal Services	115,312	117,669	119,315	119,315	
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<b>Budget</b>	<b>Actual FY 2002</b>	<b>Budget FY 2003</b>	<b>Selectmen FY 2004</b>	<b>FinCom FY 2004</b>	<b>% 03-'04</b>
Expenses	<u>19,150</u>	<u>32,806</u>	<u>20,541</u>	<u>20,541</u>	
sub-total	134,462	150,475	139,856	139,856	-5.2%
<b>145 Treasurer/Collector</b>					
Personal Services	112,144	118,194	119,235	119,235	
Expenses	<u>43,543</u>	<u>43,500</u>	<u>57,500</u>	<u>57,500</u>	
sub-total	155,687	161,694	176,735	176,735	10.5%
<b>710 Debt Service</b>					
Expenses	1,116,400	1,738,709	1,480,113	1,480,113	-15%
<b>820 Tax Title</b>					
Expenses	25,034	50,000	39,000	39,000	0.0%
<b>910 Retirement/Benefits/Insurance</b>					
Expenses	<u>2,799,450</u>	<u>3,235,423</u>	<u>3,780,629</u>	<u>3,780,629</u>	17.5%
<b>II. Finance</b>	<b>\$4,564,166</b>	<b>\$5,690,609</b>	<b>\$5,982,192</b>	<b>\$5,982,192</b>	5.1%
<b><u>III. PUBLIC SAFETY</u></b>					
<b>210 Police</b>	<i>funded in part by Tourism Fund (\$70,000)</i>				
Personal Services	\$1,300,863	\$1,353,224	\$1,412,407	\$1,412,407	
Expenses	<u>112,792</u>	<u>90,700</u>	<u>92,100</u>	<u>92,100</u>	
sub-total	1,413,655	1,443,924	1,504,507	1,504,507	4.2%
<b>211 Police Station</b>					
Expenses	27,619	39,000	26,600	26,600	-32%
<b>220 Fire</b>					
Personal Services	193,225	236,748	288,556	288,556	
Expenses	<u>111,449</u>	<u>110,167</u>	<u>127,017</u>	<u>127,017</u>	
sub-total	304,674	346,915	415,573	415,573	19.8%
<b>231 Ambulance Service</b>	<i>funded in part by Tourism Fund (\$123,947)</i>				
Expenses	28,477	65,776	174,168	174,168	165%
<b>240 Inspections</b>					
Personal Services	107,276	109,945	110,245	110,245	
Expenses	<u>19,234</u>	<u>22,450</u>	<u>16,215</u>	<u>16,215</u>	
sub-total	126,510	132,395	126,460	126,460	-4.5%
<b>241 Community Development</b>					
Personal Services	103,059	166,668	186,402	186,402	
Expenses	<u>2,795</u>	<u>6,650</u>	<u>500</u>	<u>500</u>	
sub-total	105,854	173,318	186,902	186,902	7.8%
<b>291 Emergency Management</b>					
Personal Services	1,200	1,200	1,200	1,200	
Expenses	<u>91</u>	<u>250</u>	<u>225</u>	<u>225</u>	
sub-total	1,291	1,450	1,425	1,425	-1.7%
<b>294 Harbor Committee</b>					
Expenses	1,044	1,638	1,553	1,553	-5.2%
<b>295 Harbormaster</b>					
Personal Services	92,291	84,802	108,275	108,275	
Expenses	<u>28,040</u>	<u>22,520</u>	<u>25,000</u>	<u>25,000</u>	
sub-total	120,331	107,322	133,275	133,275	24%

<b>Budget</b>	<b>Actual FY 2002</b>	<b>Budget FY 2003</b>	<b>Selectmen FY 2004</b>	<b>FinCom FY 2004</b>	<b>% 03-'04</b>
<b>296 Shellfish</b>					
Personal Services	28,893	30,710	31,385	31,385	
Expenses	<u>7,119</u>	<u>6,570</u>	<u>4,770</u>	<u>4,770</u>	
sub-total	36,012	37,280	36,155	36,155	-3.0%
<b>299 Parking</b>					
Personal Services	292,575	294,914	301,323	301,323	
Expenses	<u>46,989</u>	<u>57,300</u>	<u>46,558</u>	<u>46,558</u>	
sub-total	<u>339,564</u>	<u>352,214</u>	<u>347,881</u>	<u>347,881</u>	-1.2%
<b>III. Public Safety</b>	<b>\$2,505,031</b>	<b>\$2,701,232</b>	<b>\$2,954,500</b>	<b>\$2,954,500</b>	<b>9.4%</b>
<b><u>IV. PUBLIC WORKS</u></b>					
<b>192 Buildings &amp; Grounds</b>					
Personal Services	\$392,973	\$396,373	\$399,357	\$399,357	
Expenses	<u>247,631</u>	<u>200,923</u>	<u>194,461</u>	<u>194,461</u>	
sub-total	640,604	597,296	593,818	593,818	-0.6%
<b>421 Administration</b>					
Personal Services	146,882	129,827	90,114	90,114	
Expenses	<u>187,260</u>	<u>189,799</u>	<u>168,238</u>	<u>168,238</u>	
sub-total	334,142	319,626	258,352	258,352	-19%
<b>422 Highway</b>					
Personal Services	238,113	240,773	239,003	239,003	
Expenses	<u>50,361</u>	<u>42,950</u>	<u>53,170</u>	<u>53,170</u>	
sub-total	288,474	283,723	292,173	292,173	3.0%
<b>423 Snow &amp; Ice</b>					
Personal Services	22,508	34,397	34,397		
<b>IV. Public Works</b>	<b>\$1,916,759</b>	<b>\$1,833,740</b>	<b>\$1,876,827</b>	<b>\$1,876,828</b>	<b>2.3%</b>
<b><u>V. PUBLIC SERVICES</u></b>					
<b>511 Health/Conservation Agent</b>					
Personal Services	\$72,418	\$86,249	\$86,944	\$86,944	
Expenses	<u>14,111</u>	<u>10,840</u>	<u>24,657</u>	<u>24,657</u>	
sub-total	86,529	97,089	111,601	111,601	14.9%
<b>512 Public Health/Nurse</b>					
Personal Services	8,341	12,784	13,111	13,111	
Expenses	<u>31,888</u>	<u>31,455</u>	<u>31,455</u>	<u>31,455</u>	
sub-total	40,229	44,239	44,566	44,566	0.7%
<b>513 Board of Health</b>					
Expenses	2,139	1,997	2,292	2,292	14.8%
<b>525 Cape End Manor</b>					
Personal Services	2,161,973	1,934,258	2,016,869	2,016,869	
Expenses	<u>1,072,900</u>	<u>778,339</u>	<u>974,361</u>	<u>974,361</u>	
sub-total	3,234,873	2,712,597	2,991,230	2,991,230	10.3%
<b>541 Council on Aging</b>					
Personal Services	112,155	126,362	130,450	130,450	
Expenses	<u>8,822</u>	<u>10,033</u>	<u>10,045</u>	<u>10,045</u>	

<b>Budget</b>	<b>Actual FY 2002</b>	<b>Budget FY 2003</b>	<b>Selectmen FY 2004</b>	<b>FinCom FY 2004</b>	<b>% 03-'04</b>
sub-total	120,977	136,395	140,495	140,495	3.0
<b>543 Veterans Services</b>					
Personal Services	9,801	10,192	10,192	10,192	
Expenses	<u>13,652</u>	<u>18,885</u>	<u>16,885</u>	<u>16,885</u>	
sub-total	23,453	29,077	27,077	27,077	-6.9%
<b>610 Library</b>					
Personal Services	137,155	149,354	164,391	164,391	
Expenses	<u>56,320</u>	<u>63,591</u>	<u>68,559</u>	<u>68,559</u>	
sub-total	193,475	212,945	232,950	232,950	9.4%
<b>620 Administration</b>					
Expenses	1,611	2,500	7,500	7,500	200%
<b>630 Recreation Department</b>					
Personal Services	105,508	112,582	109,926	109,926	
Expenses	<u>13,715</u>	<u>12,700</u>	<u>13,000</u>	<u>13,000</u>	
sub-total	119,222	125,282	122,926	122,926	-1.9%
<b>651 Beautification Cte</b>					
Expenses	9,565	10,250	10,250	10,250	0.0%
<b>671 Heritage Museum</b>					
Expenses	16,535	19,800	0	0	-100%
<b>672 Art Commission</b>					
Expenses	9,700	14,450	14,230	14,230	-1.5%
<b>673 Cultural Council</b>					
Expenses	0	0	2,500	2,500	
<b>699 Tourism</b>					
Coordination	65,264	75,804	80,254	80,254	
Marketing	110,314	119,029	129,980	129,980	
Municipal Projects	112,760	100,000	102,250	102,250	
Promotional Events	83,107	96,053	101,328	101,328	
sub-total	<u>371,445</u>	<u>390,886</u>	<u>413,812</u>	<u>413,812</u>	5.9%
<b>V. Public Services</b>	<b><u>\$4,229,753</u></b>	<b><u>\$3,797,507</u></b>	<b><u>\$4,121,429</u></b>	<b><u>\$4,121,429</u></b>	8.5%
<b><u>VI. PUBLIC SCHOOLS</u></b>					
<b>300 Provincetown Public Schools</b>					
Total	3,644,575	4,074,936	4,134,462	4,134,462	1.5%
<b>310 Cape Cod Regional Tech High</b>					
Expense	<u>32,858</u>	<u>51,788</u>	<u>42,298</u>	<u>42,298</u>	-18%
<b>VI. Public Schools</b>	<b><u>\$3,677,433</u></b>	<b><u>\$4,126,724</u></b>	<b><u>\$4,176,760</u></b>	<b><u>\$4,176,760</u></b>	1.2%

**OPERATING BUDGET SUMMARY**

I. General Government	\$799,756	\$1,035,708	\$1,022,305	\$1,022,305	-1.3%
II. Finance	4,564,166	5,690,609	5,982,192	5,982,192	5.1%
III. Public Safety	2,505,031	2,701,232	2,954,500	2,954,500	9.4%
IV. Public Works	1,916,759	1,833,740	1,876,828	1,876,828	2.3%
V. Public Services	<u>4,229,753</u>	<u>3,797,507</u>	<u>4,121,429</u>	<u>4,121,429</u>	8.5%
Subtotal, I-V	\$14,015,466	\$15,058,795	\$15,957,254	\$15,957,254	6.0%

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VI. Public Schools	<u>3,677,433</u>	<u>4,126,724</u>	<u>4,176,760</u>	<u>4,176,760</u>	1.2%
<i>Total, I-VI</i>	<b>\$17,692,899</b>	<b>\$19,185,519</b>	<b>\$20,134,013</b>	<b>\$20,134,013</b>	4.9%

**FINANCE COMMITTEE RECOMMENDS  
BOARD OF SELECTMEN RECOMMENDS**

Mary-Jo Avellar moved that the Town vote to raise and appropriate the sum of \$636,796, transfer from the Land Bank fund the sum of \$335,907, and transfer from the Tourism Fund \$49,602 for the Airport budget, for a total of \$1,022,305, to fund operating budgets for the several Town departments for Fiscal Year 2004 under budget Division I, General Government; provided that said \$49,602 shall be repaid to the Tourism Fund over a three-year period beginning FY 2005.

**Motion carried**

**Division II. Finance**

**FINANCE COMMITTEE RECOMMENDS  
BOARD OF SELECTMEN RECOMMENDS**

Mary-Jo Avellar moved that the Town vote to raise and appropriate the sum of \$5,982,192 to fund operating budgets for the several Town departments for Fiscal Year 2004 under budget Division II, Finance. **Motion carried**

**Article 2. FY 2004 Operating Budget.**

**Division III. Public Services**

**FINANCE COMMITTEE RECOMMENDS  
BOARD OF SELECTMEN RECOMMENDS**

Sarah Peake moved that the Town vote to raise and appropriate the sum of \$2,562,421, transfer from the Parking Fund the sum of \$347,881; transfer from the Tourism Fund the sum of \$35,198 for the Ambulance budget, and transfer from the Municipal Waterways Fund the sum of \$9,000, for a total of \$2,954,500 to fund operating budgets for the several Town departments for Fiscal Year 2004 under budget Division III, Public Safety; provided that said \$35,198 shall be repaid to the Tourism Fund over a three-year period beginning FY 2005. **Motion carried**

**Article 2. FY 2004 Operating Budget.**

**Division IV. Public Services**

**FINANCE COMMITTEE RECOMMENDS  
BOARD OF SELECTMEN RECOMMENDS**

Dr Cheryl Andrews moved that the Town vote to raise and appropriate the sum of \$1,876,827 to fund operating budgets for the several Town departments for Fiscal Year 2004 under budget. **Motion carried**

**Article 2. FY 2004 Operating Budget.**

**Division V. Public Services**

**FINANCE COMMITTEE RECOMMENDS**

**BOARD OF SELECTMEN RECOMMENDS**

Richard Olson the Town vote to raise and appropriate the sum of \$3,697,367, and transfer the sum of \$424,062 from the Tourism Fund for the Beautification and Tourism budgets, for a total of \$4,121,429 to fund operating budgets for the several Town departments for Fiscal Year 2004 under budget Division V, Public Services. **Motion carried**

**Article 2. FY 2004 Operating Budget.**

**Division VI. Public Schools - motion 1**

**FINANCE COMMITTEE RECOMMENDS**

**SCHOOL COMMITTEE RECOMMENDS: 3-0-0**

Terese Nelson moved that the Town vote to raise and appropriate the sum of \$4,134,462 to fund the 300 Provincetown Public Schools budget for Fiscal Year 2004. **Motion carried**

**Article 2. FY 2004 Operating Budget.**

**Division VI. Public Schools - motion 2**

**FINANCE COMMITTEE RECOMMENDS**

**BOARD OF SELECTMEN RECOMMENDS**

Terese Nelson moved that the Town vote to raise and appropriate the sum of \$42,298 to fund the 310 Cape Cod Regional Technical High School budget for Fiscal Year 2004. **Motion carried**

**Article 2. FY 2004 Operating Budget**

**Bottom Line.**

Mary-Jo Avellar that the Town vote to raise and appropriate the sum of \$18,932,364; transfer from the Parking Fund the sum of \$347,881; transfer from the Tourism Fund the sum of \$508,862; transfer from the Municipal Waterways Fund the sum of \$9,000; transfer from the Landbank Fund the sum of \$335,907;

for a total of \$20,134,014, to fund operating budgets for the several Town departments for Fiscal Year 2004 in accordance with Chapter 9, section 1 of the Provincetown Charter. **Motion carried**

**Article 3. FY 2004 Enterprise Funds.** To see to if the Town will vote to raise and appropriate or transfer from available funds the following amounts for enterprise funds of the Town of Provincetown for Fiscal Year 2004:

<i>440 Wastewater Enterprise Fund</i>	<i>FY 2003</i>	<i>FY 2004</i>	<i>%</i>
Enterprise Fund Costs	\$1,084,235	\$2,156,150	
General Fund Costs	<u>200,000</u>	<u>280,000</u>	
<b>TOTAL COSTS</b>	\$1,284,235	\$2,436,150	
<b>TOTAL REVENUES</b>	\$1,284,235	\$2,436,150	+90%
<b>SURPLUS/(DEFICIT)</b>	\$0	\$0	

<i>450 Water Enterprise Fund</i>	<i>FY 2003</i>	<i>FY 2004</i>	<i>%</i>
Enterprise Fund Costs	\$1,217,634	\$1,317,334	
General Fund Costs	<u>170,000</u>	<u>170,000</u>	
<b>TOTAL COSTS</b>	\$1,387,634	\$1,487,334	
<b>TOTAL REVENUES</b>	\$1,387,634	\$1,487,334	+14.5%
<b>SURPLUS/(DEFICIT)</b>	\$0	\$0	

or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**  
**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

Mary-Jo Avellar moved that the Town vote to approve Article 3 as printed in the warrant. **Motion carried**

**Article 4. FY 2004 Capital Improvements Program.** To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the following sums to defray the costs of the Fiscal Year 2004 Capital Improvements Program submitted in accordance with Chapter 9, section 2 of the Provincetown Charter as follows:

1. *Replace Fire Rescue 197:* \$125,000 to be expended under the direction of the Board of Selectmen, Town Manager, and Board of Fire Engineers for the replacement of Fire Rescue 197, and costs related thereto;
2. *Low Band Base Station:* \$8,500 to be expended under the direction of the Board of Fire Engineers for a low band base station for the Fire Department, and costs related thereto;

3. *Police Cruisers*: \$59,000 to be expended under the direction of the Chief of Police for replacement of two police cruisers, and costs related thereto;
4. *Town MIS/Computer Replacement Program*: \$32,600 to be expended under the direction of the Town Manager and the MIS Coordinator for the program for continued replacement of computer equipment for Town departments, and costs related thereto;
5. *Skate Park*: \$50,000 to be expended under the direction of the Recreation Commission, the Recreation Director, and the Director of Public Works for construction of skate park at the northwest corner of the Jerome Smith Parking Lot, with 80 feet facing the Pine Grove and 125 feet along the north edge of the paved parking lot facing Route 6, and costs related thereto;
6. *Fleet Replacement Plan*: \$130,000 to be expended under the direction of the Town Manager and the Director of Public Works for the replacement of the recycling vehicle and the tractor trailer for the Transfer Station for the Department of Public Works, and costs related thereto;
7. *Town Hall Electrical Upgrade*: \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for the upgrading of electrical service for Provincetown Town Hall, and costs related thereto;
8. *Cemetery Tractor*: \$15,000 from Cemetery Perpetual Care Funds to be expended under the direction of the Town Manager and the Director of Public Works for the replacement of the cemetery tractor for the Department of Public Works, and costs related thereto;
9. *Paving Cemetery Roads*: \$25,000 from Cemetery Perpetual Care Funds to be expended under the direction of the Town Manager and the Director of Public Works for the paving of Town cemetery roads, and costs related thereto;
10. *Stormwater Improvements*: \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for stormwater improvements, and costs related thereto;
11. *DEP Water Management Permit/New Source Development*: \$350,000 to be expended under the direction of the Town Manager and the Director of Public Works for DEP Water Management Act permitting and new source development, and for costs incidental and related thereto;
12. *Automated Meter Reading*: \$305,000 to be expended under the direction of the Town Manager and the Director of Public Works for automated meter reading equipment for the Provincetown Water System, and for costs incidental and related thereto;
13. *Leak Detection and Water Service Upgrades*: \$100,000 to be expended under the direction of the Town Manager and the Director of Public Works for leak detection and water service upgrades, and for costs incidental and related thereto;

14. *Monitoring Well and SCADA*: \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for a monitoring well and SCADA, and for costs incidental and related thereto;

15. *Auxiliary Power for Wells*: \$225,000 to be expended under the direction of the Town Manager and the Director of Public Works for auxiliary power for wells, and for costs incidental and related thereto;

16. *Well Station Security*: \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for well station security, and for costs related thereto;

or to take any other action relative thereto.

*[Requested by the Board of Selectmen and the Town Manager]*

**Article 4. FY 2004 Capital Improvements Program.**

**1. Replace Fire Rescue 197:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**[2/3's vote required for borrowing under MGL C.44,§7]**

Michelle Couture moved that the Town vote to appropriate and borrow the sum of \$125,000 to be expended under the direction of the Board of Selectmen, Town Manager, and Board of Fire Engineers for the replacement of Fire Rescue 197, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(9), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.**

**2. Low Band Base Station:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-Jo Avellar moved that the Town vote to raise and appropriate the sum of \$8,500 to be expended under the direction of the Board of Fire Engineers for a low band base station for the Fire Department, and costs related thereto. **Motion carried**

**Article 4. FY 2004 Capital Improvements Program.**

**3. Police Cruisers:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

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**[2/3's vote required for borrowing under MGL C.44,§7]**

Sarah Peake moved that the Town vote to appropriate and borrow the sum of \$59,000 to be expended under the direction of the Chief of Police for replacement of two police cruisers, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(9), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.****4. Town MIS/Computer Replacement Program:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Richard Olson moved that the Town vote to raise and appropriate the sum of \$32,600 to be expended under the direction of the Town Manager and the MIS Coordinator for the program for continued replacement of computer equipment for Town departments, and costs related thereto. **Motion carried**

**Article 4. FY 2004 Capital Improvements Program.****5. Skate Park:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0****RECREATION COMMISSION RECOMMENDS: 5-0-0****[2/3's vote required for borrowing under MGL C.44,§7]**

Jill Macara moved that the Town vote to appropriate and borrow the sum of \$50,000 to be expended under the direction of the Recreation Commission, the Recreation Director, and the Director of Public Works for construction of a skate park at the northwest corner of the Jerome Smith Parking Lot, with 80 feet facing the Pine Grove and 125 feet along the north edge of the paved parking lot facing Route 6, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(25), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.****6. Fleet Replacement Plan:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**[2/3's vote required for borrowing under MGL C.44,§7]**

Dr. Cheryl Andrews moved that the Town vote to appropriate and borrow the sum of \$130,000 to be expended under the direction of the Town Manager and the Director of Public Works for the replacement of the recycling vehicle and the tractor trailer for the Transfer Station for the Department of Public Works, and costs related thereto;; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(9), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.****7. Town Hall Electrical Upgrade:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0****[2/3's vote required for borrowing under MGL C.44,§7]**

Dr. Cheryl Andrews moved that the Town vote to appropriate and borrow the sum of \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for the upgrading of electrical service for Provincetown Town Hall, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.****8. Cemetery Tractor:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Dr. Cheryl Andrews moved that the Town vote to transfer the sum of 15,000 from Cemetery Perpetual Care Funds to be expended under the direction of the Town Manager and the Director of Public Works for the replacement of the cemetery tractor for the Department of Public Works, and costs related thereto. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.****9. Paving Cemetery Roads:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Michelle Couture moved that the Town vote to transfer the sum of \$25,000 from Cemetery Perpetual Care Funds to be expended under the direction of the Town Manager and the Director of Public Works for the paving of Town cemetery roads, and costs related thereto **Motion carried**

**Article 4. FY 2004 Capital Improvements Program.**

**10. Stormwater Improvements:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**[2/3's vote required for borrowing under MGL C.44,§7]**

Sarah Peake moved that the Town vote to appropriate and borrow the sum of \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for stormwater improvements and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(1) and 7(22), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.**

**11. DEP Water Management Permit/New Source Development:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**[2/3's vote required for borrowing under MGL C.44,§8]**

Richard Olson moved that the Town vote to appropriate and borrow the sum of \$350,000 to be expended under the direction of the Town Manager and the Director of Public Works for DEP Water Management Act permitting and new source development, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(3A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 4. FY 2004 Capital Improvements Program.**

**12. Automated Meter Reading:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**[2/3's vote required for borrowing under MGL C.44,§8]**

Mary-Jo Avellar moved that the Town vote to appropriate and borrow the sum of \$305,000 to be expended under the direction of the Town Manager and the Director of Public Works for automated meter reading equipment for the Provincetown Water System, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion defeated 131Yes 134 No**

**Article 4. FY 2004 Capital Improvements Program.****13. Leak Detection and Water Service Upgrades:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0****WATER & SEWER BOARD RECOMMENDS: 3-0-0****[2/3's vote required for borrowing under MGL C.44,§8]**

Dr. Cheryl Andrews moved that the Town vote to appropriate and borrow the sum of \$100,000 to be expended under the direction of the Town Manager and the Director of Public Works for leak detection and water service upgrades, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

Sandra M. Turner and others moved to reconsider **Article 4 section 12**, Automated Meter Reading. **Motion defeated 111Yes 112 No**

**Article 4. FY 2004 Capital Improvements Program.****14. Monitoring Well and SCADA:****FINANCE COMMITTEE RECOMMENDS: 6-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0****WATER & SEWER BOARD RECOMMENDS: 3-0-0****[2/3's vote required for borrowing under MGL C.44,§8]**

Michelle Couture moved that the Town vote to appropriate and borrow the sum of \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for a monitoring well and SCADA, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44,

Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

Town Moderator thanked the members of PTV for taping the Town Meetings in their entirety for rebroadcast the following day.

**Article 4. FY 2004 Capital Improvements Program.**

**15. Auxiliary Power for Wells:**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**[2/3's vote required for borrowing under MGL C.44,§8]**

Sarah Peake moved that the Town vote to appropriate and borrow the sum of \$225,000 to be expended under the direction of the Town Manager and the Director of Public Works for auxiliary power for wells, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion defeated 131 Yes 112 No**

**Article 4. FY 2004 Capital Improvements Program.**

**16. Well Station Security**

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**[2/3's vote required for borrowing under MGL C.44,§8]**

Richard Olson moved that the Town vote to appropriate and borrow the sum of \$25,000 to be expended under the direction of the Town Manager and the Director of Public Works for well station security, and for costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor. **Motion carried (2/3rd's vote)**

**Article 5. FY2004 Revolving Accounts.** To see if the Town will vote to continue for FY 2004 the following revolving accounts established pursuant to MGL C.44,§53E½:

(1) *Preservation of Town Hall Auditorium*: to allow receipts from the rental and custodial fees charged for the public use of Town Hall Auditorium to be segregated into a special account; and with funds therefrom, up to a limit of \$20,000 annually, to

be expended for the repair, updating and refurbishing of the Town Hall Auditorium under the direction of the Town Manager and Board of Selectmen;

(2) *Shellfish Grants*: to allow receipts from Shellfish Grants to be segregated into a special account; and with funds therefrom, up to a limit of \$2,500 annually, to be expended under the direction of the Shellfish Warden and the Board of Selectmen for the purpose of shellfish seeding, cultivation on public shellfish areas; and

(3) *Sales of Vaccines*: to allow receipts from sales of vaccines to be segregated into a special account; and with funds therefrom, up to a limit of \$10,000 annually, to be expended for purchase of vaccines under the direction of the Director of Public Health and the Town Manager;

or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-Jo Avellar moved that the Town vote approve Article 5 as printed in the warrant. **Motion carried**

Warren Alexander moved to postpone the discussion on Article 4, Section 15 Auxiliary Power for Wells till the 1st order of business on Wednesday, 4/9/03.

**Motion carried**

Warren Alexander moved to reconsider Article 4, Section 15 Auxiliary Power for Wells. **Motion carried**

**PERSONNEL MATTERS**

**Article 6. Amendments to Personnel By-law/Classification and Compensation Plan.** To see if the Town will vote as follows:

1. *Schedule A*: to amend Schedule A, "Permanent Full and Part-time Non-Union Positions," of the Classification and Compensation Plan of the Town, by applying thereto a 1.51% adjustment, reflecting the increase in the Consumer Price Index, effective July 1, 2003, as follows:

and further, to raise and appropriate the sum of \$57,800 to fund raises for FY 2004 for management employees in accordance with the performance appraisal system adopted pursuant to Section 4-1 of the Personnel By-law, said sum reflecting both the 1.51% CPI increase and a 2.2% step raise increase for which union employees are eligible;

Grade	FY 2003 Rates		Proposed FY 2004		Proposed Classifications Postions
	Min.	Max.	Min.	Max.	
21	\$82,896	\$93,836	84,148	95,253	Town Manager[ <i>Exempt per MGL C.41,§108N</i> ]
20	70,251	81,415	71,312	82,644	<i>no positions assigned</i>
19	66,590	77,172	67,596	78,337	Chief of Police[ <i>Exempt per MGL C.41,§108O</i> ] Director of Public Works
18	63,118	73,149	64,071	74,254	Cape End Manor Administrator
17	59,827	69,335	60,730	70,382	Director of Municipal Finance Water/Wastewater Superintendent
16	56,708	65,721	64,071	74,254	Police Staff Sergeant
15	53,751	62,294	60,730	70,382	Assistant Town Manager Community Development Director Deputy Director of Public Works
14	50,709	58,768	51,475	59,655	CEM Director of Clinical Services Com. Dev. Deputy Director Health Agent
13	47,840	55,442	48,562	56,279	<i>no positions assigned</i>
12	45,132	52,304	45,813	53,094	Building Commissioner Health Inspector
11	42,982	49,812	43,631	50,564	Principal Assessor Deputy Water Superintendent Human Services/COA Director Information Services Director Library Director Marine Superintendent
10	40,935	47,441	41,553	48,157	Collector Deputy Town Accountant DPW Project Coordinator MIS Coordinator Treasurer
9	38,986	45,181	39,575	45,863	Parking Administrator Recreation Director Tourism Director Town Clerk
8	36,779	42,624	37,334	43,268	COA Outreach Coordinator Library Operations Director Local Building Inspector Permit Coordinator Secretary to the Town Manager/ Employee Benefits Coordinator

Grade	FY 2003 Rates		Proposed FY 2004		Proposed Classifications Positions
	Min.	Max.	Min.	Max.	
7	34,698	40,212	35,222	40,819	Electrical Inspector/Deputy Bldg Inspector Licensing Agent
6	33,715	39,074	34,224	39,664	Secretary to the Board of Selectmen

and further, to raise and appropriate the sum of \$57,800 to fund raises for FY 2004 for management employees in accordance with the performance appraisal system adopted pursuant to Section 4-1 of the Personnel By-law, said sum reflecting both the 1.51% CPI increase and a 2.2% step raise increase for which union employees are eligible;

2. **Schedule B:** to amend Schedule B, "Fire Department Positions," effective July 1, 2003, as requested by the Board of Fire Engineers, as follows:

**Annual Stipends for Reimbursement of Expenses**

<u>Position</u>	<u>Current</u>
Deputy Fire Chief	\$6,000
District Fire Chief/Engineer	2,000
Firefighter	600
Fire Auxiliary	275
Fire Captain ( <i>additional stipend</i> )	450
Fire Lieutenant ( <i>additional stipend</i> )	275
House Steward ( <i>additional stipend</i> )	1,000
Main Station Steward ( <i>additional stipend</i> )	4,800
Oil Inspector	1,747
Rescue Captain ( <i>additional stipend</i> )	1,000
Rescue Lieutenant ( <i>additional stipend</i> )	800
Rescue Steward ( <i>additional stipend</i> )	1,600
Rescue Training Officer ( <i>additional stipend</i> )	1,500
Radio Officer ( <i>additional stipend</i> )	500
Air Officer ( <i>additional stipend</i> )	800

**Annual Salary**

<u>Position</u>	<u>Current</u>
Fire Chief	\$22,500

**Non-Firefighter Positions**

<u>Position</u>	<u>Proposed</u>
First Responders	\$12.00 per call
EMT-Basic	\$15.91 per hour
EMT-Intermediate	\$17.24 per hour
EMT-Paramedic	\$19.10 per hour
Stand-by	\$14.03

Safety Inspections	\$14.03
Rescue Squad participation	\$250.00 per quarter

3. **Schedule C:** to amend Schedule C, "Seasonal and Part-time Non-Union Positions," by applying a 4.0% salary schedule adjustment effective July 1, 2003, as follows:

<i>Proposed Position Classifications</i>	<i>Actual FY 2003</i>	<i>Proposed FY 2004</i>
Hourly Rates of Pay		
<b>L</b> Parking Lot Technical Manager	\$14.58	\$15.16
Property Inspector (Assessors)	14.58	15.16
<b>K</b> Assistant Harbormaster with police powers	14.16	14.73
Police Officer, Summer/Auxiliary	14.16	14.73
<b>J</b> Seasonal Recreation Swimming Instructor	13.76	14.31
<b>I</b> Parking Meter Collection/Repair	13.49	14.03
<b>H</b> Police Matron	13.10	13.63
Police Summer Dispatcher	13.10	13.63
<b>G</b> Parking Department Clerk	12.85	13.37
Licensing Assistant	12.85	13.37
<b>F</b> Assistant Harbormaster w/o police powers	12.48	12.98
Parking and Traffic Officers	12.48	12.98
Parking Lot Assistant Technical Manager	12.48	12.98
Parking Meter Enforcement	12.48	12.98
Secretary, On-call Relief	12.48	12.98
Transfer Station Laborer	12.48	12.98
<b>E</b> Veterans Agent	12.25	12.74
<b>D</b> Library Circulation Aide	11.90	12.37
Parking Lot Attendant/Out-booth/Floater	11.90	12.37
<b>C</b> Barrels & Grounds Laborer	11.55	12.02
Restroom/Building Custodian	11.55	12.02
Seasonal Recreation Supervisor	11.55	12.02
<b>B</b> <i>No Positions Assigned</i>	11.34	11.79
<b>A</b> Council on Aging Cook	11.12	11.56
Parking Lot Attendant/In-booth	11.12	11.56
Seasonal Recreation Aides	11.12	11.56
<b>Annual Stipends</b>		
Emergency Management Director	1,200.00	
Gas Inspector	5,000.00	
Plumbing Inspector	5,000.00	

and to raise and appropriate the sum of \$19,226 and transfer \$10,375 from the Parking Fund, for a total of \$29,601, for raises for positions contained on Schedule C for FY 2003; or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Keith Bergman moved that the Town vote to approve Article 6 as printed in the Warrant with amendments.

To schedule A in Grades 15 and 16 to reflect a 1.51% adjustments, as follows: Grade 16 \$57,564 minimum / \$66,231 maximum and Grade 15 \$54,962 minimum / \$63,234 maximum. **Motion Carries**

**CHARTER AMENDMENT**

**Article 7. Home Rule Petition/Charter Amendment/Preparation of the Town Meeting Warrant.** To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

SECTION 1. The Charter of the Town of Provincetown which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws is hereby amended by amending Chapter 2, Article 1, section 2-1-7, to read as follows:

2-1-7. The warrant shall be closed ~~thirty~~ *thirty-eight* days prior to the date of the meeting; *It shall be published in a newspaper of general circulation within the town at least seven days prior to the meeting and shall be posted in at least ten public places in the town at least seven days prior to the annual town meeting, and at least fourteen days prior to a special town meeting.*

SECTION 2. Said Charter is hereby further amended by amending Chapter 2, Article 1, section 2-1-8, to read as follows:

2-1-8. ~~At least fourteen days prior to the date of the town meeting, a copy of the warrant shall be mailed by the board of selectmen to the moderator, town counsel, and each town board.~~ *The Board of Selectmen, immediately after signing any town meeting warrant, shall transmit a copy of the same to the moderator, town counsel, each member of the finance committee, and to each other town board.*

SECTION 3. Said Charter is hereby further amended by amending Chapter 2, Article 1, section 2-1-9, to read as follows:

2-1-9. At least seven days prior to the annual town meeting, copies of the *annual* town report shall be made available for distribution at the town hall; ~~and~~. At least seven days prior to any town meeting copies of the finance committee report shall be made available at the town hall *and shall be mailed to all postal patrons within the town. Such report shall, to the extent feasible, include at least a brief synopsis or explanation of each article, and the finance committee may request the assistance of any town officers or committees in the preparation of such synopses or explanations. The finance committee and other*

*committees may also include in the report brief statements of the reasons for their recommendations included therein.*

SECTION 4. Said is hereby further amended by amending Chapter 2, Article 3, section 2-3-1, to read as follows:

2-3-1 The annual town meeting shall be held on the ~~first~~ *second* Monday in April of every year and shall be called to order at 6:00 p.m. for the purpose of transacting all business of the annual town meeting except the election of such officers and the determination of such matters as are required by law to be elected or determined by ballot.

SECTION 5. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 4-0-1**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**PLANNING BOARD RECOMMENDS: 3-0-0.**

Richard Olson moved that the Town vote to approve Article 7 as printed in the warrant. **Motion defeated**

#### **GENERAL BY-LAW AMENDMENTS**

**Article 8. General By-law Amendment §4-1-1 –Town Meeting Start Time.** To see if the Town will vote to amend Section 4-1-1 of the Provincetown General By-laws to read as follows:

**4-1-1. Date.** The Annual Town Meeting shall be held on the ~~first~~ *second* Monday in April of every year and shall be called to order at ~~7:30 p.m.~~ *6:00 p.m.* for the purpose of transacting all business of the Annual Town Meeting except the election of such officers and the determination of such matters as are required by law to be elected or determined by ballot.

or take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-1-0**

**COUNCIL ON AGING BOARD RECOMMENDS: 4-0-0**

Mary-Jo Avellar moved that the Town vote to approve Article 8 as printed in the warrant, except that date of Town Meeting shall continue to be the first Monday in April. **Motion carried**

**Article 9. General By-law Amendment: Chapter 15. Establish Local Historic District.** To see if the Town will vote to amend the Provincetown General By-laws by adding a new Chapter 15 establishing a Local Historic District, to be administered by the Provincetown Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, as amended.

**Chapter 15. Local Historic District**

- 1. Purpose.** The purpose of this bylaw is to promote the cultural, economic, educational and general welfare of the inhabitants of the Town of Provincetown through: 1.) the preservation and protection of the distinctive characteristic of buildings and places significant in the history and development of Provincetown; 2.) maintaining and improving the settings of these buildings and places; and 3.) the encouragement of design compatible with buildings existing in the area, so as to continue to maintain the historic village, fishing, artistic, cultural, commercial and residential character and other qualities which distinguish the town as a desirable community for permanent and seasonal residents and visitors.
- 2. Definitions.** The terms defined in this section shall be capitalized throughout this Bylaw. Where a defined term has not been capitalized, it is intended that the meaning of the term be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context. As used in this Bylaw the following terms shall have the following meaning:

  - 2.1 Alteration, to Alter The act or the fact of rebuilding, reconstruction, restoration, renovating, remodeling, replication, removal, demolition, or other similar activities.
  - 2.2 Building. A combination of materials forming a shelter for persons, animals or property.
  - 2.3 Certificate. A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship as set forth in this Bylaw.
  - 2.4 Commission. The Provincetown Historic District Commission
  - 2.5 Construct, to Construct. The act or the fact of building, erecting, installing, enlarging, moving and other similar activities.
  - 2.6 District. The Provincetown Historic District as established by this Bylaw.
  - 2.7 Exterior Architectural Feature. Such portion of the exterior of a Building or Structure as is open to view from a Public Way, including but not limited to the architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights and other appurtenant exterior fixtures.
  - 2.8 Person Aggrieved. The applicant; an owner of adjoining property; an owner of property within the same District; an owner of property within 150 feet of said District; and any charitable corporation in which one of its purposes is the preservation of historic places, structures, Buildings or districts.
  - 2.9 Public Way. This term shall include public ways, public streets, public parks and public bodies of water. The term "Public Way," however, shall

not include a foot path, cart path or any easement or right of way that does not constitute a public way or public street.

- 2.10 Structure. A combination of materials other than a Building, including but not limited to a fence, deck, wall, terrace, or walk.

- 3. District.** The District shall consist of the area shown on the map entitled Provincetown Historic District, dated December 4, 2002, attached as Appendix 2. The District boundary is identical to the boundary of the existing National Register District.

**4. Commission Composition and Appointments**

- 4.1 Number of Commissioners, Terms of Appointments: The District shall be overseen by a Commission consisting of five members and two alternates to be appointed by the Selectmen, one member initially to be appointed for one year, two for two years, and two for three years, and each successive appointment to be made for three years. The alternates shall be appointed, one for periods of two years and one for three years; and for three year terms thereafter.
- 4.2 Appointment Process: The Selectmen shall appoint one Commission member from up to two nominees solicited from the Provincetown Chamber of Commerce; one member from up to two nominees solicited from the Provincetown Business Guild; one member from up to two nominees solicited from the Provincetown Art Association and Museum; one member from up to two nominees solicited from the Provincetown Historical Commission; and one member from up to two nominees solicited from the Pilgrim Monument and Provincetown Museum. If, within 30 days after submission of a written request for nominees to any of the organizations herein named, no such nominations have been made, the Board of Selectmen may proceed to make appointments as it desires.
- 4.3 Alternate Commission Members: The Board of Selectmen shall appoint two alternate members to the Commission. In the case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairman.
- 4.4 Background Recommendations: It is recommended, but not required, that Commission members selected by the nominating entities, including the Board of Selectmen, have educational and/or professional experience in one or more of the following fields: historic preservation, architecture, land use planning, architectural history, history, law or engineering.
- 4.5 Term Expiration: Each member and alternate shall continue to serve in the office after the expiration date of his or her term until a successor is duly appointed.
- 4.6 Meeting Schedule: Meetings of the Commission shall occur as provided for under G.L. c.40C, §11, 1, sentence 1 and, in any event, shall be held at least once per month and more often as necessary and as provided for under any applicable rules and regulations promulgated by the Commission.

4.7 Quorum: Three members of the Commission shall constitute a quorum.

#### **5. Commission Powers and Duties**

- 5.1 Powers of Commission: The Commission shall exercise its powers in administering and regulating the Construction and Alteration of Structures or Buildings within the District as set forth under the procedures and Guidelines established in this Bylaw, and its duly adopted Rules and Regulations. This Bylaw is not intended to allow Alterations or Construction not in compliance with state and local laws and regulations.
- 5.2 Rules and Regulations: The Commission may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this Bylaw or M.G.L. Ch. 40C, setting forth such terms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of the Certificates, fees, hearing procedures and other matters. The Commission shall file a copy of such Rules and Regulations with the Office of the Town Clerk after review by Commission counsel.
- 5.3 Guidelines and Amendments: This By-law may be amended in any manner not inconsistent with G.L. c.40C by a two-thirds vote of Town Meeting, provided that the substance of any such amendment has first been submitted to the Commission for its recommendation and its recommendation has been received or sixty days have elapsed without such recommendation.
- 5.4 Annual Meeting: The Commission shall each year hold an organizational meeting and elect a Chairman, Vice Chairman and Secretary, and file notice of such election with the Town Clerk.
- 5.5 Records: Record keeping shall be maintained as required by State law.
- 5.6 Public Education: The Commission shall undertake educational efforts to explain to the public and property owners the merits and functions of the District, to the extent that time and appropriations allow.

#### **6. Alterations and Construction Prohibited Without a Certificate**

- 6.1 Certificates: Except as this Bylaw provides, no Building or Structure or part thereof within a District shall be Constructed or Altered in any way that affects the Exterior Architectural Features as visible from a Public Way, unless the Commission shall first have issued a Certificate with respect to such Construction or Alteration.
- 6.2 Building Permits: No building permit for Construction of a Building or Structure or for Alteration of an Exterior Architectural Feature within the District and no permit for demolition or removal of a Building or Structure within the District shall be issued by the Town or any department thereof until the Certificate as required under this Bylaw has been issued by the Commission. Nothing in this bylaw shall restrict the Building Commissioner from immediately ordering demolition of unsafe structures in accordance with provisions of M.G.L. Ch. 143.

**7. Procedures for Review of Applications**

- 7.1 Applications: Any person who desires to obtain a Certificate from the Commission shall file with the Commission an application for a Certificate of Appropriateness, of Non-Applicability, or of Hardship, as the case may be. The application shall be accompanied by such plans, elevations, specifications, material and other information as may be reasonably deemed necessary by the Commission to enable it to make a determination of the application. The Commission shall determine whether said application involves any Exterior Architectural Features which are within the jurisdiction of the Commission. The Commission shall determine promptly, and in all events within fourteen (14) days of the filing of an application for a Certificate whether said application involves any Exterior Architectural Features which are within the jurisdiction of the Commission, except for administrative approvals as provided in Section 7.5.
- 7.2 Certificates of Non-Applicability: If the Commission determines that an application for a Certificate does not involve any Exterior Architectural Features, or involves an Exterior Architectural Feature which is not subject to review by the Commission under the provisions of this Bylaw, as provided in Section 9, the Commission shall forthwith issue a Certificate of Non-Applicability.
- 7.3 Hearings: If the Commission determines that such application involves an Exterior Architectural Feature subject to review under this Bylaw, it shall hold a public hearing on the application, except as may otherwise be provided in this Bylaw. The Commission shall hold such public hearing within forty-five (45) days from the date of the filing of the application if the Commission meets once a month, and within thirty (30) days if the Commission meets bi-monthly. At least fourteen (14) days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall and in a newspaper of general circulation in Provincetown. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed by the town of Provincetown to the applicant, to the owners of all adjoining properties and of other properties deemed by the Commission to be materially affected thereby as they appear on the most recent applicable tax list, to the Planning Board, or to any person filing a written request for notice of hearings, such request to be renewed yearly in December. The concurring vote of a majority of the members of the Commission shall be required to issue a Certificate.
- 7.4 Certificate of Appropriateness: If the Commission determines that the Construction or Alteration for which a Certificate of Appropriateness has been filed conforms to the Bylaw and Guidelines and will be appropriate for or compatible with the preservation and protection of the District, the Commission shall issue a Certificate of Appropriateness.
- 7.5 Administrative Approvals: If an application for a Certificate involves an Exterior Architectural Feature which is subject to review by the Commission

under the provisions of this Bylaw, but the proposed Alteration clearly conforms to the purposes of this Bylaw and Guidelines and, therefore, is insubstantial in its affect on the District, this application shall be placed upon the next available meeting agenda, with notice to abutters as provided in Section 7.3 for ratification. Ten (10) days shall elapse after the mailing of such notice before the Commission may act upon such application and issue a Certificate.

- 7.6 Certificate of Hardship: If the Construction or Alteration for which an application for a Certificate of Appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a Certificate of Hardship, the Commission shall determine whether, owing to conditions especially affecting the Building or Structure involved, but not affecting the District generally, failure to approve an application will involve substantial hardship, financial or otherwise, to the applicant. In such cases, the Commission shall issue a Certificate of Hardship provided such application may be approved without substantial detriment to the public welfare, and without substantial derogation from the intent and purposes of this Bylaw.
- 7.7 Certificate Conditions: In issuing Certificates, the Commission may impose certain conditions and limitations, and may require architectural or plan modifications consistent with the intent and purpose of this Bylaw and Guidelines.
- 7.8 Issuance of Certificate: As soon as convenient after such public hearing but in any event within sixty days after the filing of the application or within such further time as the applicant may allow in writing, the commission shall make a determination on the application. The date of issuance of a Certificate or disapproval shall be the date of the filing of a copy of such Certificate or disapproval with the office of the Town Clerk.
- 7.9 Failure to Act: If the Commission shall fail to act upon an Application within sixty (60) days of the filing of the application for a Certificate, or within such further time as the applicant may allow, the Commission shall thereupon issue a Certificate of Hardship due to failure to act. The Commission shall file its determination with the Town Clerk as required under G.L. c.40C, §10(f).
- 7.10 Appeals: Any person aggrieved by a determination of the Commission may, within twenty (20) days after the filing of the notice of such determination with the Town Clerk, appeal to the Superior Court as provided in Chapter 40C, Section 12A. Notice of an appeal must also be filed with the Office of the Town Clerk within twenty (20) days of the determination.

#### **8. Criteria for Determinations**

- 8.1 Criteria for Determinations: In deliberating on applications for Certificates, the Commission shall adhere to the standards established in the Guidelines, as amended, which are part of this Bylaw, all of which must be consistent with this by-law and the requirements of G.L. c.40C. In general, the

Commission shall consider, among other things, the historic, architectural and cultural value and significance of the site, Building or Structure; the general design, proportions, detailing, mass, arrangement, texture, and material of Exterior Architectural Features involved; and the relation of the work proposed in the application to similar features of Buildings and Structures in the surrounding area and the District as a whole. In the case of new Construction or additions to existing Buildings or Structures, the Commission shall consider the appropriateness of the scale, shape, proportions, siting and the materials of the Building or Structure both in relation to the land area upon which the Building or Structure is situated and in relation to Buildings and Structures in the vicinity. The degree of visibility from a Public Way may be a consideration in determining the level of compliance with this Bylaw and Guidelines.

- 8.2 Interiors and Use: The Commission shall not consider interior arrangements or architectural features not subject to view from a Public Way. In addition, the Commission shall not consider uses for the Building or Structure.

### **9. Exclusions**

- 9.1 Categorical Exclusions: The Commission shall exclude from its purview the following:
- 1.1.1 Maintenance and repairs that do not alter or replace material, as defined in Section 9.2.
  - 1.1.2 The color of paint.
  - 1.1.3 Exterior lighting.
  - 1.1.4 Gutters and downspouts.
  - 1.1.5 Signage.
  - 1.1.6 Storm windows and window air conditioners.
  - 1.1.7 Satellite antennae, or similar equipment, provided they are located to minimize visibility from a Public Way.
  - 1.1.8 Temporary Buildings or Structures subject, however, to conditions pertaining to the duration of existence and use, as the Commission may reasonably specify.
  - 1.1.9 Terraces, walks, sidewalks and similar structures, provided that any such Structure is substantially at grade level.
  - 1.1.10 Flagpoles, sculpture, mailboxes (freestanding or attached), window boxes, house numbers, and garden furniture.
  - 1.1.11 Buildings that are less than 50 years old are exempt from review, with the following conditions: Alterations which affect more than 25% of a façade must comply with the Guidelines. Additions which increase such Building by more than 25% must conform with Guideline 15 New Construction and Additions.
  - 1.1.12 Piers/Wharves: Additions and alterations to piers and wharves, including all mechanical and maritime-related Structures and equipment, are exempt from review.

- 1.1.13 Cemeteries: All cemetery Structures are exempt except Buildings and fences.
- 1.1.14 Plant material and trees.
- 1.2 Ordinary Maintenance and Repair: Nothing in this Bylaw shall be construed to prevent the ordinary maintenance, repair or replacement of any Exterior Architectural Feature within a District which does not involve a change in design, material or to the outward appearance thereof, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any Construction or Alteration under a permit duly issued prior to the effective date of this Bylaw.
- 1.3 Additional Exclusions: Certain categories of Exterior Architectural Features may be constructed or altered without review by the Commission, provided such construction or alteration do not substantially derogate the intent and purposes of the District and of G.L. c.40C. The Commission may, upon conducting a public hearing, exclude from its purview Exterior Architectural Features, in addition to those listed in Section 9.1, which it determines do not significantly impact the purpose of the District.

## **2 Enforcement and Penalties**

- 2.1 Violations: The Commission shall determine whether a particular activity is in violation of this Bylaw, and the Commission shall be charged with the non-criminal enforcement of this Bylaw, and seeking civil enforcement under G.L. c.40C, section 12A, after obtaining the necessary authority to do so.
- 2.2 Remedies: The Commission shall institute any appropriate action or proceedings in the name of the Town of Provincetown to prevent, correct, restrain or abate violation of this Bylaw.
- 2.3 Fines: Whoever violates any provision of this Bylaw shall be subject to a fine of \$250.00 Each day during which any portion of such violation continues to exist shall constitute a separate offense.
- 2.4 Building Commissioner: The Commission may designate the Building Commissioner to pursue non-criminal disposition under G.L. c.40, §21D. The Commission shall have jurisdiction to pursue enforcement under G.L. c.40C, §13.
- 2.5 Validity and Separability. The provisions of this Bylaw shall be deemed separable. If any provision, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of the Bylaw shall continue to be in full force and effect.

**3 APPENDICES****APPENDIX 1. PROVINCETOWN HISTORIC DISTRICT GUIDELINES**

1. **STATEMENT OF PURPOSE.** Provincetown is a unique community; unique in its location, in the degree of its economic dependence on tourism, and in its architectural and cultural heritage. Few towns have so much of their historic architecture still in existence, and maintaining its visual character as a 19<sup>th</sup> century seaport is of vital importance to the town's economy and way of life. These Guidelines are intended to ensure that alterations and new construction within the District occur in a manner that preserves and respects this unique heritage.
2. **GENERAL GUIDELINES**
  - a. In the District, the Commission shall determine whether the proposed construction, reconstruction, alteration or demolition of an exterior architectural feature will be appropriate to preserve the character and appearance of Provincetown. Commission members will refer to the Provincetown Survey when reviewing applications to better understand architectural and historic significance.
  - b. In the District, each building or structure shall be recognized as a physical and cultural record of its time, place and use. The historic character of a building or structure shall be retained and preserved. The removal of historic materials or alteration of features that characterize a building or structure shall be avoided.
  - c. Deteriorated historic features should be repaired rather than replaced. All architectural changes shall be appropriate either to the original style of the building or structure (if it has not been significantly altered) or to its altered style (if it has been significantly altered to reflect characteristics of a later style). Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the old in design, color, texture, and the other visual qualities and, where possible, materials. Replacement of missing features should be substantiated by documentary, physical, or pictorial evidence.
3. **EXEMPTIONS FROM REVIEW.** The following items shall be exempt from review by the Commission:
  - a. Maintenance and repairs.
  - b. The color of paint.
  - c. Exterior lighting.
  - d. Gutters and downspouts.
  - e. Signage.
  - f. Storm windows and window air conditioners. The color of storm windows should match the trim color to which they are affixed. Storm windows should have a narrow frame and closely align with the window sash and its meeting rail.
  - g. Satellite antennae or similar mechanical equipment, provided it is located to minimize visibility from a Public Way.

- h. Temporary buildings and structures, subject, however, to conditions pertaining to the duration of existence and use, as the Commission may reasonably specify.
- i. Terraces, walks, sidewalks, or similar structures, provided that any such structure is substantially at grade level.
- j. Flagpoles, sculpture, mailboxes (freestanding or attached), window boxes, house numbers, and garden furniture.
- k. Buildings that are less than 50 years old are exempt from review, with the following conditions: Alterations which affect more than 25% of a façade must comply with the Guidelines. Additions which increase such buildings by more than 25% must conform with Guideline 15 New Construction and Additions.
- l. Piers/Wharves: Additions and alterations to piers and wharves, including all mechanical and maritime-related structures and equipment, are exempt from review.
- m. Cemeteries: All cemetery structures are exempt except buildings and fences.
- n. Plant material and trees.

4. LIMITS OF JURISDICTION. Review under this By-law shall be limited to those Exterior Architectural Features which are visible from a Public Way, as defined under the By-law. The term "Public Way," however, shall not include a foot path, cart path or any easement or right of way that does not constitute a public way or public street.

#### 5. WINDOWS

- a. Replacement windows, including muntin pattern, must be appropriate to the original style of the building, or to its altered style, if that style has gained significance. Muntins, whether structural or applied, must have an exterior three-dimensional profile and appropriate width.
- b. Replacement windows shall not frame down the historic window openings. Where possible, altered window openings shall be returned to their historic dimensions.
- c. New windows may be added provided they do not detract from an original or architecturally significant arrangement of windows.
- d. Storm windows are exempt – see Section 3.f.
- e. Waterfront elevations: On the waterfront elevations, window and door openings have frequently been altered and enlarged to accommodate water views. It is not the intention of these Guidelines to prohibit such alterations. Alterations to window and door openings shall be reviewed on a case-by-case basis. Alterations should retain and reflect the historic characteristics of the building, including appropriate materials, proportion, and design.
- f. Shutters: When used, shutters shall be made of wood and be of a design appropriate to the style and period of the building. Each shutter shall match the height and one-half the width of the window opening. It is recommended that the shutters be installed on shutter hardware and be operable or made

to appear operable, and be hung in a manner consistent with traditional installations.

#### 6. ENTRANCES/DOORS

- a. Original or historically significant doors, vestibules, steps and porches shall be retained or replaced-in-kind. Replacement doors, if necessary, shall match the original in material, size, and design. Decorative features (such as transoms, sidelights, door hoods, brackets, columns, balusters and pediments) shall be retained and repaired or replaced-in-kind, and may not be removed.
- b. New doors may be added, or existing doors moved, provided they do not detract from an original or architecturally significant elevation.
- c. In commercial entrances, replacement doors must be compatible in design and material to the storefront, or to the original style of the building.

7. ROOF CLADDING. Traditionally, most roofs were clad in cedar shakes, except for a few high Victorian-era examples that were clad in slate. It is encouraged, but not required, that traditional wood shake shingles be used when recladding a roof. Asphalt shingles are allowed, and should be of appropriate color, size, and shape.

#### 8. ROOF DORMERS, ALTERATIONS AND ADDITIONS

- a. Dormers and other roof alterations and additions are permitted under the following criteria:
  - i. Preserving original roof slope unchanged at either side of alteration;
  - ii. Use of materials which are appropriate to the surrounding original roof and siding materials;
  - iii. If replacing missing features, such as cupolas or chimneys, such replacement should be based upon historic evidence.
- b. Chimneys: Chimneys are an important component of many historic structures in Provincetown. It is required that, whenever possible, original or later important chimneys be retained and repaired.
- c. Skylights: Skylights with flat profiles are allowed on all elevations. Approval will be based upon size, number, and location of skylights. The goal is to ensure that skylights do not dominate the appearance of a roof slope.

9. ROOF DECKS, DECKS AND PORCHES. Roof decks are permitted under the following criteria:

- a. The size and location of the roof deck should not dominate the roof.
- b. Where possible, roof decks should be located to be minimally visible from a public way, or detailed to reflect an historic roof walk.
- c. Railing design should consist of wooden railings with captured balusters. Decks and porches extending beyond the façade plane of a building are permitted provided the deck supports do not obscure significant architectural detail. New decks should be detailed in a manner appropriate to the building.

**10. COMMERCIAL STOREFRONTS**

a. Historic or architecturally significant storefronts shall be preserved or restored to the greatest extent possible. Alterations of other storefronts shall use materials and be of a design compatible to the overall character of the historic commercial setting.

b. The addition of new storefronts in historic facades shall retain the character and design of the building as originally designed, or as altered if such alteration has gained architectural or historic significance.

11. **FENCES.** The typical Provincetown front yard enclosures throughout the 19<sup>th</sup> century and into the 20<sup>th</sup> were some version of the wood picket fence. Such fences were 30" to 48" tall, simplicity and linearity were emphasized; in many fences no visible posts interrupted the unbroken run of pickets, decorative posts were used at corners and gates. It is encouraged that such yard enclosures be preserved or replicated. Existing fences that reflect these characteristics should be preserved and maintained. Chain link, concrete block, and light gauge metal are inappropriate fencing material for front or side yards and will not be approved.

12. **SIDING.** Clapboards, cedar shingles, board and batten, and flush board siding are the predominant exterior siding materials for Provincetown commercial and residential buildings. Synthetic siding is generally discouraged because it severely compromises the appearance and integrity of historic buildings, and will only be approved on a case-by-case basis.

11. **OUTSIDE STAIRS.** Outside stairs will be allowed, if required, and will be reviewed on a case-by-case basis. Considerations for approval include material, design, and location.

12. **DEMOLITION.** Demolition, or partial demolition, of buildings or structures is prohibited except when in the opinion of the Commission warranted for extraordinary circumstances. Demolition or partial demolition of later additions that are not architecturally or historically significant may be permissible and are subject to review on a case-by-case basis. Nothing in these guidelines shall be construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition or to prevent any construction or alteration under a permit duly issued prior to the effective date of the By-law.

13. **NEW CONSTRUCTION AND ADDITIONS.** Design guidelines for new construction or additions are intended to ensure that such work occurs in a manner that respects Provincetown's unique heritage. The Commission shall consider the appropriateness of the size, shape, materials and proportions both in relation to the land upon which it is situated and in relation to the vicinity.

**APPENDIX 2. PROVINCETOWN HISTORIC DISTRICT MAP.** The Provincetown Historic District shall be a District under this Bylaw. The location and boundaries of the Provincetown Historic District area defined and shown on

the Local Historic District Map of the town of Provincetown which is part of this Bylaw.

or to take any other action relative thereto.

*[Requested by the Historic District Planning Committee and the Board of Selectmen]*

**HISTORIC DISTRICT STUDY COMMITTEE RECOMMENDS: 4-0-0**

**PLANNING BOARD RECOMMENDS: 4-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE**

**RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION.**

**BOARD OF SELECTMEN RECOMMENDS: 3-2-0**

Betty Steele-Jeffers moved that the Town vote to amend the Provincetown General By-laws by adding a new Chapter 15 establishing a Local Historic District, to be administered by the Provincetown Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, as printed in the warrant. **Motion carried (2/3 vote) 273 Yes 20 No**

**Article 10. General By-law Amendment: §11-5. Street Numbers on Buildings.** To see if the Town will vote to amend the Provincetown General By-laws by deleting §11-5, which currently reads as follows: “The owner of every building that is used for habitation, business or recreation shall post the street number assigned by the Town Assessor so as to identify clearly the building from the main entrance thereto or a street marker,” with a fine of \$10 for violation thereof; and inserting in place thereof the following:

**11-5 Street Numbers on Buildings:** The owner or person in control of any building, regardless of use, shall post the street number assigned by the Town Assessor so as to identify the building clearly. Said posting shall consist of numbers and letters where applicable, (not script) that are not less than 3 inches high and of a contrasting nature to the background. (Example: black numbers on white background)

The street number shall be affixed to the building in a location that is most visible from the public or private way, or on a separate post or mailbox in front of the property. If the building is not visible from a public or private way and is accessible via alleyway or lane, the street number shall be affixed to the building and on a post at the entrance to the access way if allowed by the property owner. At a multi-unit property each unit shall be posted in addition to the assigned street number. Unit posting shall consist of numbers and letters that are not less than three inches high and of a contrasting nature to the background. The unit number shall be affixed to the building nearest to the unit entrance door.

Violation of this bylaw shall be administered as follows: Warning notice, no fine; Fail to correct within 30 days notice, \$25.00; Fail to correct within 60 days notice, \$50.00; Subsequent offense after 60 day notice, \$50.00 for each day of violation;  
or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**BOARD OF FIRE ENGINEERS RECOMMENDS: 7-0-0**

**COUNCIL ON AGING BOARD RECOMMENDS: 4-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

Mary-Jo Avellar moved that the Town vote to approve Article 10 as printed in the warrant. **Motion carried**

**Article 11. General By-law Amendment: §13-2-7. Dogs.** To see if the Town will vote to amend the General By-laws by deleting Section 13-2-7, Restraint of Animals, and inserting in place thereof the following Section 13-2-7. Dogs, to read as follows:

**13-2-7. DOGS.**

**13-2-7-1. Purpose.** Provincetown's dogs and their owners enhance the character of the Town, and the Town seeks to encourage responsible dog ownership and behavior to the extent that they do not interfere with the reasonable expectations of residents and visitors for safety, appropriate health standards, and enjoyment of peace and quiet in public and private areas. This by-law seeks to balance the interests of dog owners and their dogs with the interests of all Town inhabitants.

**13-2-7-2. Definitions.** As used in this article, the following terms shall have the meanings indicated:

A dog "at large": an unrestrained or out of control dog outside the dog owner's property;

An "out of control" dog: a dog accompanied by a person who is not exerting proper supervision;

A dog "owner": a person who owns a dog, or a person with responsibility for a dog;

A "restrained" dog: a dog kept on a leash, cord, chain or other restraint, or a dog kept within the dog owner's property or leased premises, or another owner's property with consent of that owner or occupant of same; and

A dog under "voice and sight control": a dog kept within sight of the dog's owner and under the owner's verbal control at all times so that the dog does not (1) charge, chase or display aggression towards any person or behave in a way that a reasonable person may find threatening or dangerous; (2) charge, chase or display aggression towards any dog; or (3) fail to come

to and stay with the dog's owner or guardian immediately upon that person's command.

**13-2-7-3. Control of dogs.** Any dog within Town boundaries must be restrained and may not be at large except as specified herein. Any dog within Town boundaries may be off-leash only in specific off-leash areas as designated by the Town, provided that such dog is under voice and sight control. The following are Town-owned open space off-leash areas (limited by specified times as noted): Shankpainter Pond Uplands, Foss Woods, Locke Property (also known as 'Whistle Path Woods'), Abandoned Railroad Right-Of-Way, and all Town beaches. From Memorial Day through November 1 dogs may be off-leash if under voice and sight control on Town beaches between the hours of 6 am and 9 am and the hours of 6 pm and 9 pm; from November 2 through the day before Memorial Day dogs may be off-leash if under voice and sight control on Town beaches between the hours of 6 am and 9pm; all dogs must be restrained on Town beaches at all other times. In designated off-leash areas, any owner whose dog is not under voice and sight control or is out of control is in violation of this by-law. In all other areas, any owner whose dog is at large, out of control, or not restrained is in violation of this by-law. A non-criminal disposition penalty will be assessed in the amount of \$10 (ten dollars) to the owner for the first offense; \$15 (fifteen dollars) for the second offense; \$25 (twenty-five dollars) for the third offense; \$50 (fifty dollars) for the fourth offense; and \$75 (seventy-five dollars) for the fifth and subsequent offenses. Each violation of this by-law shall be deemed to be a separate offense.

**13-2-7-4. Dog Excrement and Removal.** No owner shall permit a dog to defecate upon public sidewalks, streets, beaches, or Town-owned land or structures without immediately and permanently removing the excrement therefrom, nor shall said person permit such excrement to remain on private property without consent of the owner or occupant of same. A non-criminal disposition penalty will be assessed in the amount of \$100 (one hundred dollars) to the owner for the first offense; \$200 (two hundred dollars) for the second offense; and \$300 (three hundred dollars) for the third and subsequent offenses.

**13-2-7-5. Licensing.** In addition to any other information required for a dog license, an applicant must provide the Town Clerk with the applicant's name, address, and signature. The Town Clerk shall, when providing or otherwise making available the license application, include a copy of this by-law and a map indicating off-leash areas therewith, and the required applicant's signature shall constitute a certification that the applicant has received, read, and understood the text of this by-law.

**13-2-7-6. Amendments to Off-Leash Areas.** The locations, times, and dates of Town-owned off-leash areas may be amended by vote of the Board of Selectmen after public hearing and notice thereon. Such notice shall be

advertised at least once in a local newspaper no less than fourteen (14) days prior to the hearing.

**13-2-7-7. Loss of Off-Leash Privileges to Specific Dogs.** The Chief of Police is authorized under this by-law to determine, in the interests of public safety and health, whether an individual dog must be restrained at all times on public property and off-leash areas. If the Chief of Police so determines, notice of such decision to prohibit an individual dog from all off-leash privileges within the Town shall be communicated in the most immediate manner possible and shall be mailed to the dog's owner of record. On any subsequent occasion when such dog is determined to be in violation of the Chief of Police's decision, a non-criminal disposition penalty will be assessed in the amount of \$75 (seventy-five dollars).

And further by adding a new section 13-2-7.1, Horses and Other Animals to read as follows:

**13-2-7.1. HORSES AND OTHER ANIMALS.** No owner or person having care or control of any horse shall permit the animal to run at large, nor shall the person having control of any animal allow said animal to defecate upon public sidewalks, streets, beaches, Town-owned land or structures without immediately and permanently removing the excrement therefrom, nor shall said person allow such excrement to remain on private property without consent of the owner or occupant of same. A non-criminal disposition penalty will be assessed of ten dollars (\$10) to the owner and/or responsible party for the first offense, fifteen dollars (\$15) for the second offense, twenty-five dollars (\$25) for the third offense, fifty dollars (\$50) for the fourth offense and seventy-five dollars (\$75) for the fifth and subsequent offenses. Each violation of this by-law shall be deemed to be a separate offense.

or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**BOARD OF SELECTMEN RECOMMENDS: 3-2-0  
FINANCE COMMITTEE HAS NO RECOMMENDATION**

Mary-Jo Avellar moved that the Town vote to approve Article 11 as printed in the warrant.

Sherry A. Dranch proposes an amendment to Article 11, delete the hours in 13-2-7-3, 6-9AM & 6-9PM. **Motion defeated**

**Motion carried**

**Article 12. General By-law Amendment: §13-2-6-4. Noise - Waivers.** To see if the Town will vote to amend the Provincetown General By-

laws, §13-2-6 *Excessive musical and other noise*, by adding a new section 13-2-6-4, Waivers, to read as follows:

The Licensing Board may waive any part of this Noise Control bylaw for a temporary licensed public event if, in the judgment and discretion of the Licensing Board, the noise that the event will create in excess of the noise level limits established under the Noise Control bylaw is offset by the benefits of the event to the participants or the public and the noise of the event will not cause undue hardship or disturbance to the surrounding area. Events covered by this bylaw will not extend beyond midnight nor begin prior to 10 A.M. The Licensing Board can stipulate any time it deems appropriate within this time frame depending on the expected noise level and impact on surrounding area. Residential private parties limited to invitation only are not affected by this bylaw as they are not licensed by the Licensing Board. They are still governed as to noise or nuisance stipulations of these bylaws under 13-1-2 and 13-2-6. The Licensing Board may impose, on the grant of a temporary waiver, terms and conditions appropriate to reduce the impact of the noise level exception. An application for a temporary waiver shall be filed with the Town Clerk. The applicant shall certify that notice of such temporary waiver application has been provided to all properties contiguous, or likely to be affected by the event, to the property where the event will occur. The applicant must also place a notice in the local media advising of the request for waiver at least two weeks prior to any hearing on the waiver by the Licensing Board. The applicant shall further certify that the Police Department has been consulted with respect to the event and has approved as to form the application for a waiver with the understanding that once the event is in process, complaints could arise necessitating action on the part of the Police, i.e., immediate consultation with the applicant to ameliorate the sound conditions if the complaints are numerous and clearly justified in the discretionary opinion of the responding Police. The application for a temporary waiver affects all public events likely to produce sound levels that will affect the average person in a negative manner and in no instance will a waiver application be considered by the Licensing Board less than 60 days preceding any event. Applicants may receive more than one waiver in a year but the Licensing Board may recall any applications during the event year if complaints exceed the benefit to the public as determined by the Licensing Board as advised by the Police Department. The Licensing Board may suspend, modify or revoke any temporary waiver if it determines that an applicant has violated the terms or conditions of the waiver

or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0****LICENSING BOARD RECOMMENDS: 4-0-1****FINANCE COMMITTEE HAS NO RECOMMENDATION**

Dr Cheryl Andrews moved that the Town vote to approve Article 12 as printed in the warrant. **Motion carried**

**Article 13. General By-law Amendment: §13-2-9. No camping from 8 p.m. to 8 a.m.** To see if the Town will vote to amend the Provincetown General By-laws so that §13-2-9, Setting up camp and sleeping in the open,” reads as follows: “Between ~~one-half hour after sunset and one-half hour before sunrise~~ 8 p.m. and 8 a.m., no person shall: (1) set up and or sleep in a camp or tent, or (2) sleep in the open, or (3) sleep in or on a wheeled vehicle either adapted or not for habitation (self-propelled or capable of being towed) on public property or on private property *not licensed as a campground under MGL Chapter 140, section 32B;*” or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0****FINANCE COMMITTEE HAS NO RECOMMENDATION.**

Michelle Couture moved that the Town vote to approve Article 13 as printed in the warrant.

Martin S. Huey moved the following amendment to Article 13 General By-law Amendment: §13-2-9. No camping from 8 p.m. to 8 a.m, inserting the words “or under a boat or similar vessel” at the end of sub-item (1) so that it reads as follows: (1) set up and or sleep in a camp or tent or under a boat or similar vessel, or....**Motion deemed to be not in the scope of the Article and not allowed.**

**Motion carried**

**Article 14. General By-law Amendment: §11-8. Fire Protective Signaling Systems and Automatic Fire Detection Systems.** To see if the Town will vote to amend the Provincetown General By-laws, Article 11, Building Regulations, by deleting Section 11-8 “Automatic-dialing mechanical protection device” and inserting in place thereof the following:

**11-8 Automatic-dialing mechanical protection devices and fire protective signaling systems and automatic fire detection systems.**

**11-8-1 Permission required.** No person shall install, maintain or use a protection device that automatically activates the telephone lines of the Police or Fire departments, without written permission from the Commissioner of Public Safety or his delegate and any other permission required, including, but not limited to, a building permit under 780 CMR 110.1 and 780 CMR 917 and 918 and any other permits or approvals that may be required.

**11-8-2 Required Fire Protection Detection Systems and Fire Protective Signaling Systems.** On or before January 1, 2008, all buildings and structures of mixed use and of the Use Groups A, B, E, F, H, I, M, R1, R2 and S1, as defined under the State Building Code, and located in the Town Center Commercial Fire Protection District, as shown on a map dated March 7, 2003 that is on file with the Town Clerk's office, shall obtain permission for and install both:

1. An approved fire protective signaling system which shall transmit a signal directly to a Fire Alarm Central Office indicating the activation of the on-site fire protection detection system. The onsite fire protection detection system shall include: all components required in 780 CMR the Massachusetts State Building Code, Chapter 9 and 527 CMR 24.00 Of the Massachusetts Board of Fire Prevention, as they apply to the structure's use or occupancy as defined in 780 CMR, Chapter 3. A fire protective signaling system shall include: all components required in 780 CMR the Massachusetts State Building Code, Chapter 9 and 527 CMR 24.00 of the Massachusetts Board of Fire Prevention, as they apply to a structure's use or occupancy, as defined in 780 CMR, Chapter 3; and shall also include a visual and audio fire alarm enunciator.
2. An approved visual and audio fire alarm enunciator shall be mounted on the outside of the building or structure and shall be visible and audible from the adjacent public or private way.

**11-8-3 Shut off device.** All alarm systems installed with an outside audible alarm shall be equipped with a device that will shut off the signal within fifteen minutes after the activation of the alarm.

**11-8-4 Identification system.** Alarms directly connected to the Police Department shall be connected in such a manner that the signal transmitted specifically identifies either fire, burglar or line.

**11-8-5 False alarms.** The activation of an alarm by error or malfunction shall constitute a violation of this by-law.

**11-8-6 Fines.** The owner or person in charge of a building or structure who fails to comply with this by-law shall be provided with written notice of non-compliance from the Police Department or Fire Department. Any owner or person in charge of a building or structure who fails to comply with this by-law within 10 business days of written notice of non-compliance shall be punished by a fine prescribed in the following manner under G.L. c.40, §21D. A non-criminal disposition penalty of a warning for the first through third offenses and a fine of \$15 dollars for the fourth offense and each offense thereafter shall be imposed for false alarm violations under §11-8-5. A non-criminal disposition penalty of \$300 for each offense shall be imposed for failure to timely comply with the requirements of §11-8-2.

or to take any other action relative thereto.

*[Requested by the Board of Fire Engineers]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

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**BOARD OF FIRE ENGINEERS RECOMMENDS: 7-0-0**  
**FINANCE COMMITTEE HAS NO RECOMMENDATION**  
**[2/3's vote required for zoning amendment under MGL C.40A]**

Warren Alexander moved that the Town vote to approve Article 14 as printed in the warrant. **Motion carried**

**Harbor Plan**

**Article 15. Amendments to Municipal Harbor Plan for Chapter 91 Licensing Amnesty Program.** To see if the Town will vote to approve the following amendment to the Municipal Harbor Plan for Provincetown Harbor to establish a Chapter 91 licensing amnesty program thereunder as follows:

Notwithstanding any contrary provision of the Municipal Harbor Plan approved on May 4, 1999, no property owner who filed a Chapter 91 license application with DEP Waterways on or before October 4, 1996 shall be required to make any monetary contribution to the Harbor Access Gift Fund, and Appendices A, B, and C of said plan shall not apply to said properties.

and to direct the Harbor Committee to submit said amendment to Massachusetts Coastal Zone Management for approval under 301 CMR 23; a copy of which amendment is on file in the office of the Town Clerk; or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RESERVES RECOMMENDATION**  
**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Keith Bergman moved that the Town vote to approve Article 15 as printed in the warrant. **Motion carried**

**Public Property**

**Article 16. Rescind Designation of Clothing Optional Beach at Spaghetti Strip.** To see if the Town will vote to rescind its vote under Article 32 of the April 2, 2001 Annual Town Meeting which voted as follows: "to designate the west end of the Town-owned Spaghetti Strip as Provincetown's Clothing Optional Beach. The Global Positioning System boundary coordinates on the beach bluff are: (401680, 4659475) and 401693, 4659472) for the mean high tide they are (401652, 4659541) and (4011665, 4659540);" or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**  
**BOARD OF SELECTMEN RECOMMENDS: 5-0-0.**

Mary-Jo Avellar moved that the Town vote to approve Article 16 as printed in the warrant.

**Motion carried**

**Article 17. *No Hunting.*** To see if the Town will vote not to allow hunting or trapping of animals and fowl on the town owned land at 244 Rt. 6, said 40 acres shown as Lot B on a plan of land prepared by Environmental Partners Group, dated March 2, 2001. A copy of which is on file in the office of the Town Clerk; or to take any other action relative thereto.

*[Requested by Peter Souza and others]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION**  
**BOARD OF SELECTMEN DOES NOT RECOMMEND: 5-0-0**  
**PLANNING BOARD RECOMMENDS: 3-0-0**

Peter Souza moved that the Town vote not to allow hunting or trapping of animals and fowl on the town owned land at 244 Rt. 6, said 40 acres shown as Lot B on a plan of land prepared by Environmental Partners Group, dated March 2, 2001. A copy of which is on file in the office of the Town Clerk. **Motion defeated**

**Article 18. *Hunting Within Cape Cod National Seashore.*** To see if the Town will vote to ask the Cape Cod National Seashore to not allow hunting and trapping within the entire boundaries governed by the Cape Cod National Seashore; or to take any other action relative thereto.

*[Requested by Peter Souza]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION**  
**BOARD OF SELECTMEN DOES NOT RECOMMEND: 3-2-0**  
**PLANNING BOARD RECOMMENDS: 3-0-0**  
**C.C.N.S. G.M.P. IMPLEMENTATION ADVISORY COMMITTEE DOES NOT RECOMMEND: 4-0-0**

Sheila Benzer moved that the Town vote to approve Article 18 as printed in the warrant. **Motion defeated**

#### **Telecommunications Facilities**

**Article 19. *Authorize Ten- to Twenty-Year Leases for Wireless Telecommunications Facilities at Water Tanks and Wastewater Treatment Plant Site.*** To see if the Town will vote pursuant to MGL C.40,§4 to authorize the Board of Selectmen to enter into lease(s) of ten (10) years, with an option of up to twenty (20) years, for installation and operation of wireless telecommunications facilities, and for approval of easements necessary to carry out the purposes of

this article, as follows: (1) the Town of Provincetown's central water tanks, with the proceeds therefrom to be deposited in the Water Enterprise Fund, and (2) on the Town of Provincetown's Wastewater Treatment Plant Facility property, with the proceeds therefrom to be deposited in the Wastewater Enterprise Fund; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE RECOMMENDS: 3-0-0**

Sarah Peake moved that the Town vote to approve Article 19 as printed in the warrant.

Celine Gandolfo moved to amend Article 19 Authorize Ten- to Twenty-Year Leases for Wireless Telecommunications Facilities at Water Tanks and Wastewater Treatment Plant Site to remove the words "water tanks" from the article and add the words "old Burn Dump" and that the article now reads "To see if the Town will vote pursuant to MGL.....to carry out the purposes of this article, as follows: (1) on the Town of Provincetown's Wastewater Treatment Plant Facility property, with the proceeds therefrom to be deposited in the Wastewater Enterprise Fund; or to take any other action relative thereto." **Amendment carried.**

Barbara Rushmore moved that the funds goes into the general funds instead of the wastewater fund. **Amendment carried**

**Motion carried as amended**

**Article 20. Easements for Electrical Service to Mt. Gilboa Water Tank.** To see if the Town will vote to approve easements for electrical service to the Mt. Gilboa Water Tank; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER RECOMMENDS: 3-0-0**

Michelle Couture moved that the Town vote to approve Article 20 as printed in the warrant.

Celine Gandolfo moved that the word "Sprint" be added to the article.

**Amendment defeated**

**Motion carried****Article 21. Zoning Amendment: Telecommunications Facilities I – Waiver.**

To see if the Town will vote to amend the Provincetown Zoning By-laws to add the following paragraph to §7030, Consistency with Federal Law, relative to Article 7 Wireless Telecommunications Towers and Facilities:

**§7030.D. Waivers.** If the Planning Board, following the close of a public hearing held under this Article, finds, by majority vote, that a particular provision of this Article would, as applied in the particular instance, prohibit or have the effect of prohibiting personal wireless services in violation of the federal Telecommunications Act of 1996, then the Board may waive that provision in the particular instance. If the Planning Board so waives a provision, then the Board shall expressly identify each specific provision being waived and set forth every reason for each waiver.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**PLANNING BOARD RECOMMENDS: 3-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

**[2/3's vote required for zoning amendment under MGL C.40A]**

Sarah Peake moved that the Town vote to approve Article 21 as printed in the warrant.

Howard Burchman moved to amend as follows: At the beginning of 7030 Section D (the waiver section) add the following sentence, "Prior to seeking such a waiver, the applicant must demonstrate that there are no alternative available sites. **Amendment defeated.**

Celine Gandolfo moved the following language be added to Article 21 Zoning Amendment: Telecommunications Facilities I – Waiver. as follows "It is required that an independent radiofrequency engineering consultant, chosen by our town, be utilized during the Planning board application process where a waiver is being considered to analyze, determine and give clarification as to the justification of the "Waiver." **Amendment defeated**

**Motion carried (2/3's vote)**

**Article 22. Zoning Amendment: Telecommunications Facilities II – Overlay**

**District.** To see if the Town will vote to amend the Provincetown Zoning By-laws, as follows

- 1) By amending §2100 **Establishment of Districts** so as to refer to a map dated February 6, 2003 and titled "Proposed Telecommunications Overlay District," a copy of which is on file with the Town Clerk.
- 2) By amending §2100 **Overlay Districts** to include a new district, by inserting the words "Telecommunications Overlay District" following the "Highway Corridor Overlay District." The Telecommunications Overlay District shall be defined by the area shown on a map titled "Proposed Telecommunications Overlay District" dated February 6, 2003, which is on file in the Town Clerk's Office.
- 3) By amending the Zoning By-law to add the following new section:  
**§2360, Telecommunications Overlay District**
  - A. Purpose.** To promote the more orderly siting of telecommunications facilities which are described in and further governed by Article 7 of the Towns Zoning By-laws "Wireless Telecommunication Towers and Facilities."
  - B. Governance.** Telecommunications facilities and uses in Provincetown are governed by Article 7 of the Town's Zoning By-laws Wireless Telecommunication Towers and Facilities.
- 4) By amending §7070 subsection L, *Standards for Siting of Telecommunication Facilities, Towers, Repeaters* by deleting "municipal water supply towers" so that the first sentence thereof reads as follows: "Any Telecommunications facility or tower, with the exception of Repeaters, shall be sited as far away as possible, and in no event closer than five hundred (500) feet horizontally, from dwelling units, schools (public or private), ~~municipal water supply towers~~, child care facilities, and housing for the elderly or infirm, unless otherwise specified in Section 7070, subsection M of this Article."
- 5) By amending §7070 General Requirements (Standards for Siting of Telecommunications Facilities, Towers, Repeaters) by adding the following new paragraph P:  
**P. Overlay District Facility or Towers.** All telecommunications facilities or towers may be located in the Telecommunications Overlay District as of right, provided that the following requirements are satisfied:
  - i. The facility shall be totally enclosed in an existing structure and the requirements for adjacent equipment structures set forth in §7070.E shall be satisfied and a certificate of compliance with applicable federal emissions standards shall be filed with the building inspector annually; **or**
  - ii. The facility or tower shall satisfy all of the requirements of §7070 Subsection A and Subsections C through F and Subsections H through K; §7120, except for the last

sentence and provided further that adequate surety shall be provided to the Town, by and through the Building Inspector and §7130 Subsections A and B. In addition, every tower shall satisfy the requirements of §7110 Subsection D. In addition, all facilities and towers shall file a certificate of compliance with applicable federal emissions standards and a certificate of structural integrity with the building inspector annually. The siting of a facility on the outside of (1) a water tank with the storage capacity of at least 500,000 gallons, (2) a wastewater treatment facility with a design capacity of at least 500,000 gallons per day, or (3) any structure in excess of 250 feet above sea level shall not trigger any additional setback requirements and, furthermore shall not be subject to the year-round camouflaging requirement set forth under §7070 Subsection C.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**PLANNING BOARD DOES NOT RECOMMEND: 3-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

**[2/3's vote required for zoning amendment under MGL C.40A]**

Sarah Peake moved that the Town vote to approve Article 22 as printed in the warrant.

**Motion defeated**

**Article 23. *Zoning Amendment: Telecommunications Facilities III - Stealth.***

To see if the Town will vote to amend the Provincetown Zoning By-laws, by adding a new paragraph Q in Section 7070 General Requirements of Article 7, to read as follows:

**Q. Wireless Telecommunications Antennas within and upon Existing Structures located outside the Telecommunications Overlay District.**

**Q1. Enclosed Wireless Communication Antennas.** Notwithstanding any other provision of the Zoning By-laws, the installation of a wireless communication antenna within an existing structure in any zone shall be permitted if a special permit is granted from the Planning Board provided that such antennas are totally enclosed and cannot be seen from outside the structure.

**Q2 Wireless Communication Antennas on Existing Buildings.**

Notwithstanding any other provision of the Zoning By-laws, a wireless communication antenna may be installed on the exterior of an existing building in any zoning district, provided a Special Permit is obtained from the Planning Board upon the Planning Board's written determination that the social, economic or other benefits of the proposal for the neighborhood or town outweigh any adverse effects such as hazard, congestion or environmental degradation; and that the following additional provisions have been met:

**A. Application Filing.** Applications must include representations, dimensioned and to scale, of all proposed antennas, mounts, equipment shelters, cable runs and any other construction or development, and elevations of the building where they are to be located. These shall show clearly the elevation of the highest point above ground level, the materials of construction and the color of any antenna, mount, fence, cable or other appurtenances. The Planning Board may also require information included in the filing requirements for wireless communication towers, personal wireless service facilities and their accessory structures described in Sections 7070 and 7080 of this bylaw.

**B. Performance Standards.** A wireless communication antenna installed on the exterior of an existing building shall meet the following performance standards:

- 1 . The applicant shall demonstrate to the Planning Board that the existing building or structure is structurally sound and capable of handling the additional loads created by the antenna.
2. The antenna shall not extend above the roofline of the structure unless it is located directly next to a chimney or other projection, in which case it shall not exceed the height of the chimney or other projection, and shall not project more than eighteen (18) inches from the surface of the building, roof, flagpole, steeple or chimney; and in no event shall any part of the antenna extend more than twelve (12) feet above the uppermost portion of the roof line.
3. An antenna mounted on a structure shall be colored or painted to blend with the structure.
4. All antennas shall be screened to the greatest extent possible to minimize visibility from abutting properties and ways.
5. All antennas and appurtenant equipment not in use for a period of six (6) months or more shall be removed from the property at the owner's/operator's expense.
6. The antenna must contribute to minimizing the number and height of new wireless communication towers throughout Provincetown.

**Q3. Wireless Communication Antennas on Existing Wireless Communication Towers.**

A. A wireless communication antenna may be installed on an existing wireless communication tower in any zoning district subject to the applicant obtaining a Special Permit from the Planning Board, provided there is no more than a twenty (20) foot increase in the height of the tower above ground level.

B. A wireless communication antenna may be installed on an existing wireless communication tower so as to increase the height of the tower more than twenty (20) feet above ground level provided the applicant demonstrates that it is necessary for the provision of wireless communications and provided a Special Permit is obtained from the Planning Board which meets the Performance Standards 7070 Q B.1.& B.3., above. In addition to the information required for a Special Permit application, the applicant shall include information required in Section 7070 Q 2 A above in the application for this Special Permit.

C. In addition, the owners of all facilities, towers and antennas addressed in Article 7 of these by-laws shall file a certificate of compliance with applicable federal emissions standards and a certificate of structural integrity with the Town Building Inspector annually.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**PLANNING BOARD DOES NOT RECOMMEND: 3-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

**[2/3's vote required for zoning amendment under MGL C.40A]**

Michelle Couture moved that the Town vote to approve Article 23 as printed in the warrant.

**Motion defeated (2/3rd's vote)**

#### **GROWTH MANAGEMENT**

**Article 24. Zoning Amendment: Growth Management - §6500.** To see if the Town will vote to amend the Provincetown Zoning By-laws, Section 6500, Table of Use Categories and Priorities, as follows:

(1) In GENERAL USE CATEGORY 1, to add new subsections 1A, 1B, and 1C, so that section reads as follows:

1. Affordable Housing Units.
  - A. *For all the housing units of affordable housing projects in which all the housing units are affordable. (For housing projects which are 100% affordable.)*
  - B. *For the affordable housing units of housing projects which are 50% to 99% affordable.*

*C. For the affordable housing units of housing projects which are 33% to 50% affordable.*

(2) In GENERAL USE CATEGORY 2, by deleting “existing” and inserting in place thereof “consisting” in the first line thereof, so that said line reads as follows: “The non-affordable housing components of projects *consisting of*;”

(3) In GENERAL USE CATEGORY 2, by amending subsections 2b1, 2b2 and 2b3 by deleting “25% to 49%” and inserting in place thereof “33% to 49.9%” so that said subsections read as follows:

2b1 Multi-family dwelling projects that consist of 33% to 49.9% affordable housing

2b2 Two-family dwelling projects that consist of 33% to 49.9% affordable housing

2b3 Single-family dwelling projects that consist of 33% to 49.9% affordable housing

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk’s Office; or to take any other action relative thereto.

*[Requested by the Planning Board, the Board of Selectmen, and the Local Housing Partnership]*

**PLANNING BOARD RECOMMENDS: 3-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**LOCAL HOUSING PARTNERSHIP RECOMMENDS: 4-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

**[2/3’s vote required for zoning amendment under MGL C.40A]**

Mary-Jo Avellar moved that the Town vote to approve Article 24 as printed in the warrant.

Howard Burchman moved that the following (clarifying, but not substantive) wording in the proposed article be deleted:

“A. For all the housing units of affordable housing projects in which all the housing units are affordable. (For housing projects which are 100% affordable.)

B. For the affordable housing units of housing projects which are 50%-99% affordable.

C. For the affordable housing units of housing projects which are 33% - 50% affordable.”

With the deletion of this proposed wording, General Use Category 1 in Section 6500 (the Table of Use Categories and Priorities) simply reads: “1. Affordable Housing Units.” **Amendment carried**

**Motion carried as amended (2/3’s vote)**

**Article 25. Zoning Amendment: Growth Management - §6600.** To see if the Town will vote to amend the Provincetown Zoning By-laws, Section 6600, Growth Limit Goal Allocations, by amending paragraph 1 to read as follows: “1. Initially, 13,200 gpd shall be allotted for assignment for Use Category 1. ~~Thereafter, all unassigned gallonage remaining at the end of each calendar year for General Use Categories 1, 2, 3, and 4 shall be allotted for assignment in the next calendar year for Use Category 1.~~ *Thereafter, all unassigned gallonage remaining at the end of each calendar year for General Use Categories 1, 3, and 4 shall be allotted for assignment in the next calendar year for Use Category 1. Unassigned gallonage remaining at the end of each calendar year for General Use Category 2 shall be allotted for assignment in the next calendar year for Use Category 2.*” The original copy of this zoning by-law change is on file for public inspection in the Town Clerk’s Office; or to take any other action relative thereto.

*[Requested by the Planning Board, the Board of Selectmen, and the Local Housing Partnership]*

**PLANNING BOARD RECOMMENDS: 3-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**HOUSING PARTNERSHIP RECOMMENDS: 4-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

Mary-Jo Avellar moved that the Town vote to approve Article 25 as printed in the warrant. **Motion carried (2/3’s vote)**

#### **RESOLUTIONS OF TOWN MEETING**

**Article 26. Affordable Housing: Priority for Fire Department and Rescue Squad.** To see if the Town will vote as follows: Whereas the volunteer fire department and rescue squad provide services critical to the town of Provincetown therefore to see if the town will vote to instruct the Provincetown board of Selectmen and the Housing Authority to work in concert to craft a mechanism by which members in good standing of the volunteer fire department and rescue squad receive prioritized access to affordable housing; or to take any other action relative thereto.

*[Requested by the Jonathan Sinaiko and others]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

**BOARD OF SELECTMEN DOES NOT RECOMMEND: 5-0-0**

**BOARD OF FIRE ENGINEERS RECOMMENDS: 7-0-0**

**HOUSING AUTHORITY RECOMMENDS: 3-0-0**

**LOCAL HOUSING PARTNERSHIP RECOMMENDS: 3-0-0**

Jonathan Sinaiko moved that the Town vote to approve Article 26 as printed in the warrant.

John Burke moved to amend by adding “rescue squad completing a minimum of three (3) years service”. **Amendment defeated.**

#### **Motion defeated**

**Article 27. Resolution to Defend the Bill of Rights.** To see if the Town will vote to adopt a resolution to defend the Bill of Rights, as follows:

Whereas, the Town of Provincetown has a long and distinguished history of protecting and expanding civil rights and civil liberties, often being a beacon for our country’s citizens when liberties are threatened; and

Whereas, the Town of Provincetown houses a diverse population, including non-citizens, whose contributions to the community are vital to its character and function; and

Whereas, the Town of Provincetown has with gratitude for their supreme sacrifice memorialized those in the Armed Forces who have died in battle protecting these same cherished rights and liberties; and

Whereas, several acts and orders recently enacted at the Federal level, including sections of the USA PATRIOT Act and several Executive Orders, now threaten these fundamental rights and liberties: freedom of speech, religion, assembly and privacy; the rights to counsel and due process in judicial proceedings; and protection from unreasonable searches and seizures; all guaranteed by the Constitution of the Commonwealth of Massachusetts, and the United States Constitution and its Bill of Rights;

Therefore, we the Town of Provincetown, Massachusetts, acting in the spirit and history of our community, do hereby request that:

1. Local law enforcement continue to preserve residents’ freedom of speech, religion, assembly, and privacy; rights to counsel and due process in judicial proceedings; and protection from unreasonable searches and seizures even if requested or authorized to infringe upon these rights by federal law enforcement acting under new powers granted by the USA PATRIOT Act or orders of the Executive Branch;

2. Federal and state law enforcement officials acting within the Town work in accordance with the policies of the Provincetown Police Department, and in cooperation with the Department, by not engaging in or permitting detentions without charges or racial profiling in law enforcement;

3. The U.S. Attorney’s Office, the Office of the Federal Bureau of Investigation and Massachusetts State Police report to the Provincetown Board of Selectmen regularly and publicly the extent to and manner in which they have acted new Executive Orders, or COINTELPRO-type regulations, including

disclosing the names of any detainees held in Massachusetts or any Provincetown residents detained elsewhere;

4. That the Town instruct the Library not to divulge information concerning books and magazines read by Library patrons to any authorized agency.

5. Our United States Congressman and Senators monitor the implementation of the Act and Orders cited herein and actively work for the repeal of the parts of that Act and those Orders that violate fundamental rights and liberties as stated in the Constitutions of the Commonwealth and the United States.

or to take any other action relative thereto.

*[Requested by John B. Hopkins and others]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION  
BOARD OF SELECTMEN RECOMMENDS: 5-0-0.**

John B. Hopkins moved that the Town vote to approve Article 27 as printed in the warrant.

**Motion carried unanimously**

**Article 28. *Resolution Against the War in Iraq.*** To see if the Town will vote to adopt a resolution against the war in Iraq, as follows:

Whereas, the people of the United States have already suffered grievous loss of life and well-being as a result of the terrorist attack on September 11, 2001 with the unforgettable horror or deliberate destruction of our cities from the sky; and

Whereas, based on current information no proven linkage has been made between the horrific terrorist attack on the World Trade Center on September 11, 2001 and the government of Iraq, and

Whereas, the greatest external threat to U.S. security today are the terrorist cells of Al Qaeda, which would likely grow as a result of a pre-emptive U.S. strike against Iraq; and

Whereas, neither the UN Charter nor international law justifies attacking another nation that poses no direct threat, and there is no evidence of a direct threat from Iraq to the U.S., and

Whereas, there is an urgent need for genuine multilateral action to eliminate weapons of mass destruction world wide; and

Whereas, a war with Iraq would threaten to further destabilize the Middle East, possibly leading to a wider, regional war and increased support for Al Qaeda and other groups dedicated to terrorism, making the citizens of the United States and the world less safe, and

Whereas, past military conflict in the region resulted in widespread environmental destruction, the effects of which have not yet been mitigated or understood; and

Whereas, past military conflict in the region resulted in widespread damage to the civilian infrastructure of Iraq and widespread suffering and death of Iraqi civilians; and

Whereas, for every estimated \$100 Billion cost to fight such a war and occupation it would cost individual Massachusetts taxpayers \$2.5 Billion and individual Provincetown taxpayers nearly \$2 million; and

Whereas, there are Provincetown citizens in the armed forces who may be killed or maimed in action or worse, may have to kill or maim others and live with it for the rest of their lives;

Now, Therefore, be it resolved that the Town of Provincetown hereby, opposes a U.S. invasion of Iraq, but supports instead a genuinely multilateral diplomatic approach to the Iraq situation, sanctioned and directed by the United Nations; and,

Resolved, that the Provincetown Town Clerk shall forward copies of this resolution to President Bush, Senators Kennedy and Kerry and to all members of the Massachusetts U.S. Congressional delegation. or to take any other action relative thereto.

*[Requested by Brian O'Malley and others]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION  
BOARD OF SELECTMEN RECOMMENDS: 3-0-2**

Dr Brian O'Malley moved that the Town vote to approve Article 28 amended as follows: "That the Town of Provincetown go on record to support an end to unilateral military intervention, and for redirection of war expenditures to address growing societal inadequacies, both at home and in Iraq. Support troop by bringing them home. Provide them housing, provide them health care, provide them socially valuable jobs, provide them education. Provide for their home communities affordable housing, healthcare, education and employment opportunity, and adequate social security. Their families and neighbors deserve no less. Support self-determination for the people of Iraq, with the restoration of housing, adequacy of healthcare services, respect for the educational system, and protection for the social needs of the civilian population. **RESOLVED**, that the Provincetown Town Clerk shall forward copies of this resolution to President Bush, Senators Kennedy and Kerry and to all members of the Massachusetts U.S. Congressional delegation. **Motion carried.**

**OTHER FINANCIAL ARTICLES**

**Article 29. FY 2004 Human Services Grant Program.** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$47,654 to be expended under the direction of the Board of Selectmen, to fund grants to assist non-profit agencies and organizations to maximize available resources to

meet needs identified by the community by providing services to local residents, particularly those of low- and moderate-income and those who are uninsured or underinsured, as follows:

Consumer Assistance Council	\$250
Elder Services of Cape Cod & Islands	250
Gosnold	13,000
H.O.W./Helping Our Women	5,500
Independence House, Inc.	4,310
Interfaith Council for the Homeless	2,344
Legal Services for Cod Cape & Islands	4,200
Lower Cape Outreach Council, Inc.	4,000
Mass A-Peal	400
Outer Cape Health Services	3,500
AIDS Support Group of Cape Co	6,500
Sight Loss Services, Inc.	400
Soup Kitchen in Provincetown	3,000

or to take any other action relative thereto.

*[Requested by the Human Services Committee, the Board of Selectmen, and the Town Manager]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**HUMAN SERVICES COMMITTEE RECOMMENDS: 6-0-0.**

Mary-Jo Avellar moved that the Town vote to raise and appropriate the sum of \$47,654 to be expended under the direction of the Board of Selectmen, to fund grants to assist non-profit agencies and organizations to maximize available resources to meet needs identified by the community by providing services to local residents, particularly those of low- and moderate-income and those who are uninsured or underinsured, as printed in the warrant.

**Motion carried**

**Article 30. Expenditures from the Tourism Fund.** To see if the Town will vote to transfer from the Tourism Fund the sum of \$180,000 to fund the following projects which market, beautify or enhance tourism in Provincetown:

(1) Waterfront Complex	\$77,500
(2) AIDS remembrance	5,000
(3) Art in Public Places	10,000
(4) Historic Walking Trail	67,500
(5) Provincetown Theatre Foundation	20,000

or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0****VISITOR SERVICES BOARD RECOMMENDS: 5-0-1.**

Mary-Jo Avellar moved that the Town vote to approve Article 30 as printed in the warrant.

**Motion carried**

**Article 31.** *Apply Shuttle Funds to Reduce the FY 2004 Tax Rate.* To see if the Town will vote to apply \$50,250 in funds in the FY 2004 699 Tourism budget, for subsidy of the summer shuttle, to reduce the Fiscal Year 2004 property tax levy for regional transit authority charges for said shuttle in FY 2003, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-Jo Avellar moved that Town vote to apply \$50,250 in funds in the FY 2004 699 Tourism budget, for subsidy of the summer shuttle, to reduce the Fiscal Year 2004 property tax levy for regional transit authority charges for said shuttle in FY 2003.

**Motion carried**

**Article 32.** *Use of Stabilization Fund to Reduce the FY 2004 Tax Levy.* To see if the Town will vote to transfer the sum of \$200,000 from the Stabilization Fund to reduce the Fiscal Year 2004 property tax levy, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-3****BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-Jo Avellar moved that the Town vote to indefinitely postpone action on Article 32.

**Motion carried**

**Article 33.** *Use of Parking Fund to Reduce the FY 2004 Tax Levy.* To see if the Town will vote to transfer the sum of \$1,200,000, or any greater or lesser sum, from the Parking Fund to reduce the Fiscal Year 2004 property tax levy, as provided by Chapter 790 of the Acts of 1981, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**  
**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-Jo Avellar moved that the Town vote to transfer the sum of \$1,200,000 from the Parking Fund to reduce the Fiscal Year 2004 property tax levy, as provided by Chapter 790 of the Acts of 1981.

**Motion carried**

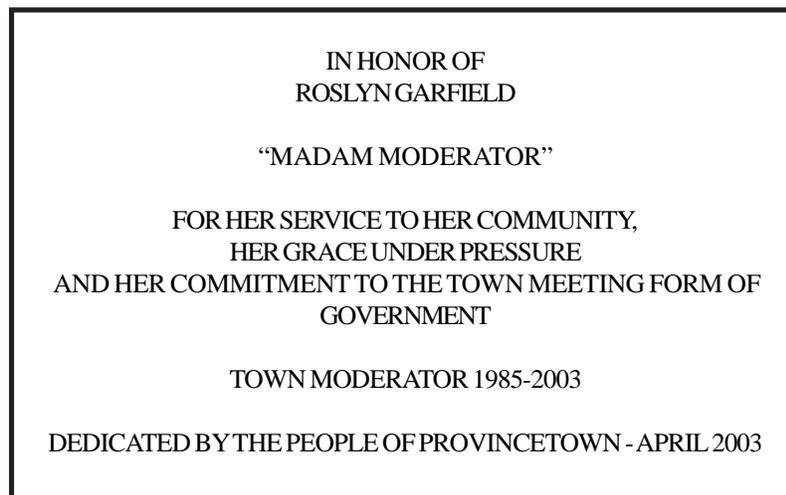
Annual Town Meeting adjourned at 10:40 p.m.



Town Moderator Roslyn Garfield convened the meeting at 6:00 p.m. Monday, April 7, 2003.

Sue Buerkel moved to adjourn the Annual Town Meeting until after the Special Town Meeting. Motion Carried

Mary-Jo Avellar paid tribute to the Town Moderator, Roslyn Garfield, by presenting a bronze plaque in her honor to be placed beneath the Moderator's podium in Town Hall Auditorium. The plaque reads:



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**PRELIMINARY MOTIONS**

(1) Mary-Jo Avellar moved that the Town vote to waive the reading of the warrant.  
**Motion Carried.**

(2) Mary-Jo Avellar moved that the Town vote to grant permission to speak at the April 7, 2003 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Dennis Anderson, Cape End Manor CEO; Edward Boxer, PHS Principal; Dennis Clark, Recreation Director; Patricia Fitzpatrick, Tourism Director; Paul Gabriel, Mark White, and Wayne Perry of Environmental Partners Group, wastewater engineers; Elizabeth Gallerrizo, Licensing Agent; Jon Gilmore, Director of Community Development; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., Town Counsel; William Henchy, Esq., attorney, and Chris King, Chairman of the Board of Directors of PROFISH; Michelle Jarusiewicz, Acting Assistant Town Manager; Bruce T. Miller, Director of Municipal Finance and Town Accountant; Paul O'Shea, Massachusetts Division of Fisheries & Wildlife; Patricia Pajaron, Health Inspector; Jane Raasch, Health Agent; Anthony Teso, Principal, Veterans Memorial Elementary School; Eileen Thomas, Cape End Manor Administrator; Dr. Colette Traylor, Superintendent of Schools. **Motion Carried.**

(3) Mary-Jo Avellar moved that on all matters to come before the April 7, 2003 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion Carried.**

**WASTEWATER**

**Article 1. *Low Interest Loans for Repair, Replacement, Upgrade of Septic Systems and Sewer Connections.*** To see if the Town will vote to appropriate the sum \$200,000, to be expended under the direction of the Director of Municipal Finance, for the purpose of funding the following water pollution abatement facility projects: repair, replacement, and/or upgrade of septic systems pursuant to agreements with the Board of Health and residential property owners, and for the cost of connecting individual properties to the sewer system, including without limitation all costs thereof as defined under Chapter 29C, section 1 of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$200,000 and issue bonds or notes therefor under Chapter 111, section 127B½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by property owners in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and

the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects; or to take any other action relative thereto.

*[Requested by the Town Manager, the Board of Selectmen and the Board of Health]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**BOARD OF HEALTH RECOMMENDS: 5-0-0**

**[2/3's vote required for borrowing]**

Mary Jo Avellar moved that the Town vote to approve Article 1 as printed in the warrant. **Motion Carried (2/3rd vote)**

**Article 2. Wastewater Phase I Construction– Supplemental Expenses.** To see if the Town will vote as follows:

WHEREAS, prior votes of Town Meeting have authorized borrowing \$17.5-million for the construction of Phase I of the sewer system, with the costs of said project to be borne by the sewer's users and not the property taxpayers; and

WHEREAS, the number of properties connecting the sewer system in Phase I has increased from 430 to 490, due in large measure to so-called "red dot delay" properties needing hook up sooner rather than later, with additional expenses which are still expected to produce a unit cost of no more than \$33 per gallon per day for final sewer betterments;

THEREFORE, The Town votes to appropriate the sum of \$1,957,000 to add to the amounts appropriated under Article 13 of the April 1, 2002 Special Town Meeting and Article 2 of the April 2, 2001 Special Town Meeting, to be expended under the direction of the Director of Public Works for construction of sewerage systems in accordance with the engineering scope of services developed by the Wastewater Management Plan Citizens Advisory Committee for a wastewater facilities plan as outlined by the Department of Environmental Protection, and including without limitation all costs defined under C.29C, §1 of the General Laws; and to raise said appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum of money under and pursuant to C.44, §7(1) and/or C.29C of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; and that to the extent that any State, Federal or other funds are or become available for the purposes set forth above, the Board of Selectmen is authorized to apply for and accept such funds; and, further, the Town votes to authorize the Water and Sewer Board to assess one hundred percent of the project cost to the Town of the installation of sewers and construction of wastewater treatment plant upon those who benefit from the project, such assessments to be made by the

Uniform Unit method as provided by General Laws Chapter 83, Section 15; or to take any other action relative thereto.

*[Requested by the Town Manager, the Board of Selectmen, and the Water & Sewer Board]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

**BOARD OF HEALTH RECOMMENDS: 5-0-0**

**[2/3's vote required for borrowing under MGL C.44,§7]**

Mary-Jo Avellar moved that the Town vote to approve Article 2 as printed in the warrant. **Motion Carried (2/3 vote)**

#### **Cape End Manor**

**Article 3. Fund AFSCME Cape End Manor Unit Collective Bargaining Agreement.** To see if the Town will vote to raise and appropriate the sum of \$94,648 to fund the collective bargaining agreement reached with AFSCME Council 93, Local 1462, Cape End Manor Unit "B" for FY 2003, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

**CAPE END MANOR BOARD OF DIRECTORS RECOMMENDS: 3-0-0**

Mary Jo Avellar moved that the Town vote to transfer from Overlay Surplus the sum of \$94,648 to fund the collective bargaining agreement reached with AFSCME Council 93, Local 1462, Cape End Manor Unit "B" for FY 2003. **Motion Carried**

**Article 4. Cape End Manor FY 2003 Supplemental Appropriation.** To see if the Town will vote to raise and appropriate the sum of \$210,678 to increase the 525 Cape End Manor budget for Fiscal Year 2003 established under Article 2 of the April 1, 2002 Annual Town Meeting, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

**CAPE END MANOR BOARD OF DIRECTORS RECOMMENDS: 3-0-0**

**[2/3rds vote required for use of Stabilization Fund under MGL C.40,§5B.]**

Mary-Jo Avellar moved that the Town vote to transfer \$10,678 from Overlay Surplus and \$200,000 from the Stabilization Fund, for a total of \$210,678, to

increase the 525 Cape End Manor budget for Fiscal Year 2003 established under Article 2 of the April 1, 2002 Annual Town Meeting. **Motion Carried (2/3 rd Vote)**

**Article 5. *Future of Cape End Manor - Options.*** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$40,000 to be expended under the direction of the Board of Selectmen and the Cape End Manor Board of Directors to fund study of options for the future of the Cape End Manor nursing home, and to present the results of said study to a special town meeting to be held during the Fall of 2003, or to take any other action relative thereto.

*[Requested by the Board of Selectmen and the Town Manager]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

**CAPE END MANOR BOARD OF DIRECTORS RECOMMENDS: 3-0-0**

**COUNCIL ON AGING BOARD RECOMMENDS: 4-0-0**

**BOARD OF HEALTH RECOMMENDS: 2-1-2**

**LOCAL HOUSING PARTNERSHIP RECOMMENDS: 3-0-0**

**PLANNING BOARD RECOMMENDS: 3-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE RECOMMENDS: 3-0-0**

Mary-Jo Avellar moved that the Town vote to transfer from Overlay Surplus the sum of \$40,000 to be expended under the direction of the Board of Selectmen and the Cape End Manor Board of Directors to fund study of options for the future of the Cape End Manor nursing home, and to present the results of said study to a special town meeting to be held during the Fall of 2003. **Motion Carried**

**Article 6. *Zoning Amendment: Highway Corridor Overlay District Rezoning.*** To see if the Town will vote to amend the Provincetown Zoning By-laws to add the following paragraph to §2352, District Boundaries, relative to the Highway Corridor Overlay District (HCOD):

The boundaries of the HCOD shall be expanded to include those properties shown on a map, entitled "Highway Corridor Overlay District, Provincetown, MA," dated December 12, 2002, which map is on file with the Town Clerk's office and hereby incorporated by reference into the Zoning By-laws. The properties shown on said map include: those lands north of the paved surface of Route 6, going northward to and including the DPW Highway Garage Site, and those lands running westward and northward from the eastern edge of the Race Point Road and Route 6 intersection to include the following four parcels: Assessors Map 9-1-08; 9-1-013; and 9-1-07; and a portion of the layout of Route 6 which is adjacent to both 9-1-013 and 9-1-07 which is about the same size as parcels 9-1-013 and 9-1-07.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

**CAPE END MANOR BOARD OF DIRECTORS RECOMMENDS: 3-0-0**

**COUNCIL ON AGING BOARD RECOMMENDS: 4-0-0**

**PLANNING BOARD RECOMMENDS: 3-0-0**

**[2/3's vote required for zoning amendment under MGL C.40A]**

Mary-Jo Avellar moved that the Town vote to approve Article 6 as printed in the warrant. **Motion Carried (2/3rd Vote)**

**Article 7. Zoning Amendment: Highway Corridor Overlay District Uses and Dimensions:** To see if the Town will vote to amend the Provincetown Zoning By-laws by amending the Highway Corridor Overlay District sections as follows:

**(1) Purposes in Section 2351** to include the words "and similar uses listed below in Section 2353, Permitted Uses.

**(2) Permitted uses in Section 2353** to include "Medical or Health Care Center; Animal Shelter; and Independent Living Units for Seniors."

**(3) Dimensional Regulations in Section 2354** to change minimum frontage from 200 feet on Route 6 to 100 feet on Route 6 and/or Race Point Road; to change minimum front yard setback from 75 feet to 30 feet; to change minimum rear yard setback from 50 feet to 25 feet; and to change minimum side yard setback from 45 feet of which 30 feet shall be maintained as a vegetative buffer to "25 feet of which a minimum of 15 feet shall be maintained as a vegetative buffer."

**(4) HCOD Definitions in Section 2356** to add the following definitions:

Medical or Health Care Center shall refer to any facility or institution that is licensed to provide health care services to natural persons, including but not limited to health-maintenance organizations, home-health agencies, rehabilitation agencies and skilled nursing facilities.

Animal Shelter shall refer to a non-profit public animal control facility or any other facility which is operated by any organization or individual for the purpose of protecting animals from cruelty, neglect or abuse.

Independent Living Units for Senior Citizens shall mean non-profit housing intended for occupancy by persons fifty-five or over or sixty-two or over which complies with the provisions set forth in 42 U.S.S. Section 3601, et seq. and which is associated with a Nursing Home, Convalescent Home or Nonprofit Assisted Living Facility as defined in this Bylaw.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office; or to take any other action relative thereto.

*[Requested by the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**  
**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**  
**PLANNING BOARD RECOMMENDS: 3-0-0**  
**CAPE END MANOR BOARD OF DIRECTORS RECOMMENDS: 3-0-0**  
**COUNCIL ON AGING BOARD RECOMMENDS: 4-0-0**  
**[2/3's vote required for zoning amendment under MGL C.40A]**

Mary-Jo Avellar moved that the Town vote to approve Article 7 as printed in the warrant with the following amendments:

(1) in the definition of Animal Shelter, delete “or any other facility” and “or individual” so that it reads as follows: “Animal Shelter shall refer to a non-profit public animal control facility or any other facility which is operated by any organization or individual for the purpose of protecting animals from cruelty, neglect or abuse.”

(2) in the definition of Independent Living Units, change “U.S.S.” to U.S.C.” so that the reference reads “42 U.S.C. Section 3601.” **Motion Carried (2/3rd Vote)**

**Article 8. *Authorize Conveyance of 100 Alden Street to Housing Authority for Affordable Housing Purposes.*** To see if the Town will vote to accept the provisions of the second paragraph of MGL C.40, §15A, and, further, to transfer care, custody, control and management of the 1.2-acre Cape End Manor property at 100 Alden Street (Assessors Map 08-2-026) to the Board of Selectmen for purposes of conveyance upon declaration of said property as surplus by the Board of Selectmen; and to further authorize the Board of Selectmen to convey said property to the Provincetown Housing Authority for the construction of low and moderate income housing thereat; or take any other action relative thereto.

*[Requested by the Board of Selectmen and the Provincetown Housing Authority]*

**FINANCE COMMITTEE RESERVES RECOMMENDATION**  
**BOARD OF SELECTMEN DOES NOT RECOMMEND: 3-2-0**  
**LOCAL HOUSING PARTNERSHIP RECOMMENDS: 3-0-0**

Mary-Jo Avellar moved that the Town vote to indefinitely postpone action on Article 8. **Motion Carried.**

#### **Land Exchange**

**Article 9. *Land Exchange: Transfer 4.49 Acres to Fisheries & Wildlife for Transfer of Surplus Parcel C to Provincetown Housing Authority.*** To see if the Town will vote to transfer the following parcel from the Conservation Commission for conservation and passive recreation purposes to the Board of Selectmen for the purpose of conveyance, and to further authorize the Board of Selectmen to convey to the Massachusetts Division of Fisheries and Wildlife in trust to be held forever for conservation and open space purposes: a 4.9-acre portion of the 40-acre parcel at

244 Route 6 (Assessors Map 08-1-005), as shown on a plan dated February 14, 2003, a copy of which is on file in the office of the Town Clerk; provided that said conveyance shall be conditioned upon the Commonwealth of Massachusetts, acting through the Division of Capital Asset Management or the Division of Fisheries and Wildlife, conveying to the Provincetown Housing Authority for affordable housing purposes a 4.9-acre parcel of land shown as Parcel C on MassHighways' plan for discontinuance of Route 6 dated May 24, 2002, a copy of which is on file in the office of the Town Clerk; and further to authorize the filing of special legislation necessary to carry out the purposes of this article, including legislation under Article 97 of the Amendments to the Massachusetts Constitution; or to take any other action relative thereto.

*[Requested by the Housing Authority and the Board of Selectmen]*

#### **FINANCE COMMITTEE RESERVES RECOMMENDATION**

**BOARD OF SELECTMEN recommends Indefinite Postponement: 5-0-0**

**PLANNING BOARD DOES NOT RECOMMEND: 3-0-0**

Michael Bunn moved that the Town vote to indefinitely postpone action on Article 9. **Motion Carried.**

#### **HOME RULE PETITIONS**

**Article 10. Home Rule Petition/Real Estate Transfer Fee/Affordable Housing Trust Fund in the Town of Provincetown.** To see if the Town will vote as follows:

WHEREAS, housing costs in Provincetown continue to escalate; with Provincetown's median residential sales price of \$370,000 for 2001 being the highest of any town on Cape Cod, according to Banker & Tradesman, with property values increasing by an average of 17% per year; and

WHEREAS, at 61.8%, Provincetown has the highest percentage of low- and moderate-income households on Cape Cod; at 32.2% in January 2002, ours is the highest unemployment level on the Cape; and

WHEREAS, the 2000 U.S. Census results confirm the exodus of Provincetown's year-round population caused by our housing crisis, as Provincetown was the only community on Cape Cod to see its year-round population actually decrease between 1990 and 2000— from 3,561 to 3,431. Moreover, Provincetown was the only Cape community to see its year-round housing stock decrease during this same period: Provincetown lost 324 year-round housing units — a 13.6% decrease; and

WHEREAS, the majority of Provincetown housing stock is no longer owned by year-round residents, and are utilized principally as second homes; and therefore these homes are no longer available for the housing of year-round residents; and

WHEREAS, our real estate market continues to threaten the ability of residents to remain in Provincetown, and the ability of businesses to maintain a local labor force; and

WHEREAS, the legislature has established an Affordable Housing Trust Fund for the Town of Provincetown for the creation, preservation, and support of affordable housing; and

WHEREAS, the Town of Provincetown desires to deposit in said fund revenues resulting from a two percent real estate transfer fee modeled after those in effect on Nantucket since 1983, and Martha's Vineyard since 1986;

THEREFORE, the Town votes to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Relative to a Real Estate Transfer Fee for the Affordable Housing Trust Fund in the Town of Provincetown," to read as follows:

SECTION 1. Definitions. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Authority", shall refer to the Provincetown Housing Authority.

"Fund", shall refer to the Affordable Housing Trust Fund, established by Chapter 230 of the Acts of 2002.

"Institutional lender", any bank defined in section one of chapter one hundred and sixty-seven of the General Laws, any insurance company defined in section one of chapter one hundred and seventy-five of the General Laws, and any mortgage company or investment company that made more than twenty mortgages in the calendar year preceding the year of the relevant mortgage for the purposes of subsection (-m-) of section five, and any national bank, federal savings and loan association, federal savings bank, bank holding company, or state or federally chartered credit union.

"Purchaser", the transferee, grantee or recipient of any real property interests.

"Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer, but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; the fair market value, at the time of transfer, of any other consideration or thing

of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

“Real property interest”, any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property; but shall not include any interest which is limited to any or all of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance, and any estate for years having a term of less than thirty years; any reversionary right, condition, or right of entry for condition broken; the interest of a mortgage or other secured party in any mortgage or security agreement; and the interest of a stockholder in a corporation, or a partner in a partnership or limited liability company, except as provided in section 3A.

“Seller”, the transferor, grantor or immediate former owner of any real property interests.

“Time of transfer”, of any real property interest shall mean, the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

SECTION 2. Funds derived from the fee levied in Section 3 shall be deposited in the Affordable Housing Trust Fund established under Chapter 230 of the Acts of 2002. Notwithstanding any general or special law to the contrary, the Provincetown Housing Authority may expend funds from said fund to hire such staff and obtain such professional services as are necessary in order to perform its duties under this Chapter.

SECTION 3. There is hereby imposed a fee equal to two per cent of the purchase price upon the transfer of any real property interest in any real property situated in the town of Provincetown. Said fee shall be the liability of the purchaser of such real property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be paid to the Authority, or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby.

The Authority, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Barnstable county, and the assistant recorder for the registry district of Barnstable county, shall not record or register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate executed by the Authority or its designee. Failure to comply with this requirement shall not affect the validity of any instrument. The Authority shall deposit all fees received hereunder with the treasurer of the town of Provincetown, as a part of the fund established by Chapter 230 of the Acts of 2002. The fee imposed hereunder shall be due simultaneously with the time of transfer of the transfer upon which it is imposed. Notwithstanding the foregoing, whenever there is a conveyance of real property interests and a conveyance of personalty related thereto at or about the same time, the allocations of payments between real estate and personalty agreed to by the purchaser and seller shall not determine the amount of the fee due pursuant to this section; instead, the Authority may require payment of the fee referred to in real property interests so conveyed as determined by the Authority.

SECTION 3A. To the extent not otherwise subject to payment of a fee pursuant to section three, and notwithstanding the exemptions set forth in paragraphs (i) and (j) of section five unless otherwise exempted pursuant to section five excluding said paragraphs (i) and (j), there shall be paid a fee equal to two per cent of the fair market value of real property interests held in the name of or otherwise owned by a corporation upon the transfer by the controlling stockholders of their interests of the stock of such corporation. This fee is due on or before the time of transfer of the stock. To the extent not otherwise subject to payment of a fee pursuant to section three and notwithstanding the exemptions referred to in said paragraphs (i) and (j), unless otherwise exempted pursuant to said section five excluding said paragraphs (i) and (j), there shall be paid a fee equal to two per cent of the fair market value of real property interests held in the name of a partnership or limited liability company or otherwise owned by a partnership or limited liability company upon the change in composition of such partnership or limited liability company either in one transaction or a series of related transactions which change in composition results in a transfer of capital interests in excess of fifty per cent of the total capital interests within such partnerships or limited liability companies or results in a transfer of the ownership rights to profit interests within such partnership or limited liability company in excess of fifty per cent of the total profit interests within such partnerships or limited liability companies.

SECTION 4. At any time within seven days following the issuance of the certificate of payment of the fee imposed by section ten, the purchaser or his legal representative may return said certificate to the Authority or its designee for cancellation, together with an affidavit signed under oath or under the pains and penalties of perjury that the transfer, with respect to which such certificate was issued, has not been consummated, and thereupon the fee paid with respect to such transfer shall be forthwith returned to the purchaser or his legal representative.

SECTION 5. The following transfers of real property interests shall be exempt from the fee established by section ten. Except as otherwise provided, the purchaser shall have the burden of proof that any transfer is exempt hereunder.

(-a-) Transfers to the government of the United States, the commonwealth, and any of their instrumentalities, agencies or subdivisions.

(-b-) Transfers which, without additional consideration, confirm, correct, modify or supplement a transfer previously made.

(-c-) Transfers made as gifts without consideration. In any proceeds to determine the amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less than fair market value of the real property interests transferred was made as a gift without consideration to the extent of the difference between the fair market value of the real property interests transferred and the amount of consideration claimed by the purchaser to have been paid or transferred, if the purchaser shall have been at the time of transfer the spouse, the lineal descendant, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be presumed that consideration was paid in an amount equal to the fair market value of the real property interests transferred, at the time of transfer.

(-d-) Transfer to the trustees of a trust in exchange for a beneficial interest received by the seller in such trust; distributions by the trustees of a trust to the beneficiaries of such trust.

(-e-) Transfers by operation of law without actual consideration, including but not limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real property interest.

(-f-) Transfers made in partition of land and improvements thereto, under chapter two hundred and forty-one of the General Laws.

(-g-) Transfers to any charitable organization as defined in clause Third of section five of chapter fifty-nine of the General Laws, or any religious organization, provided that the real property interests so transferred will be held by the charitable or religious organization solely for its public charitable or religious purposes.

(-h-) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and transfers of the property subject to a mortgage to the mortgagee in consideration of the forbearance of the mortgagee from foreclosing said mortgage.

(-i-) Transfers made to a corporation or partnership or limited liability company at the time of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of section three hundred and fifty-one or seven hundred and twenty-one of the Internal Revenue Code of 1986, as amended; provided, however, that such transfer shall be exempt only in the event that (i) with respect to a corporation, the transferor retains a controlling interest in such corporation after such formation or (ii), with respect to a partnership or limited liability company, the transferor retains after such formation rights to capital interests in excess of fifty per cent of the capital interests within such partnership or limited liability company or retains rights to profit interests within such partnership or limited liability company in excess of fifty per cent of the total profit interests within such partnership.

(j) Transfers made to a stockholder of a corporation in liquidation of the corporation, and transfers made to a partner of a partnership or to a member of a limited liability company in dissolution of the partnership or limited liability company; but the transfer shall be exempt only if (i) with respect to a corporation, the transferee had before the transfer a controlling interest in the corporation, or (ii) with respect to a partnership or limited liability company, the transferee had before the transfer rights to capital interests in excess of 50 per cent of the total capital interests within the partnership or limited liability company or had rights to profit interests within the partnership or limited liability company in excess of 50 per cent of the total profit interests within the partnership or limited liability company.

(-k-) Transfers consisting of the division of marital assets under the provisions of section thirty-four of chapter two hundred and eight of the General Laws or other provisions of law.

(-l-) Transfers of property consisting in part of real property interests situated in the town of Provincetown and in part of other property interests, to the extent that the property transferred consists of property other than real property situated in the town of Provincetown; provided that the purchaser shall furnish the Authority with such information as it shall require or request in support of the claim of exemption and manner of allocation of the consideration for such transfers.

(-m-) The first two hundred thousand dollars of the purchase price of a transfer made to a purchaser who, or whose spouse at the time of transfer, has at no time prior to said transfer owned or possessed any real property interest as defined in section one either within or without

the town of Provincetown; provided that the purchaser shall make the real property interest which is the subject of the transfer the purchaser's actual domicile within two years of the time of transfer; provided further that in the event of a subsequent transfer within five years of the transfer exempted from the fee under this subsection, other than the transfer of a mortgage to an institutional lender, the fee exempted shall become due, together with the accumulated interest and penalties, and in addition to any fee otherwise due as a result of the subsequent transfer. The purchaser shall certify as to the foregoing, and the Authority shall attach to the deed a certificate which shall recite the fact that there is running with the land a lien equal to the amount of the fee exempted plus accumulated interest and penalties until such time as all conditions of this subsection have been met.

(-n-) Transfers of property that constitute "affordable housing." The term "affordable housing" shall mean housing that is subject to an affordable housing restriction, as defined under G.L.c .184, §31, ¶5, provided that any such restriction shall have a remaining duration of at least ten years at the time of that a transfer and request for expemption occurs; and, provided further, that any such restriction shall establish a method for establishing the maximum resale price during the restriction period and that said maximum resale price shall not exceed the formula, as established by the Massachusetts Department of Housing and Community Development or any successor agency, for low or moderate income housing for the region.

SECTION 6. A purchaser who fails to pay all or any portion of the fee established by section three on or before the time when the same is due shall be liable for the following additional payments in addition to said fee: (-a-) Interest: The purchaser shall pay interest on the unpaid amount of the fee to be calculated from the time of transfer at a rate equal to fourteen per cent per annum. (-b-) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the time of transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the Authority for each month or portion thereof thereafter that the fee is not paid in full; provided, however, that in no event shall the amount of any penalty imposed hereunder exceed twenty-five per cent of the unpaid fee due at the time of transfer. Whenever the Authority determines that all or a portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Authority shall be paid by the purchaser in addition to said fee.

SECTION 7. (-a-) The Authority shall notify a purchaser by registered or certified mail of any failure to discharge in full the amount of the fee due under this Act and any penalty or interest assessed. The Authority shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by the Authority within thirty days after the mailing of said notice. The Authority shall notify the purchaser in writing by registered or certified mail of its determination concerning the deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a determination of the Authority concerning a deficiency, penalty or interest may, after payment of said deficiency, appeal to the district or superior court within three months after the mailing of notification of the determination of the Authority. Upon the failure to timely petition for a hearing, or appeal to said courts, within the time limits hereby established, the purchaser shall be bound by the terms of the notification, assessment or determination, as the case may be, and shall be barred from contesting the fee, and any interest and penalty, as determined by the Authority. All decisions of said courts shall be appealable. Every notice to be given under this section by the Authority shall be effective if mailed by certified or registered mail to the purchaser at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in land, the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the public records in Barnstable county, such notice shall be effective when so mailed to the purchaser in care of any person appearing of record to have a fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in Barnstable county.

(-b-) All fees, penalties and interest required to be paid pursuant to this chapter shall constitute a personal debt of the purchaser and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Authority; said action, suit or proceeding shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

(-c-) If any purchaser liable to pay the fee established by this act neglects or refuses to pay the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Authority upon all property and rights to property, whether real or personal, belonging to such purchaser. Said lien shall arise at the time of transfer and shall continue until the liability for such amount is satisfied. Said lien shall in any event terminate not later than six years following the time of transfer. Said lien shall not be valid as against any mortgagee, pledgee, purchaser

or judgment creditor unless notice thereof has been filed by the Authority (-a-) with respect to real property or fixtures, in the registry of deeds for Barnstable county, or (-b-) with respect to personal property, in the office in which a security or financing statement or notice with respect to the property would be filed in order to perfect a nonpossessory security interest belonging to the person named in the relevant notice, subject to the same limitations as set forth in section fifty of chapter sixty-two C of the General Laws.

In any case where there has been a refusal or neglect to pay any fee, interest or penalties imposed by this act, whether or not levy has been made, the Authority, in addition to other modes of relief, may direct a civil action to be filed in a district or superior court of the commonwealth to enforce the lien of the Authority under this section with respect to such liability or to subject any property of whatever nature, of the delinquent, or in which he has any right, title or interest, to the payment of such liability.

The Authority may issue a waiver or release of any lien imposed by this section. Such waiver or release shall be conclusive evidence that the lien upon the property covered by the waiver or release is extinguished.

SECTION 8. This act shall be submitted to the voters of said town at the next annual or special town election in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall an act passed by the general court in the year 2003 entitled, 'An Act relative to a real estate transfer fee for the affordable housing trust fund in the town of Provincetown', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then section 1 of this act shall thereupon take effect, but not otherwise.

SECTION 9. Section 8 of this act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

*[Requested by the Town Manager, the Board of Selectmen, the Provincetown Housing Authority, and the Provincetown Housing Partnership]*

**FINANCE COMMITTEE DOES NOT RECOMMEND: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 3-2-0**

**HOUSING AUTHORITY RECOMMENDS: 2-0-0**

**HOUSING PARTNERSHIP RECOMMENDS: 4-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION****COMMITTEE RECOMMENDS: 3-0-0****COUNCIL ON AGING BOARD DOES NOT RECOMMEND: 4-0-0****PLANNING BOARD DOES NOT RECOMMEND: 3-0-0**

Arturo Alon moved that the Town vote to approve Article 10 as printed in the warrant with the following amendments:

(1) amend Section 5 of the proposed special act:

- by amending Exemption(c) to read as follows: “(-c-) Transfers made as gifts without consideration”;

- by deleting Exemption (k) pertaining to division of marital assets; and

- by amending Exemption (m) by striking the words “or whose spouse” in the first sentence thereof

so that the text of the home rule petition reads as printed in the Finance Committee Booklet.

(2) amend Section 4 so that it refers to a “fee imposed by section three” rather than section ten.

(3) amend Section 8 by adding the phrase “through 7” so that it reads in relevant part “then sections 1 through 7 of this act shall thereupon take effect.”

(4) and, further, to require that, prior to submission of the special act to the voters for their acceptance at an election pursuant to Section 8, the proposed spending plan for the Affordable Housing Trust Fund shall be submitted to Town Meeting for its consideration.

Pam Parmakian moved to reduce the fee proposed in Article 10 to one percent.

**Amendment defeated**

**Motion defeated**

**Article 11. *Home Rule Petition/Land Bank Amendment/Affordable Housing in the Town of Provincetown.*** To see if the Town will vote as follows:

WHEREAS, the Town of Provincetown desires to make the Land Bank Act a more perfect fit for our community by addressing affordable housing needs within the limits of the Land Bank’s three percent property tax surcharge, and

WHEREAS, in recognition of the affordable housing crisis in this community, the Town of Provincetown seeks further legislative relief to allow more than 10% of our Land Bank funds to be used for affordable housing; and

WHEREAS, the legislature has established an Affordable Housing Trust Fund for the Town of Provincetown for the creation, preservation, and support of affordable housing;

THEREFORE, the Town votes to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Relative to Affordable Housing in The Town of Provincetown," to read as follows:

SECTION 1. Section 1 of chapter 43 of the acts of 2000 which currently reads as follows:

Notwithstanding the provisions of section 5 of chapter 293 of the acts of 1998, the town of Provincetown may expend funds received under the provisions of said chapter 293 for affordable housing purposes. However, funds for purposes of affordable housing shall not exceed 10 per cent of the total funds received under said chapter 293.

is hereby amended to read as follows:

Notwithstanding the provisions of section 5 of chapter 293 of the acts of 1998, the town of Provincetown shall deposit 35% of the total funds received under the provisions of said chapter 293 in the Affordable Housing Trust Fund established pursuant to Chapter 230 of the Acts of 2002.

SECTION 2. This act shall be submitted to the voters of said town at the next annual or special town election in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall an act passed by the general court in the year 2003 entitled, 'An Act relative to affordable housing in the town of Provincetown', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then section 1 of this act shall thereupon take effect, but not otherwise.

SECTION 3. Section 2 of this act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

*[Requested by the Town Manager, the Board of Selectmen, the Provincetown Housing Authority, and the Provincetown Housing Partnership]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**HOUSING AUTHORITY RECOMMENDS: 2-0-0**

**LOCAL HOUSING PARTNERSHIP RECOMMENDS: 4-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE RECOMMENDS: 3-0-0**

Keith Bergman moved that the Town vote to approve Article 11 as printed in the warrant.

Robin Evans proposed an amendment for Article 11 of Special Town Meeting, Section 1 of Chapter 43 “for affordable housing purposes restricted to the reuse and renovation of existing structures. **Amendment passed**

Katherine Perry proposed the following: amendment of Article 11, paragraph 4 of section one, is here by amended as follows at the end of paragraph 2 of section 1 “conditional upon renting 50 percent of units at affordable rates and 50 percent of new/existing rentals at fair market rental costs to ease the town of Provincetown’s lack of housing” yearround. After the words “of said chapter 293 in the Affordable Housing Trust Fund established pursuant to chapter 230 of the acts of 2002” **Amendment withdrawn.**

**Motion carried as amended**

**Article 12. Home Rule Petition/Land Bank Amendment/Open Space in the Town of Provincetown.** To see if the Town will vote as follows:

WHEREAS, the Town of Provincetown desires to make the Land Bank Act a more perfect fit for our community by addressing open space needs within the limits of the Land Bank’s three percent property tax surcharge, and

WHEREAS, the Town desires to better manage— and not simply acquire— open space properties, including the 95 acres of open space properties it owns which were not acquired with Land Bank funds;

THEREFORE, the Town votes to instruct its representative in the General Court to file a home rule petition for a special act entitled, “An Act Relative to Open Space in The Town of Provincetown,” to read as follows:

SECTION 1. Notwithstanding the provisions of section 5 of chapter 293 of the acts of 1998, the town of Provincetown may expend funds received under the provisions of said chapter 293 for (1) the maintenance and improvement of property (a) purchased with land bank funds and (b) not purchased with land bank funds but owned by the town for conservation or open space purposes, and for (2) administrative and operating expenses, including the management of open space and conservation properties. However, funds for the purposes of this section shall not exceed 10% of the total funds received under said chapter 293. Funds used for the purposes of this section shall not replace existing operating funds, only augment them.

SECTION 2. This act shall be submitted to the voters of said town at the next annual or special town election in the form of the following question which shall be placed upon the official ballot to be used at said election: “Shall an act passed by the general court in the

year 2003 entitled, 'An Act relative to open space in the town of Provincetown', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then section 1 of this act shall thereupon take effect, but not otherwise.

SECTION 3. Section 2 of this act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**PLANNING BOARD RECOMMENDS: 3-0-0**

**LOCAL COMPREHENSIVE PLAN IMPLEMENTATION**

**COMMITTEE RECOMMENDS: 3-0-0**

Keith Bergman moved that the Town vote to approve Article 12 as printed in the warrant. **Motion carried**

**Article 13. Home Rule Petition/Parking Violations in the Town of Provincetown.**

To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Relative to Parking Violations in the Town of Provincetown," to read as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Provincetown may establish, by by-law, fines for parking violations, not exceeding \$25 if paid within 21 days, not exceeding \$30 if paid after 21 days but before the parking clerk reports to the registrar of motor vehicles, and not exceeding \$45 after the violation has been reported to the registrar.

SECTION 2. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

And further, to amend the Provincetown General By-laws by adding a new Section 11-6-4, Parking Violations, to read as follows:

**11-6-4 Parking Violations.** Fines for parking violations in the Town of Provincetown shall be \$25 if paid within 21 days, not exceeding \$30 if paid after 21 days but before the parking clerk reports to the registrar of

motor vehicles, and \$45 after the violation has been reported to the registrar of motor vehicles.

or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Keith Bergman moved that the Town vote to approve Article 13 as printed in the warrant.

David Atkinson proposed an amendment to Article 13 that the parking department vehicles must comply with Massachusetts Registry of Motor Vehicles rules and regulations. **Amendment defeated.**

**Motion Carried.**

**Article 14. *Home Rule Petition/Relocation and Alteration of High Pole Hill Road Layout.*** To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Relative to Relocation and Alteration of Layout of High Pole Hill Road in the Town of Provincetown," to read as follows:

SECTION 1. Notwithstanding the provisions of sections 21 through 24 of chapter eighty two of the general laws, the board of selectmen of the town of Provincetown may from time to time to relocate and alter the layout of High Pole Hill Road, a public town way laid out by the selectmen, reported for acceptance on October 25, 1853 and accepted by the town of Provincetown on November 15, 1853, and further laid out by the selectmen, reported for acceptance on January 27, 1862 and accepted by the town of Provincetown on February 10, 1962, said relocation and alteration to become effective upon vote of the board of selectmen that public convenience and necessity require such relocation and alteration, and filing of an order of relocation and alteration and plan of relocation and alteration with the town clerk, and no acceptance by vote of the town meeting is required under this act, provided that the necessary land or interest in land for such relocation and alteration is acquired by gift or purchase under this act, or by eminent domain if a waiver of appraisal and damages is given by the owner of the land affected by said taking, and further provided that the acquisition of the necessary land or interest must be accomplished within one year of the filing of the order of relocation and alteration and plan with the town clerk or said relocation and alteration shall be void, but may be re-voted under this act.

SECTION 2. The board of selectmen of the town of Provincetown may acquire by gift from the Cape Cod Pilgrim Memorial

Association of Provincetown, a Massachusetts non-profit corporation, its successors and assigns (the "Association"), the fee ownership interest or an easement for all purposes for which public ways are used within the town of Provincetown within the layout of High Pole Hill Road, as such layout may change from time to time, and may accept a deed of such fee or such easement subject to a restriction whereby the board of selectmen is obligated to further alter the layout of High Pole Hill Road to another reasonably convenient location if requested to do so by the Association and if the Association grants to the town of Provincetown the necessary easement or fee within the layout of High Pole Hill Road as so further altered and bears the design and construction cost of such further alteration.

SECTION 3. The board of selectmen of the town of Provincetown in connection with the alteration of layout of High Pole Hill from time to time, may, for such consideration as the selectmen shall deem appropriate, which may be nominal consideration, release to the owner of the underlying fee in the land within said layout all right, title and interest of the town of Provincetown in said land and, if the land within said layout is held in fee by the town of Provincetown, said board of selectmen may grant a release deed to the Association of said land, including without limitation the land shown as "West Approach - East Approach" on the plan titled "Plan of Land in Provincetown," prepared by George F. Clements., C.E., dated January 21, 1938, filed with the Land Registration Office on April 11, 1938 as Plan No. 16183A, notwithstanding the requirements of sections fifteen and fifteen A of general laws chapter forty, section sixteen of general laws chapter thirty B, or any other law to the contrary.

SECTION 4. Said Association may grant to the town of Provincetown the fee ownership interest or an easement for all purposes for which public ways are used within the town of Provincetown within the layout of High Pole Hill Road, as such layout may change from time, notwithstanding that the land within said layout is part of the land granted to the Association by the Commonwealth of Massachusetts by deed dated February 8, 1960, recorded with the Barnstable County Registry of Deeds in Book 1071, Page 23, pursuant to chapter 421 of the acts of 1959 and such conveyance, or the use of a portion of such land as a public town way rather than a free public parking area shall not cause all or any portion of such land to revert to the Commonwealth, notwithstanding the provisions of said act.

SECTION 5. Nothing in this act shall prevent the town of Provincetown from acting with respect to High Pole Hill Road as provided under sections 21 through 24 of chapter eighty two of the general laws G.L. c.82, §§21-24 should the town prefer to proceed under general law

and, should the town proceed under general law, nothing shall prevent the town from exercising its power of eminent domain under chapter 79 of the general laws with respect to said High Pole Hill Road.

SECTION 6. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

*[Requested by the Town Manager]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION  
BOARD OF SELECTMEN RECOMMENDS: 4-1-0**

Keith Bergman moved that the Town vote to approve Article 14 as printed in the warrant. **Motion Carried**

**Article 15. Home Rule Petition/Exempting New Police Department Members from Civil Service.** To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Exempting the Members of the Provincetown Police Department from Civil Service," to read as follows:

SECTION 1. The members of the police department of the town of Provincetown shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any member of the police department of the town of Provincetown on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

*[Requested by the Board of Selectmen and the Town Manager]*

**FINANCE COMMITTEE HAS NO RECOMMENDATION  
BOARD OF SELECTMEN RECOMMENDS INDEFINITE  
POSTPONEMENT: 5-0-0**

Mary-Jo Avellar moved that the Town vote to indefinitely postpone action on Article 15. **Motion carried.**

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**ACCEPTANCES OF GENERAL LAWS**

**Article 16. Accept MGL C.59,§2A9(a) to Add New Growth Properties to Tax Base Six Months Earlier.** To see if the Town will vote to accept the third sentence of MGL C.59,§2A(a), which reads as follows “Notwithstanding the foregoing, in any city or town which accepts the provisions of this sentence, buildings and other things erected on or affixed to land during the period beginning on January second and ending on June thirtieth of the fiscal year preceding that to which the tax relates shall be deemed part of such real property as of January first;” or to take any other action relative thereto.

*[Requested by the Board of Assessors, the Board of Selectmen, and the Town Manager]*

**FINANCE COMMITTEE RECOMMENDS: 5-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**BOARD OF ASSESSORS RECOMMENDS: 4-0-0**

Dana Faris moved that the Town vote to approve Article 16 as printed in the warrant. **Motion Carried**

**Article 17. Accept MGL C.59,§5, clause 41C for Adjustments to Eligibility Requirements.** To see if the Town will vote to accept the provisions of clause 41C of section 5 of Chapter 59 of the General Laws effective Fiscal Year 2003 to allow the Town to make adjustments to any or all of the following eligibility requirements: minimum age, exemption amount, gross receipts limit, whole estate limit, whole estate exclusion; however, adoption of the option does NOT increase state reimbursement; or to take any other action relative thereto.

*[Requested by the Board of Assessors]*

**FINANCE COMMITTEE RECOMMENDS THE MOTION: 8-0-0**

**BOARD OF ASSESSORS RECOMMENDS THE MOTION: 3-0-0**

Dana Faris moved that the Town vote to accept the provisions MGL C.59,§5, clause 41C by increasing the income limits contained in subclause (B) of the first sentence thereof whenever they appear in said subclause from \$13,000 to \$20,000, if single, and from \$15,000 to \$30,000, if married. **Motion Carried**

**Article 18. Accept MGL C.148,§26G. Buildings or additions; automatic suppressant or sprinkler systems.** To see if the Town will vote to accept the provisions of section 26G of Chapter 148 of the General Laws to require that every building of more than 7,500 gross square feet in floor area or every addition of more than 7,500

gross square feet in floor area shall be protected throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code; or to take any other action relative thereto.

*[Requested by the Town Manager]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**BOARD OF FIRE ENGINEERS RECOMMENDS: 7-0-0**

**PLANNING BOARD RECOMMENDS: 3-0-0**

**FINANCE COMMITTEE HAS NO RECOMMENDATION**

Keith Bergman moved that the Town will vote to approve Article 18 as printed in the warrant. **Motion Carried**

**MacMillan Pier**

**Article 19. MacMillan Pier - Approvals for Seafood Offloading Sublease and Structure.** To see if the Town will vote pursuant to section 5(o) of Chapter 13 of the Acts of 2000 to authorize the Provincetown Public Pier Corporation to enter into a sublease of a portion of MacMillan Pier for seafood offloading and other ancillary uses for a term not to exceed twenty (20) years, the terms of said sublease to be subject to the approval of the Provincetown Public Pier Corporation and the Board of Selectmen; and to authorize the Provincetown Public Pier Corporation pursuant to section 5(m) of Chapter 13 of the Acts of 2000 to construct or cause to be constructed pursuant to a sublease of a portion of MacMillan Pier a building and/or other structure to facilitate seafood offloading and other ancillary uses, the plans for said building or structure to be subject to the approval of the Provincetown Pier Corporation and the Board of Selectmen; or to take any other action relative thereto.

*[Requested by the Town Manager]*

**FINANCE COMMITTEE RESERVES RECOMMENDATION**

**BOARD OF SELECTMEN RECOMMENDS: 4-0-0**

**PUBLIC PIER CORPORATION BOARD OF DIRECTORS**

**RECOMMENDS: 4-0-0**

**[2/3rds vote required under Chapter 13 of the Acts of 2000]**

Keith Bergman moved that the Town vote to approve Article 19 as printed in the warrant. **Motion carried.**

**FISCAL YEAR 2003**

**Article 20. Massachusetts Highway Department Chapter 90 Funds for Road and Sidewalk Construction and Repairs.** To see if the Town will vote to appropriate from funds available from the Massachusetts Highway Department the sums of \$33,744.94 and \$67,489.88 for the undertaking of road and sidewalk construction and repairs under the provisions of Section 34(2)(a) of Chapter 90 of the General Laws,

Chapter 53 of the Acts of 1999, and Chapter 246 of the Acts of 2002, or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Keith Bergman moved that the Town vote to approve Article 20 as printed in the warrant. **Motion carried.**

**Article 21. Capital Improvement: Electronic Parking Meters.** To see if the Town will vote to transfer from the Parking Fund the sum of \$52,800 to be expended under the direction of the Town Manager and the Parking Administrator for electronic parking meters for the Provincetown Parking Department, and costs related thereto; or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 4-1-0**

Keith Bergman moved that the Town vote to transfer from the Parking Fund the sum of \$52,800 to be expended under the direction of the Town Manager and the Parking Administrator for electronic parking meters for the Provincetown Parking Department, and costs related thereto. **Motion carried.**

**Article 22. FY 2003 Wastewater Enterprise Fund.** To see if the Town will vote to amend its vote under Article 3, Item 1 of the April 1, 2002 Annual Town Meeting to read as follows: "to raise from wastewater receipts the sum of \$1,084,235, and appropriate in the General Fund the sum of \$200,000, for a total of \$1,284,235, for the operation of the Wastewater Enterprise Fund for Fiscal Year 2003;" or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

**WATER & SEWER BOARD RECOMMENDS: 3-0-0**

Keith Bergman moved that the Town vote to approve Article 22 as printed in the warrant. **Motion carried.**

**Article 23. FY 2003 Budget Adjustments.** To see if the Town will vote to transfer the sum of \$408,572 from the following Fiscal Year 2003 budgets established under Article 2 of the April 1, 2002 Annual Town Meeting, and other available funds, as follows:

123-A Town Manager – Personal Services	\$23,189
145-B Treasurer/Collector - Expenses	3,500
190-A DPW Buildings & Grounds – Personal Services	23,107
211-B Police Station - Expenses	2,000
421-A DPW Administration – Personal Services	71,550
421-B DPW Administration – Expenses	13,305
422-A DPW Highway – Personal Services	7,500
431-B DPW Solid Waste – Expenses	12,692
499-B Cable Advisory - Expenses	5,000
543-B Veterans - Expenses	2,000
630-A Recreation – Personal Services	4,000
810-B Tax Titles - Expenses	10,000
02 ATM Art. 17, Town Planner	28,531
99 ATM Art. 57, Stabilize Firehouse No. 2	23,235
99 ATM Art. 5-8 Police Computer Upgrades	29,105
99 STM Art. 23-5, Library Repairs	3,112
97 ATM Art. 40, Replace Fire Station Roof	10,000
Oct 96 STM, Art. 12, Veterans Park	2,198
Land Bank Fund	<u>134,548</u>
<i>Sub-total</i>	<i>\$408,572</i>

to increase the following Fiscal Year 2003 budgets:

151-B Legal Services - Expenses	\$47,625
156-B Land Bank – Debt Service	134,548
231-B Ambulance - Expenses	36,131
423-A Snow & Ice – Personal Services	17,650
423-B Snow & Ice – Expenses	50,000
431-A DPW Solid Waste – Personal Services	3,485
439-B DPW Waste Disposal – Expenses	84,305
682-B Airport - Expenses	<u>34,828</u>
<i>Sub-total</i>	<i>\$408,572</i>

or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

FINANCE COMMITTEE RECOMMENDS: 6-0-0

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

Keith Bergman moved that the Town vote to approve Article 23 as printed in the warrant, with the following amendments:

(1) by reducing total FY 2003 spending by \$201,374, as follows:

123-A Town Manager- Personal Services	\$23,189
145-B Treasurer/Collector - Expenses	3,500
190-A DPW Buildings & Grounds - Personal Services	23,107
211-B Police Station – Expenses	2,000

421-A DPW Administration - Personal Services	71,550
421-B DPW Administration - Expenses	13,305
422-A DPW Highway - Personal Services	7,500
431-B DPW Solid Waste - Expenses	12,692
543-B Veterans - Expenses	2,000
630-A Recreation - Personal Services	4,000
810-B Tax Titles - Expenses	10,000
O2 ATM Art.17, Town Planner	28,531
<i>Sub-total</i>	<i>201,374</i>

(2) by transferring \$134,548 from the Land Bank Fund to the 156-B Land Bank debt service budget;

(3) by transferring \$65,275 from old article balances, as follows, to fund \$47,625 for 151-B Legal Services budget and \$17,650 for 423-A Snow & Ice Personal Services:

97 ATM Art. 40 Replace Fire Station roof	10,000
99 ATM Art.57 Stabilize Former Fire House No.2	23,235
99 ATM Art. 5-8 Police computer upgrades	29,105
99 ATM Art. 23-5 Library repairs & upgrades	2,935
<i>Sub-total</i>	<i>65,275</i>

(4) by transferring \$158,749 from the Tourism Fund to fund the following transfers for purposes which market, beautify, or enhance tourism, provided that said \$158,749 shall be repaid to the Tourism Fund over a three-year period beginning FY 2005.

231-B Ambulance - Expenses	36,131
431-A DPW Solid Waste - Expenses	3,485
439-B DPW Waste Disposal - Expenses	84,305
82-B Airport - Expenses	34,828
<i>Sub-total</i>	<i>158,749</i>

Peter Bez proposed to amend article 23 as follows: the sum of \$158,749.00 from the Tourism Fund being used to fund lines should remain in the Tourism Fund and that these line items should instead be raised and appropriated. **Amendment defeated.**

**Motion Passed**

**Article 24. Use of Old Article Balances to Reduce FY 2003 Property Tax.** To see if the Town will vote to apply the following article balances totaling \$213,087.88 to reduce the Fiscal Year 2003 property tax levy:

<i>Town Mtg/Art.</i>	<i>Subject</i>	<i>Balance</i>
96 STM 7	Transportation Center Improvements	\$14.61
00 STM 16-4	Police station cellblocks	0.58
92 STM 4-4	Municipal Harbor Plan	1,502.16
00 STM 10	Dinghy dock extensions	78.15
95 STM 3-7	School building repairs	404.52
99 ATM 54	Survey of town property at CCNS	1,665.00
99 ATM 55	Survey for layout High Pole Hill Road	7,000.00
99 ATM 59	Beach Wheelchair	129.00
99 STM 23-3	Jerome Smith Lot Improvements	590.70
99 ATM 5-3	Street & Sidewalk Repairs	22,597.90
96 ATM 4-6	Community Center Repairs	2,128.34
00 ATM 4-3	Library Repairs	8,395.00
00 ATM 4-6	Sidewalk Repairs	10,888.50
00 ATM 4-7	Drainage Maintenance	10,000.00
00 ATM 4-9	Community Center Repairs	3,993.42
01 ATM 5-4	Street and Sidewalk Repairs	25,000.00
01 ATM 5-7	Police Station Generator	29,380.00
01 ATM 31	Drainage Improvements- 30 Creek Road	55,000.00
01 ATM 42	Swap Shop Construction	160.00
01 ATM 38	Cumulative Human Services Articles	<u>34,160.00</u>
	<i>Total</i>	<i>\$213,087.88</i>

or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Mary-JoAvellar moved that Town vote to apply the article balances shown in Article 24, totaling \$213,087.88, to reduce the Fiscal Year 2003 property tax levy. **Motion carried.**

**Article 25. Use of Free Cash to Reduce FY 2003 Property Tax.** To see if the Town will vote to transfer \$600,000 from Free Cash to reduce the Fiscal Year 2003 property tax levy; or to take any other action relative thereto.

*[Requested by the Town Manager and the Board of Selectmen]*

**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

**BOARD OF SELECTMEN RECOMMENDS: 5-0-0**

Keith Bergman moved that the Town will vote to indefinitely postpone action of Article 25.

**Motion carried.**

Special Town Meeting dissolved at 6:06 p.m. on Tuesday, April 8, 2003

	<h1 style="margin: 0;">ELECTIONS</h1>
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**2003 Annual Town Elections Bold = Elected**  
**Registered Voters = 3505 Total Voters = 1222 39%**

**Town Moderator - 3 Years**

Christopher J. Snow	429
<b>Elizabeth Steele-Jeffers</b>	<b>777</b>
Blanks	15
Write-ins	1
<b>Total</b>	<b>1222</b>

**Housing Authority - 2 Years**

<b>Arturo A. Alon</b>	<b>718</b>
Blanks	502
Write-ins	2
<b>Total</b>	<b>1222</b>

**Selectman - 3 Years**

<b>Mary-Jo Avellar</b>	<b>851</b>
Larry Mahan	348
Blanks	23
Write-ins	0
<b>Total</b>	<b>1222</b>

**Charter Enforce. Com. - 3 Yrs.**

<b>Amanda E. Futrow</b>	<b>683</b>
<b>Peter Garza</b>	<b>657</b>
Blanks	1103
Write-ins	1
<b>Total</b>	<b>2444</b>

**School Committee - 3 Years**

<b>Terese Nelson</b>	<b>714</b>
William H. Rogers II	447
Cythia Packard-Luster	448
<b>Molly Perdue</b>	<b>549</b>
Blanks	285
Write-ins	1
<b>Total</b>	<b>2444</b>

**Charter Enforce. Com. - 1 Yr.**

<b>Henryk Tyszka</b>	<b>723</b>
Blanks	495
Write-ins	4
<b>Total</b>	<b>1222</b>

**Bd. of Library Trustees - 3 Yrs.**

<b>Marcia Fair</b>	<b>858</b>
<b>Carol Noyes</b>	<b>675</b>
Blanks	911
Write-ins	0
<b>Total</b>	<b>2444</b>

**Question 1**

**Shall an act passed by the general court in the year 2002 entitled "An Act relative to property tax exemptions for rental properties in town of Provincetown used as affordable housing" be accepted?**

Yes	629
No	414
Blanks	179
<b>Total</b>	<b>1222</b>

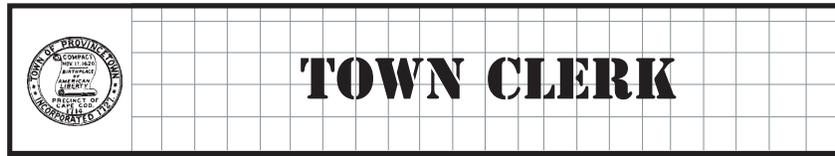
**Housing Authority - 5 Years**

<b>Pamela L. Parmakian</b>	<b>789</b>
Blanks	430
Write-ins	3
<b>Total</b>	<b>1222</b>

# **GENERAL GOVERNMENT**



*Provincetown Town Hall in Spring 2003*



The Town Clerk's office is the primary source for public information related to Town government. We manage, archive, retain and make accessible information pertaining to all major vital records and decisions as required by law, including the preservation of records. We also manage and maintain the Town's municipal Web site [www.provincetown-ma.gov](http://www.provincetown-ma.gov) and provide licensing and business services: marriage and business certifications and hunting, fishing, shellfish, dogs and raffle licenses. The office also manages and maintains Town Board records, monitors Town Board appointments, and supports Town departments with research services. The Town Clerk's office handles elections and town meetings. This work includes maintaining the Voter Registration Information System, processing state and local ballot petitions and conducting the annual Town census.

The transcription of Town Meeting decisions into a digital database continued in 2003, resulting in a keyword searchable database of all Town Meeting decisions for our 288 years of decision-making. This database is available on our municipal website in the section known as "Historic Provincetown." This section also includes a searchable database of the Town's Art collection, a database of shipwrecks, images and slides of old Provincetown, memorials, the Rose Dorothea and the 1907 Fisherman's Cup (also known as the Lipton Cup).

The Massachusetts Supreme Judicial Court's Goodrich decision on same-sex marriage in November of 2003 focused the eyes of the nation on Provincetown, resulting in numerous telephone calls and inquiries to the Town Clerk's office from same-sex couples desiring to wed and from curious local and national reporters. While the Goodrich decision will not take effect until mid-May of 2004, the Town Clerk's office is preparing for the anticipated increase in requests to marry.

Of note in December of 2003 was the resignation of Greta Holman, who held the position of Town Clerk for one year. The office continues to be staffed by one full-time Town Clerk, a part-time assistant, Aaron Leventman, and the knowledgeable contribution of Irene "Babe" Silva. The office also wants to recognize the invaluable contribution of the numerous volunteers who gave their time throughout 2003 to varied projects, including archive research and election work.

*Respectfully submitted,*

**Doug Johnstone**

Town Clerk



### Births - 2003

<b>Date</b>	<b>Name</b>	<b>Parents</b>
3-Feb	Kyle Robert Enos	Scott Michael Enos Christina Marie Enos (Turner)
18-Mar	Ebben Ryder-O'Malley	Robin Ryder-O'Malley Priscilla Ryder O'Malley (Cook)
14-Dec	Princess Veronica-Marie Barnett	Michael John Barnett Angel Catherine Barnett (Rowe)
22-Dec	Lily Hope Stevenson	Robert Clifford Stevenson Rose Merry Steele

### Marriages - 2003

<b>Date</b>	<b>Name</b>	<b>Name</b>	<b>Residence</b>
11-Jan	Devon Ruesch	Alice Foley	Provincetown, MA
11-Jan	Benjamin J. Weissberg	Theda Carol	Provincetown, MA
27-Jan	David Huitz	Florence Rivera	Provincetown, MA
15-Feb	Ramao J. Duarte	Pennie J. Nicoll	Provincetown, MA
7-Jun	Jose F. Saldarriaga	Kimberly K. Oliver	Provincetown, MA
17-Jun	Michael Marrinan, Jr.	Leslie Packard	Provincetown, MA
12-Jul	Mark Scott Costa	Kristie Sue Morgan	Provincetown, MA
14-Aug	Michael John Uscilla	Charlotte Vincent	New Haven, CT
22-Aug	Marcin Taranta	Dawn Zimiles	Provincetown, MA
18-Sep	Jason Kuliopulos	Anna Moreva	N. Truro, MA
13-Sep	Joseph Keith Rohr	Jennifer Greenquist	Washington D.C.
20-Sep	Crescencio Aguilar Castillo	Jessica L. Worth	Provincetown, MA
27-Sep	Michael Otto Moccia, Jr.	Debra Marie Nass	Yorktown Hgts, NY
4-Oct	Lee Robert Boroson	Kirsten Hassenfeld	Brooklyn, NY
4-Oct	Michael Carmine Anastasio	Karen Boyle	Sherman Oaks, CA
19-Oct	Terry Ben Siegel	Donna Lee Bartell	Provincetown, MA
18-Oct	Harold E. Willett	Deborah A. Bridgett	Waldorf, MD
12-Dec	Mark C. Travers	Cynthia L. Cook	Provincetown, MA
31-Dec	William Brunson Jr.	Jean Ann Wells	Chevy Chase, MD

## Domestic Partners - 2003

<b>Date</b>	<b>Name</b>	<b>Name</b>	<b>Residence</b>
3-Feb	Louis D. Caruso Jr.	Joseph A. Lobelle	Hammonton, NJ
18-Feb	Aaron Leventman	Phillip Retzky	Provincetown, MA
3-Mar	Betina Johnson	Pamela Parmakian	Provincetown, MA
1-Apr	Jerry H. Ouellet	Richard W. Kaminski	Provincetown, MA
16-Apr	Errenn Kiriaell	Karen Lynne Boeve	London, U.K.
6-May	Joseph Saveriano	Steven DiCarlo	Hyde Park, MA
18-Apr	Tracy L. Jones	Tina M. Dudley	Provincetown, MA
21-May	Linda Austin-Morin	Kimberly Austin-Morin	Warner, NH
23-May	Nicole Lee Sweet	Shannon Gibbons	Gloucester, MA
27-May	Denise R. Peterson	Tamara L. Peterson	Long Lake, MN
27-May	Eliot Hrbek	Micheal W. Rengers	Provincetown, MA
12-Jun	Eileen Rose	Susan Ann Goldberg	Provincetown, MA
9-Jan	William P. Hamlin	Ramon S. Alcolea	Provincetown, MA
1-Jul	Gloria Lynn Williams	Heather Pighetti	Westfield, MA
26-Jun	Peter Gallagher	Richard Laws	Boston, MA
25-Jul	John Arthur Foley	Brian Falvy	Provincetown, MA
1-Aug	Shelley Kennedy	Debra Denny	Houston, TX
12-Aug	Joseph P. Kovack	J. Benjamin Ryan	Brooklyn, NY
14-Aug	Phyllis Nan Gellar	Sally Doris Trestyn	Orlando, FL
15-Aug	Linda Austin	Lydia Stuckey	NYC, NY
19-Aug	Carole Gray	Julia Thompson	Bishops Stortford, U.K.
20-Aug	Robert A. MacDougall	Michael S. Pilsbury	Roslindale, MA
29-Aug	Carol Smith	Angela Dixon	Nashville, TN
12-Sep	Lori Kelley	Jennifer Dapsis	Ledyard, CT
15-Oct	Deborah Norcott	Margaret N. Nolan	Palmer, MA
20-Oct	Cynthia DeProspero	Brenda Outwater	Rome, NY
5-Dec	Wendy Hinden	Mary Paquin	Plymouth, MA

## Deaths - 2003

<b>Date</b>	<b>Name</b>	<b>Age</b>	<b>Cause</b>
5-Jan	Gertrude H. Lussier	87	Renal Failure
27-Jan	Arthur Frank Griffin	80	Lung Cancer
29-Jan	Frances John Ventura	79	Prostate Cancer
10-Jan	Jeanne Nathalie Travis	82	Respiratory Failure
2-Feb	Leo J. Houle Jr.	58	Hypoxia, Cirrhosis
18-Feb	Mary J. Veara	93	Pneumonia
28-Feb	Anna Carmen Cabral	81	Hepatic Failure
11-Mar	William Woodrow Brill	84	Sudden Cardiac Death
14-Mar	James Michael Mangaudis	53	Lung Cancer
16-Mar	Curtis Craig Dionne	52	Pulmonary Hemorrhage
16-Mar	Vivian Rose Santos	79	Cardiac Arrest

**Deaths - 2003 continued**

<b>Date</b>	<b>Name</b>	<b>Age</b>	<b>Cause</b>
19-Mar	Virginia M. Schuckers	93	Arteriosclerotis
4-Apr	Marguerite Thomas Vasques	87	Pneumonia
11-Mar	Vevette Vercheres Elkins	83	Lung Cancer
22-Mar	Helen Joan Freeman	71	Cardiorespiratory Arrest
10-Apr	Louise de Wilde Benson	98	Acute Respiratory Failure
14-Apr	Philomena Volton	91	Pneumonia
20-Apr	Robert Fedorochko	52	AIDS
22-Apr	Herbert Norman Schwartz	91	Pneumonia
20-Apr	Dorothy Eleanor Costa	90	Pneumonia
30-Apr	Anthony Joseph Perry	89	Respiratory Failure
7-Apr	James Hayden Green	71	Cardiac Arrest
9-May	William Anthony Days	85	Chronic Renal Failure
12-Jun	Samuel Cantor	76	Cardiorespiratory Failure
18-Jun	Sidney Ward Bamford	76	Lung Cancer
23-Jun	Betty Ann Atkinson	49	Metastatic Breast Cancer
27-Jun	Kathryn Janet Smith	92	Pneumonia
30-May	Albert Carlos Rocheteau	77	Organic Brain Syndrome
6-Jul	Florence Madeline Baillie	88	Congestive Heart Failure
8-Jul	Marston D. Hodgin	99	Pneumonia
14-Jul	Isabel May Perry	89	Cerebrovascular Disease
15-Jul	Paul Lawrence Smith	90	Cardiovascular Disease
17-Jul	Joseph Amos Cabral	93	Dementia
16-Jul	Alice L. Kenny	79	Myocardial Infarction
25-Jul	Katherine Jahng	84	Cardiovascular Disease
25-Jul	Benjamin Jed Weissberg	43	Lung Cancer
28-Jul	Alden Ernest Clapp	77	Coronary Artery Disease
20-Jul	Charles Donald Hill	77	Pneumonia
3-Sep	Anthony Souza	88	Prostate Cancer
6-Oct	Beatrice Veronica Cabral	90	Pneumonia
15-Oct	Dean Frost Embry	51	Gunshot Wound to the Head
25-Oct	Francis Volton	97	Pneumonia
31-Oct	Roberta Moniz Lasley	66	Lung Cancer
28-Oct	Timothy Maguire	36	Asphyxia Due to Strangulation
6-Nov	Mary C. Russe	89	Colon Cancer
4-Nov	Florence Hamilton Rich	94	Alzheimer's Disease
29-Oct	John Francis Souza	42	Pending Toxicology
10-Nov	Anna Enos Lewis	85	Respiratory Failure
29-Nov	Vivian Dorothy Silva	91	Pneumonia
29-Nov	"Thomas Allen Padden, Jr."	39	Asphyxia Due to Hanging
1-Nov	Robert J. Stenger	81	Renal Failure
1-Dec	John Patrick Gillheaney	81	Carcinoma
8-Nov	Elizabeth Salvador	93	Carcinoma
11-Dec	Oakley Austin Spingler	94	Pneumonia
30-Dec	Frank Gerard Hobbs	88	Respiratory Failure
16-Dec	Dominick DeMuro	88	Sepsis



During 2003, Town Counsel provided significant legal services to the Town, including the rendering of numerous legal opinions, approving contracts as to form, attending Town Meetings, and meeting with the Board of Selectmen and various other Town boards. There are currently twenty-six active litigation cases involving the Town which are pending in various courts. The majority of these cases involve appeals from decisions of the various land use boards. During the year, ten cases were closed.

During 2003, Town Counsel has worked closely with Town staff to develop a variety of strategies for encouraging the development and construction of affordable housing. These efforts will culminate in the submission of warrant articles at the 2004 Annual Town Meeting.

In addition, with the decision of the Supreme Judicial Court in Goodridge v. Department of Public Health, Town Counsel has been working closely with the Town Clerk and Town administration to develop policies and procedures with respect to the issuance of marriage licenses to same-sex couples once the stay imposed by the Supreme Judicial Court on its decision is lifted, which is expected to occur on May 17, 2004.

Last year's Annual Town Meeting adopted an Historic District Bylaw. Town Counsel has been working with Town staff to provide advice and assistance regarding the implementation of the Historic District Bylaw.

The MacMillan Pier continues to involve significant legal services. Town Counsel has been working closely with counsel for the Provincetown Public Pier Corporation and counsel to the Provincetown Fisherman's Association to develop a long-term lease and sub-lease which will provide a stable seafood off-loading operation for the fishing industry.

Town Counsel continues to provide legal services in connection with the Town's wastewater project. Now that construction has been completed, we are advising the Water and Sewer Board regarding the assessment of sewer betterments and advising with respect to other legal issues that have arisen during the course of construction of the sewer project and implementation of the Town's wastewater plan.

We extend our appreciation to the Board of Selectmen and the Town Manager for their confidence in retaining this firm. We also appreciate the assistance and cooperation received on all matters from the Board of Selectmen, Town Meeting, the Town Manager, department heads, and the boards and committees with whom we have worked. We look forward to working with the members of the Town government in the future.

*Respectfully submitted,*

**Kopelman and Paige, P.C.**

Town Counsel

## **TOWN OF PROVINCETOWN LITIGATION - STATUS REPORT**

### **1. Board of Selectmen v. Provincetown Zoning Board of Appeals**

Land Court Misc. No. 156832

This is an appeal from the Zoning Board of Appeals' decision to grant a special permit with conditions for the Jerome Smith Road Parking Lot. Although an attempt was made to stipulate to a remand hearing, no further action has been taken in this case.

### **2. Boggess v. Provincetown Zoning Board of Appeals**

Land Court Misc. No. 256632

This is an appeal from the May 6, 1999, decision of the Zoning Board of Appeals to deny a special permit to allow Steve's Alibi to expand its area of service to the second floor of a building located at 291 Commercial Street. In addition, a claim of constructive approval is asserted. A counterclaim was filed, seeking a declaration that constructive approval did not occur. There has been no recent activity in this case.

### **3. Corea v. Provincetown Zoning Board of Appeals**

Orleans District Court No. 0226-CV-0158

This is an appeal from the March 21, 2002 decision of the Zoning Board of Appeals to deny a dimensional variance for a retaining wall at 45 Captain Berties Way. The wall was constructed in conjunction with installation of a septic system without first obtaining a building permit and dimensional variance. There has been no further activity in this case.

### **4. Crown and Anchor v. Town of Provincetown**

Land Court Misc. No. 281704

This action seeks to invalidate the Town's Adult Entertainment Zoning By-Law (under G.L. c. 240, sec. 14A and 231 A) and to recover damages under the Massachusetts Civil Rights Act (G.L. c. 12) and the First Amendment to the United States Constitution. Plaintiffs sought a preliminary injunction to prohibit the Town from enforcing the adult entertainment provision of the Zoning By-

Law. The Land Court denied the plaintiffs' request for immediate relief. The Town's insurer accepted coverage of the litigation and appointed Town Counsel to represent the Town. At the insurer's request, we removed the action to United States District Court. Plaintiffs filed a motion to remand the action to state court, arguing that the federal court lacked jurisdiction to review the matter. The United States District Court ordered that the matter be remanded to state court, but did not provide any reason. An appeal to the First Circuit Court of Appeals was filed on behalf of the Town and the First Circuit ruled that the District Court judge must reveal the basis for his order of remand. The District Court responded by adopting a non-appealable basis for the remand. Accordingly, the Land Court reassumed jurisdiction. After further briefing and argument, the Land Court issued a preliminary injunction against enforcement of the bylaw as to the plaintiffs, based on the Court's determination that the bylaw applies only to "retail" establishments. The Town is reviewing its legal options, including amendment of the bylaw.

#### **5. Dolphin Fleet v. Town of Provincetown and the Provincetown Public Pier Corporation**

Barnstable Superior Court, C.A. No. 2004-0004A

This is an action challenging the new fee structure for use of MacMillan Pier. The plaintiffs of various commercial boating enterprises that utilize float spaces at MacMillan Pier have challenged the validity of the new fee structure established by the co-defendants, the Provincetown Public Pier Corporation. The original complaint was filed on January 8, 2004. The plaintiffs have now filed an amended complaint.

#### **6. Duarte Land Court Registration**

Land Court Misc. No. 42834

The Duartes seek to register title to certain land in Provincetown, but that parcel includes a part of Harry Kemp Way, a public Town way. The cesspool for the property partially encroaches on the public way. The Town served an answer and opposition on March 18, 2002. The petitioner withdrew the plan, and agreed not to include Harry Kemp Way as part of petitioner's property. The Duartes are now seeking an easement from the Town to maintain the portion of the cesspool that lies on Harry Kemp Way until a new septic system is installed. Discussions are ongoing.

#### **7. Fahimian (Trust) v. Provincetown Zoning Board of Appeals**

Barnstable Superior Court, C. A. No. 00-337

This is an appeal from the May 18, 2000, decision of the Zoning Board of Appeals to grant a special permit to allow an addition to a pre-existing-nonconforming use located at 129 Commercial Street. Since the action concerns relief granted to a private party, Town Counsel has not actively defended this matter or appeared

at court. The complaint was filed on June 8, 2000. On September 3, 2003, the Court ordered the matter remanded to the Zoning Board of Appeals for further findings.

#### **8. Kraniotakis v. Provincetown Zoning Board of Appeals (I)**

Land Court Misc. No. 244434

This is an appeal from the December 4, 1997, decision of the Zoning Board of Appeals to reverse the Building Commissioner's decision to refuse to grant zoning enforcement regarding a raised septic system at 275 Commercial Street (George's Pizza). The Building Commissioner determined that the system is not a structure under the Zoning By-law. The Zoning Board of Appeals determined that the raised walls constructed as part of the septic system are a structure under the Zoning By-law. Mr. Kraniotakis agreed to an entry of judgment in the Zoning Board of Appeals' favor on the bylaw interpretation issue. On July 10, 1998, the Land Court remanded the matter to the Board. On remand, the Board held a hearing on September 24, 1998 and determined that an alteration of a pre-existing nonconforming use occurred. The Board's remand decision was filed with the Clerk on October 23, 1998. Plaintiff requested that the Land Court reopen the litigation, but has not actively pursued the case.

#### **9. Kraniotakis v. Provincetown Zoning Board of Appeals (II)**

Land Court Misc. No. 247839

This is an appeal from the April 17, 1998 decision of the Zoning Board of Appeals, in which the Board upheld the January 5, 1998 decision of the Building Commissioner to refuse zoning enforcement regarding the septic system at 275 Commercial Street (George's Pizza). The Board found that there are no longer any above-ground walls and, therefore, the septic system does not constitute a structure under the Zoning By-law. The complaint was served on May 7, 1998. A Notice of Appearance was filed on May 19, 1998. No further activity has occurred since that date.

#### **10. Lambrou v. Provincetown Zoning Board of Appeals**

Barnstable Superior Court, C.A. No. 02419

This is an appeal of a decision of the Zoning Board of Appeals denying a special permit to allow a third-story studio apartment at 50 Bradford Street to expand to a one bedroom apartment. The complaint was filed in July 2002. Trial was held on May 21, 2003. On August 1, 2003, the judge entered judgment in favor of the plaintiff, directing the issuance of a special permit. The Town filed a Notice of Appeal and, on December 29, 2003, filed a brief in the Appeals Court.

#### **11. Livingstone v. Provincetown Zoning Board of Appeals**

U. S. District Court, C.A. No. 03-CV-11935-DPW

This is an appeal under G.L. c.40A, §17, by abutters from the grant of a special permit to locate a telecommunications facility at 232-236R Bradford Street. The permit was issued pursuant to the order of the U.S. District Court in the Nextel litigation. See related case Livingstone v. Provincetown Planning. This appeal originated in Barnstable Superior Court, C.A. No. 03-5A. Co-defendant, Nextel, removed the case to Federal Court. The Town has filed a motion to remand the case to State Court. A hearing is scheduled for February 13, 2004.

#### **12. Lyon v. Provincetown Zoning Board of Appeals**

Land Court Misc. No. 203576

This is an appeal from a decision made by the Zoning Board of Appeals affirming the Building Commissioner's denial of a building permit for property located at 795 Commercial Street. The complaint was filed in October, 2003, and the parties are currently engaged in discovery.

#### **13. Mad Maxine's Watersports, et al. v. Harbormaster and the Town of Provincetown**

Barnstable Superior Court, C.A. No. BACV2002-00474

This case involves a challenge to the Town's personal watercraft bylaw and a request for damages based upon alleged violations of plaintiffs' constitutional rights and a request for a preliminary injunction to enjoin enforcement of the by-law. The complaint was filed in Barnstable Superior Court in July 2002. The Town removed the case to federal court and filed an answer and counterclaim for enforcement of the by-law. Plaintiffs' request for a preliminary injunction was denied on August 12, 2002. On December 4, 2002, a partial stipulation of dismissal was filed with the federal court pursuant to which all claims for damages were dismissed with prejudice. The only remaining claim (i.e., the challenge to the validity of the by-law) was remanded to state court. The Town has filed a request for preliminary injunction and a motion for summary judgment. The case is stayed until February 27, 2004, pursuant to an order of the Supreme Judicial Court relating to the Town's insurer.

#### **14. Nextel Communications of the Mid-Atlantic v. Provincetown Zoning Board of Appeals**

U.S. District Court, C.A. No. 02-12406-DPW

This action is an appeal from a decision of the Board of Appeals denying Nextel's request for a waiver from compliance with sections of the Telecommunications Zoning Bylaw as part of Nextel's application for a special permit to locate a telecommunications facility at 232-236R Bradford Street. Nextel contends that the Board of Appeals violated the Federal Telecommunication Act of 1996. This case was consolidated with Nextel Communications of the Mid-Atlantic, Inc. v. Town of Provincetown U.S.D.C., C.A. No. 02-11646-DPW. The Town filed an opposition to the plaintiff's motion for summary judgment and a cross-motion

for summary judgment. In June 2003, the Court granted judgment to Nextel and ordered the Town to issue all permits to Nextel. The Zoning Board of Appeals and the Planning Board complied with the Court's order. In January 2004, however, the Town filed a motion to vacate the judgment in light of the Town's execution of a long-term lease for a telecommunications tower at the site of the new wastewater treatment plant.

**15. Nicolau, et al. v. Provincetown Zoning Board of Appeals**

Barnstable Superior Court, C.A. No. 98-664

This is an appeal from the September 14, 1995, decision of the Zoning Board of Appeals to allow modification of a use variance to expand a health club on the second floor of premises at 35 Bradford Street. A trial was held on July 17, 2000 and 18, 2000, after which the court entered judgment dismissing the plaintiff's claims for lack of standing. The plaintiffs appealed. The Appeals Court reversed the Superior Court's decision and remanded the case for further proceedings. The variance holder petitioned the Supreme Judicial Court for further appellate review, but the petition was denied in April 2003. A pretrial conference has been scheduled for March 18, 2004, in Barnstable Superior Court.

**16. Provincetown Board of Health v. Bryant**

Barnstable Superior Court, C.A. No. 95-751

This is an action under the Sanitary Code for injunctive relief to require the defendant to cleanup property located on Commercial Street. In 1995, the Court ordered the defendant to erect fencing along Commercial Street and to remove materials from within ten feet of the high water mark. An agreement for judgment was filed with the Court which requires the defendant to undertake certain further cleanup and screening measures. During 2003, the Board of Health observed several violations occurring at the site. The property owner and the Board of Health have established a compliance schedule for the clean up of the property.

**17. Provincetown Board of Trade Land Court Registration**

Land Court Misc. No. 43338

This is a Land Court registration petition affecting land claimed by the Town. The Town filed an answer and opposition on October 4, 2002. The petitioner has indicated the plan will be amended to address the Town's objections.

**18. Provincetown Planning Board v. Financial Investment Corp.**

Land Court Misc. No. 180124

This is an appeal of a constructive grant of a variance from the frontage requirements of the Zoning Bylaw relating to land located at 27R Bradford Street Extension. In 1993, the defendant filed a Suggestion of Receivership, but the notice was subsequently withdrawn and the case has remained dormant. There

has been no further activity in this case. During the pendency of this case, the status quo is preserved and the defendant cannot rely on the constructive grant.

**19. Provincetown Planning Board v. Provincetown Zoning Board of Appeals**

Land Court Misc. No. 214020

This is an appeal of the grant of a lot frontage variance for property located at 207A Bradford Street. The complaint was filed on January 10, 1995. There has been no further action in this case, since the applicant, the true party in interest, has not responded to the complaint. Unless the applicant seeks to pursue a trial in this case, the applicant cannot take advantage of the variance while the case remains pending.

**20. Town of Provincetown v. NYT Acquisition Corp. (formerly Provincetown Marine Fuel, Inc.)**

Land Court Misc. No. 226024

This is an action to establish the Town's rights under licenses issued to the Town by the Commonwealth in 1958 and 1964 to the pier in Provincetown Harbor known as the "Gas Dock." The complaint was filed on February 22, 1996. Provincetown Marine Fuel, Inc. filed a counterclaim, asserting that it is the successor in interest to an easement that allows storage of oil at the Gas Dock and that the Town's actions took its property. During 2000, an amended complaint was filed to substitute new defendants as Provincetown Marine Fuel Corp. was dissolved as a legal entity by the Secretary of State's office. On April 2, 2001, the Town filed a motion for summary judgment. The Town's summary judgment motion was heard on September 20, 2001 but the motion was denied. The parties are currently engaged in settlement discussion.

**21. Town of Provincetown v. Peckerwood Spred Inc, et al**

Land Court Misc. No. 247136

The Board of Selectmen appealed the decision of the Zoning Board of Appeals granting a special permit to defendant Peckerwood Spred, Inc., allowing "viewing booths" for rental of adult-content videos. The complaint alleged that this activity is not allowed in the proposed location under the Town's new adult entertainment bylaw. Although the applicant has sent a letter to the Zoning Board of Appeals "withdrawing" his application for the proposed use, no further action has occurred in this matter.

**22. Town of Provincetown, et al. v. Snow (141-143 Commercial Street Realty Trust)**

Barnstable Superior Court, C.A. No. 01-450

This is an action to compel the owner of 143 Commercial Street to remove a dilapidated residential structure on the site. Prior to a hearing on the Town's motion for preliminary injunction, the owner agreed to enter into an Agreement for Judgment, requiring him to complete demolition, removal and level grading by October 15, 2001. Work had not commenced by the due date and the Town filed a complaint for civil contempt in October 2001. Delays were due in part to unexpected discovery of interior asbestos, requiring state approval and professional removal, but also to defendant's inaction. By agreement, a contempt hearing was delayed and the structure was completely demolished and removed during December 2001. No work has been done to remove the foundation and level grade the lot, but a fence was erected to secure the site. The contempt action will remain open until the defendant commences construction of a new structure.

**23. Walter v. Town of Provincetown**

Barnstable Superior Court, C.A. No. 99-618

This is an action alleging breach of contract and misrepresentation in connection with the Water and Sewer Board's denial of a water connection for the Whale Watch subdivision located in the Town of Truro. The complaint was served on October 25, 1999. Upon the completion of discovery, the parties filed cross motions for summary judgment. After a hearing, the court found in favor of the plaintiff and ordered that the Town allow the connection, but found in favor of the Town on the plaintiff's claims for damages. The Town has appealed. The parties submitted briefs to the Court and oral argument was held on September 10, 2003. The case is under advisement in the Appeals Court.

**24. White Sands Beach Club v. Provincetown Board of Health**

Barnstable Superior Court, C.A. No. BACV2003-00203

This is a certiorari appeal filed in April 2003 from the Board of Health's order requiring the White Sands Beach Club to upgrade its septic system at 6 Sandy Hill Lane if the club wishes to obtain a building permit to change the use from seasonal to year-round and from 12 motel units to 15 motel units and to add 2 new kitchens. The Town has prepared and filed the certified administrative record. The parties have filed cross-motions for judgment on the pleadings, and a hearing is scheduled for February 12, 2004 in Barnstable Superior Court.

**25. Winter v. Provincetown Licensing Board**

Barnstable Superior Court, C.A. No. BACV2003-367

This is an action by abutters of the Red Inn seeking an injunction to force the Licensing Board to initiate enforcement proceedings against the Red Inn for violation of its liquor license by permitting the consumption of alcohol on an outdoor patio. After the hearing, the Superior Court denied the plaintiff's motion for preliminary injunction. The Town has filed its answer. The plaintiffs requested that the Court reconsider its injunction denial, and this request was also denied.

The parties have filed various dispositive motions which are scheduled for hearing on March 30, 2004, in Barnstable Superior Court.

### **26. Winter v. Provincetown Zoning Board of Appeals, et al**

Barnstable Superior Court, C.A. No. 02-767

This is an appeal of the Zoning Board of Appeals' decision to refuse zoning enforcement at 15 Commercial Street regarding outdoor consumption of alcohol at the property operated as The Red Inn. The complaint was filed in December 2002. The Board issued a special permit which specified areas of the property where alcohol could be served. Once the special permit took effect, abutters sought zoning enforcement. The Board affirmed the Building Inspector's finding that the outdoor consumption of alcohol is a use of land that is different from "service" of alcohol and that the outdoor consumption was established to the Board's satisfaction to be a lawfully grandfathered use. Town Counsel will not take an active role in defending this case.

## **CASES CLOSED DURING 2003**

### **1. Adams v. Town of Provincetown**

Barnstable Superior Court, C.A. No. 01-435

In this action, the plaintiffs sought to enjoin the use of the so-called Spaghetti Strip as a clothing option beach. In July 2001, the Court issued a preliminary injunction against the Town. At the April 2003 Town Meeting, the Town voted to rescind the resolution designating the subject beach as clothing optional. Therefore, the plaintiffs' claims were rendered moot, and a stipulation of dismissal was filed in May 2003.

### **2. Basine v. Provincetown Conservation Commission**

Barnstable Superior Court, C.A. No. 02-265

This was an appeal from the March 6, 2002 decision of the Conservation Commission in which the Commission delineated the wetlands resource areas at the proposed site of the Cape End Manor Care campus. In August 2003, the parties agreed to the entry of judgment regarding the method for delineation of the resource areas. However, in December 2002, the Town abandoned its attempt to locate the care campus on Site Y after the Massachusetts Division of Wildlife expressed an intent to acquire the site.

### **3. Fair v. Provincetown Zoning Board of Appeals et al**

Barnstable Superior Court, C.A. CVO1-333

This was an appeal from the May 17, 2002 grant of a special permit by the Zoning Board of Appeals to allow a parking lot use at High Pole Street to be changed from an unstaffed, unlit lot to a staffed, lit parking lot use by Pilgrim Memorial Association. Since the action concerned relief granted to a private party, Town Counsel did not actively defend this matter. The private parties reached a

settlement that involved the erection of a fence, and a stipulation of dismissal was filed.

#### **4. Fisher v. Provincetown Zoning Board of Appeals, et al**

Barnstable Superior Court, C.A. No. 02-668

This was an appeal from a decision of the Zoning Board of Appeals to grant a special permit for 149A Commercial Street to deviate from the required building scale. After a counter-claim was filed, Ms. Fisher offered to voluntarily dismiss the appeal. The stipulation of dismissal was executed by all parties and filed with the Court on October 8, 2003.

#### **5. Hall v. Provincetown Zoning Board of Appeals (V)**

Barnstable Superior Court, C. A. No. 99-90

This was an appeal from the February 4, 1999 decision of the Zoning Board of Appeals to issue a special permit to demolish an existing single-story structure at 401 1/2 Commercial Street and to replace it with a new, two-story structure. Since this action concerns the grant of relief to a private party, the Town did not actively defending this action. The private parties agreed to a settlement, however, and a stipulation of dismissal was filed.

#### **6. Net Tech Solutions v. Town of Provincetown and Spectra Corporation**

Barnstable Superior Court, C. A. No. 01-178

The plaintiff held an out-of-state judgment against the co-defendant and originally sought to reach and apply any amount payable by the Town under a contract with codefendant, Spectra Corporation, to provide parking management software services. The Town subsequently terminated the contract for Spectra's failure to perform and awarded the contract to another vendor. The litigation was subsequently dismissed.

#### **7. Snow (141-143 Commercial Street Realty Trust) v. Zoning Board of Appeals**

Barnstable Superior Court, C. A. No. 00-365

This was an appeal by an abutter from the May 30, 2000, decision of the Zoning Board of Appeals to grant a special permit to expand a nonconforming use for property located at 139 Commercial Street by allowing a dormering of a portion of the roof. The complaint was served on June 20, 2000. Pursuant to Town policy, Town Counsel did not taking an active role in the defense of this matter. The parties filed a stipulation of dismissal on May 22, 2003, which included a waiver of all rights to appeal. Accordingly, the litigation has been terminated.

#### **8. Town - Petition for Appointment of Trustees**

Barnstable Probate Court No. 01 P 160TP 1

The Town filed a petition to allow the Library Trustees to be appointed as Trustees of the Trust that controls the use of the library building. The petition was

necessary to facilitate the release of the restriction which required the building be used for the library. On May 14, 2002, the Library Trustees filed the inventory of personal property and real estate owned by the Trust. The petition was subsequently granted by the Court.

**9. Tran v. Provincetown Board of Health**

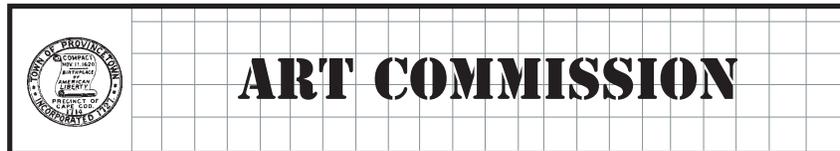
Barnstable Superior Court, C.A. No. BACV2003-467

This was an action challenging the Board of Health’s designation of property as requiring a connection to the sewer system and the Board’s refusal to recommend to the Water and Sewer Board that the property be allowed to opt out. The complaint was filed in Barnstable Superior Court and served on August 1, 2003. On October 30, 2003, the Court allowed the Board’s Motion to Dismiss, and judgment for all defendants entered on November 3, 2003. No appeal was filed.

**10. White Sands Beach Club v. Provincetown Zoning Board of Appeals**

Barnstable Superior Court, C.A. No. 99-369

This was an appeal from the June 10, 1999, decision of the Zoning Board of Appeals overturning the Building Commissioner’s decision that a variance would be required to install a third kitchen at 14 Sandy Hill Road. The complaint was filed by an abutter on June 30, 1999. On May 17, 2001, the Superior Court issued a decision affirming the decision of the Zoning Board of Appeals. The plaintiffs appealed. The Appeals Court affirmed the judgment upholding the Zoning Board of Appeals’ decision and the case is now closed.



The Provincetown Art Commission continues to fulfill its mandate. The Commission’s efforts have been enhanced by two new members, one permanent and one alternate, with expertise and strong roots in the community. After many months a new storage area was completed in August 2003. The completion of this secure, climate-controlled room is a significant step in the care and preservation of works of art not currently on display in Town buildings.

Consultant Dr. Robert Gambone, noted author and curator of American art, has been engaged to survey the collection and assess the physical condition of every work. Holdings will be ranked for conservation needs on a numeric scale. The assessment is more than three-fourths complete. Examination of all works in the collection should be completed in the first quarter of 2004. Holdings are being moved to the new secure storage and racked and tagged for easier access and future display. Due to previous storage conditions, the Commission found

it necessary to limit significantly the loan of specific artworks in the collection. The notable local exception was Gerrit Beneker's "Net Mender," which was included this year in the PAAM exhibition of that artist's work.

Increased interest, among scholars, art patrons, and the art-lover community, in the history of the Provincetown art colony presents a wonderful opportunity for national and international exposure of the commitment to art that the Town Collection represents. Notable visitors to the collection over the past year included several major curators and art historians conducting research on artists whose works are included in the collection. A photograph of the painting "The Crew of the Philomena Manta" by Charles Hawthorne, was published in an essay about the artist for the exhibition Provincetown Vignettes, at the Hollis Taggart Gallery in New York, courtesy of the Town of Provincetown.

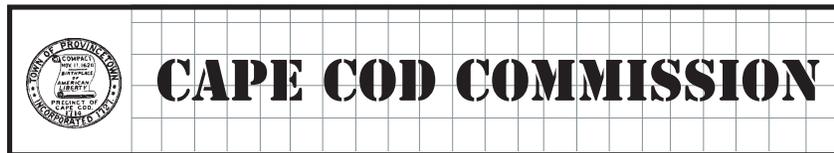
Conservation efforts this past year were limited. The cleaning of the "Doughboy" statue in front of Town Hall, however, was completed this year with very satisfactory results.

The focus of the Commission in 2004 will include conservation efforts, preparing the collection to be rotated within and among Town buildings, and consideration of opportunities for exhibitions. The Commission is grateful to the many donors of artwork this past year, the continuing support of our elected officials and of Town Hall staff. The Commission is grateful to an anonymous donor who continues to support its efforts privately. That donation, coupled with the proceeds from the sale of a Commission poster: "Provincetown in Four Seasons," help to supplement the Commission's budget. The Commission heartily welcomes the support and interest of the Town as the Commission works to preserve, enhance, and celebrate Provincetown's extraordinary cultural patrimony.

*Respectfully submitted,*

**Stephen Borkowski**

Chair



The Cape Cod Commission provides regional services and serves as a coordinator of many projects and activities that affect all of Barnstable County. Activities involve promotion of affordable housing, demographic and economic data analyses, economic development programs, geographic mapping and data analyses, historic preservation, marine and coastal resource protection, preservation of open space and natural resources, transportation planning and

analyses, solid and hazardous waste management, and water quality and water supply protection.

The Cape Cod Commission is charged with reviewing and regulating Developments of Regional Impact (DRIs) for all 15 communities of Barnstable County. The Commission is also charged with recommending designation of Districts of Critical Planning Concern (DCPCs), which allow communities to protect resources of significant regional value through special regulatory and planning processes.

DRIs of particular interest to Provincetown and its residents were the Truro Stop and Shop project, and several projects in Yarmouth which would have affected the ability of emergency vehicles coming from the Outer Cape to access the Emergency Department at Cape Cod Hospital.

#### Technical Services Provided to the Town of Provincetown, FY2003

The Cape Cod Commission provided direct technical services to the Town of Provincetown in Fiscal Year 2003, as described below:

- Continued to provide support for the town's revisions of its zoning bylaws.
- Continued to provide support for the \$25,000 Local Comprehensive Plan Implementation Grant awarded by Barnstable County in Fiscal Year 2002.
- Provided assistance with historic preservation issues.
- Provided technical comments on an Environmental Notification Form filed with the Massachusetts Environmental Policy Act (MEPA) office for an offshore wind power proposal.
- Reviewed the now-withdrawn Cape Cod School of Art, Fish and Yea Condominiums/ 345A-347 Commercial Street, and 28-32 Standish Street DRI proposals.
- Completed the development of the 32 Conwell Street project (18 units of affordable rental housing) using HOME Program funds.
- Awarded \$75,000 of Barnstable County funds to Community Housing Resource for the development of six units of affordable rental housing.
- Provided technical comments on one Comprehensive Permit (Chapter 40B) application.
- Awarded \$160,000 of HOME and Barnstable County funds to the Lower Cape Cod Community Development Corporation to acquire a four-unit rental property.
- Provided a map of a former right-of-way along Route 6 being considered as a potential affordable housing site.
- Updated the protected-open-space GIS layers.
- Provided GIS data for use in the town's GIS, provided digital data for the Assessor's Office, and assisted with a community development grant.

- Continued a study of traffic congestion and safety issues along the Route 6 corridor from the Orleans/Eastham rotary to Provincetown.
- Performed traffic counts on selected roadways and intersections, including portions of Route 6, Conwell Street, Province Land Road, Shank Painter Road, and Snail Road.
- Continued to provide oversight for a feasibility study of an Outer Cape co-composting facility.
- Provided assistance with the joint household hazardous waste collection.
- Continued to participate in the U.S. Geological Survey (USGS) groundwater modeling project for the Outer Cape.
- Completed a report on the hydrology of vernal pools and kettle hole ponds in the Cape Cod National Seashore area.
- Coordinated water quality “snapshots” (sampling and analyses) of Bennett, Clapps, Grassy, Great, and Pasture ponds.
- Completed the installation and survey of water-table observation wells.

*Respectfully submitted,*

**Len Stewart**

Provincetown Representative To the Cape Cod Commission



The Town Committee with the greatest number of initials advises the Board of Selectmen on Provincetown matters pertaining to Cape Cod National Seashore (CCNS), based on the Committee’s monitoring of the CCNS General Management Plan (GMP) and the Town’s two-page response printed within the GMP.

The Committee, proposed by the Board of Selectmen and approved at the 2000 annual Town Meeting, followed six years of participation by town citizens and representatives in the GMP public comment and review process. The GMP, in effect since July 1998, will be in operation for at least the next decade. (The previous CCNS Master Plan was in effect for 28 years from 1970 through 1998.)

The Cape Cod National Seashore controls 5,050 of Provincetown’s 6,576 acres – 77% of all land within town boundaries, the highest percentage within any of the six towns adjacent to CCNS. The lands and waters under CCNS management include the Provincelands and Long Point, which for centuries have been areas of local use consistent with the historic concept of “the commons”.

In 2003, the Committee met with local residents on a variety of matters; prepared advisory opinions that were adopted by the Board of Selectmen on dune shacks, hunting, and National Park Service (NPS) civic engagement and public involvement directives; and researched cultural landscape issues and wireless telecommunication facilities within NPS jurisdiction.

It is the Committee's goal to help the Town cooperate with the Cape Cod National Seashore whenever possible and to protect Provincetown as a community from its federal neighbor when necessary. We believe that the Town must continue to vigorously assert its expectation that CCNS and NPS honor *any and all rights* granted to the Town, residents, or the public whenever they are threatened by external or internal pressure.

*Respectfully submitted,*

**John Thomas**

Chair



It has been an extremely busy and fruitful year for this Commission. In the past six months, one commissioner resigned and 3 more joined. We have 5 commissioners plus an alternate. We have two areas of concern; the first is upholding the cable license with Comcast and the second is overseeing the development of Provincetown's cable television studio, PTV.

At PTV we have trained over 40 people in basic video production and already have a large quantity of tapes in our library documenting a wide range of community events and issues. The office is staffed and open to the public on a regular basis and our technical staff of both paid and volunteer members is doing a great job teaching and producing.

Although managing PTV has been a huge task and taken up much of our meeting time, we have also begun to educate ourselves and the community about the role of Comcast in Provincetown. One of the commission's mandates is to hear complaints from consumers. We received very few consumer complaints this year, but in an effort to work towards educating ourselves and consumers, in December we held a forum at PTV which was open to the public. National consultant and educator Rika Welsh presented a two-hour overview with a question and answer period. We videotaped this and it is in our archives. It was also shown on Channel 17.

We have recently begun working with a group called Friends of Lower Cape Media. In this group there are cable commissioners from other Lower Cape towns and producers of community media. One of the goals is to help each other with the writing of new licenses and to further our common goal of understanding Comcast communications and changes.

These are our accomplishments of the year 2003: We hired a part-time coordinator, researched and bought equipment and located an office and studio space. The staff person worked until the end of June. In March our first cameras arrived and within the same week we were videotaping Town Meeting. These tapes were cablecast and then given to the library for general use. We met with Mary O'Keefe of Comcast to discuss our understanding of the current license that Provincetown owns two channels. Unfortunately, Comcast believes the intention of the contract was that one of those channels was the combined Lower Cape Channel 17. Ms. O'Keefe stated that channel 98 belonged to the town and that we could take it from Cape Cod Community College for the Town's use. We had lent it to them years ago when we had no ability to cablecast our own channel. The language of the original contract was intended to mean that we had our own channel as well as access to Channel 17 and 98. We are still working on this issue.

After Town Meeting we began outreach to community groups, offered the first training sessions for volunteers, and had a very successful open house in May. The Cable Commissioners wrote a goals statement for PTV and developed a certification process for those wanting to borrow equipment to produce programs, and decided not to hire a coordinator until the fall. We set up a coordinating committee to oversee the day-to-day needs of the center. By the end of September we had trained over forty people who were starting to complete programs. We also started an archive of video material. Many events shot during these months have yet to be edited.

In the Fall of 2003 a part-time Technical/Office Manager was hired, who brings an enthusiasm for community media and the technical knowledge we needed. We also continued to offer basic training classes and added an advanced editing class. After months of planning and meeting we started producing government affairs programming. The new show "Creating Community, a Provincetown Forum" took up issues of the community visioning process for the first month. The selectmen's meetings are now cablecast regularly. We began outreach to folks in the school system. Students from the high school mentoring program have come to learn editing skills. We ordered more studio equipment to complete our in house studio available to all. We also developed a plan with Town Manager Keith Bergman to equip the Judge Welsh room for

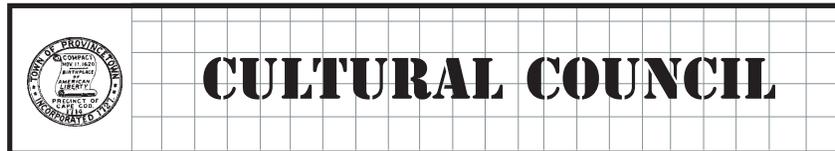
taping purposes. We produced our first newsletter and established some regular programming times for Provincetown shows on Channel 17.

We look forward to another year of community programming. Thanks to everyone for your support.

*Respectfully submitted,*

**Catherine Russo**

Chair



This past year the Cultural Council's re-granting budget from the Massachusetts Cultural Council was reduced to \$2000. We re-granted money to support an artists-in-the schools program for Provincetown, a series of cultural events by the Narrowlands Project, and a program of student curating at the Provincetown Art Association and Museum. In addition to our regular re-granting responsibilities, the Provincetown Cultural Council was granted money by the Visitors Service Board to begin an Arts in Public Places project to fund the creation of permanent artwork in the Lopes Square/waterfront area. In addition, future projects include researching potential grant sources for local artists and having this information accessible on the Town's website, and also seeking funding to create a Provincetown Town Laureate position within the Town.

*Respectfully submitted,*

**Marian Roth**

Chair



The Finance Committee met throughout this year with a full compliment of members. The board worked closely with the Town Manager and the Selectmen, as well as the school committee, continuing to strive for more open communication between all parties. Several meeting were held throughout the year as fact-finding roundtables with open dialogues from other committee members and the public.

In 2003, the Finance Committee continued its mission to inform voters of the financial impact of runaway spending and continued to urge the Selectmen to develop a 10-year fiscal plan. There were many large expenses in 2003, including

the completion of Phase 1 of the wastewater facility & sewer project, the airport rehabilitation, studies to find new water sources, health care benefit increases, and the ever-growing deficit at the Cape End Manor. On the revenue side, the room tax figures were up, while the parking lot receipts were down for the year. The Assessor's office and Treasurer's office made a big dent in collecting back taxes from properties presently in tax title.

The tax levy for 2003 was 4.8%. For the second year in a row, we were not able to hold the levy increase to the Selectmen's goal of 2.5%. The stabilization fund, which the Finance Committee established in 2002, was also emptied to meet the Cape End Manor's deficit in 2003. The Finance Committee feels strongly that this stabilization fund needs to be re-established and funded annually.

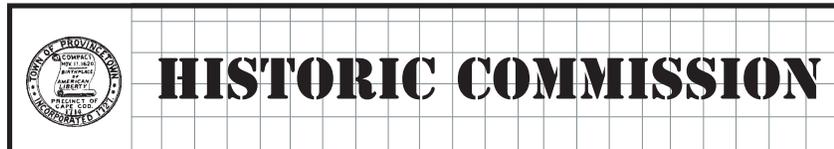
While expenses continue to rise, and town government continues to grow, we, as a community, need to be aware of the cost to taxpayers for each new project and each addition in personnel. The debate of tourism vs. the year-round community continues, as does the observation that our population is shrinking within our school system. Our nursing home continues to run at a deficit of over \$500,000 annually with on going discussions about creating a new facility in partnership with private health care providers. The library project is underway, with fundraising efforts currently not meeting their expected goals. Affordable housing received much attention in 2003, and we will need to find a way to fund new construction as well as to rehabilitate existing buildings. All of these facilities and projects will be looking for money, in a year where federal and state funds have dried up almost completely. Taxpayers need to take a hard look at what they want for their town and what businesses they want their town to be in.

The Finance Committee will continue to be the citizen's watchdog as voters face these difficult financial decisions in the coming year, and as always, we invite each and every citizen to attend our meetings.

*Respectfully submitted,*

**Ruth Gilbert**

Chair



The Provincetown Historic Commission continued to review alterations to contributing structures to the National Register District until our last meeting as a review board on August 20, 2003. The Attorney General's Office approved 2003 Town Meeting's vote on the Local Historic District ordinance on August 28, 2003. Review of structures being altered or repaired within the new Historic

District is now undertaken by the Historic District Commission with a comprehensive set of guidelines in place. Provincetown now has the largest MGL Ch. 40c Local Historic District in the state!

The Historic Commission has since reorganized and will continue to foster an understanding of the importance that preservation can play in our community and will continue to be an advocate for preservation and an educational resource for the public.

*Respectfully submitted,*

**Roger W. Keene**

Commission Member



Provincetown is a unique community; unique in its location, in the degree of its economic dependence on tourism, and in its architectural and cultural heritage. Few towns have so much of their historic architecture still in existence, and maintaining its visual character as a 19<sup>th</sup> century seaport is of vital importance to the town's economy and way of life. The role of the Historic District Commission is to ensure that alterations and new construction within the District occur in a manner that preserves and respects this unique heritage.

The Provincetown Historic District was approved by Town Meeting in April 2003, and took effect on August 28, 2003. The Provincetown Historic District Commission must review all proposals within the context of the Bylaw - Chapter 15, and the Guidelines contained therein.

In 2003, the Commission reviewed 33 applications of which 24 were issued a Certificate of Compliance, 7 were issued Administrative Approvals and 2 were Continued. There were no Denials. The Commission also held regular work sessions for training purpose, to refine Rules and Regulations and to coordinate the work of preservation consultants hired to complete the town-wide inventory of historic properties and a homeowners workbook.

In 2004 the Commission will continue review of applications for Certificates of Compliance. It will also oversee the completion of the inventory and the publication of the workbook. For more information about the Commission and the district bylaw and guidelines contact the Department of Community Development or visit [www.provincetowngov.org](http://www.provincetowngov.org).

*Respectfully submitted,*

**Thomas Boland**

Chair



The following graduates from the Provincetown High School Class of 2003 were awarded scholarships from the John Anderson Francis Family Scholarship: Jennifer & Katherine Browne, William Cabral, Suzanne deSousa, Helena Fiuza, Kristine Friese, Kathleen Hobbs, Kira Irving, Cooper Kleykamp, Kimberly LaBree, Brandon Machado, Geoffrey Meldahl, Jeremy Morgan, Julianne Papetsas, Andrea Ribas, Raphael Richter, Heather Rogers and Evan White. A total of \$28,000 was awarded. The 2003 Francis Family Scholar was Ira Irving. Also awarded were October 2002 Provincetown High School Alumni who are continuing their college education: Jeanne Welsh and Bequita Watkis for a total of \$3,000.00

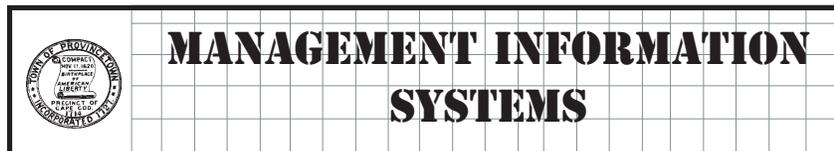
In November 2003, scholarships from the John Anderson Family and the Captain Joseph Oliver were awarded to the following Provincetown High School Alumni: Jennifer Borgesi, Danielle Cardinal, Casey Chmielecki, Lucas Colburn, Andrea Lavenets, Amy Menangas, Brandon Motta, Ryan Peters, Justine Roderick, Ashley Vasques, Baquita Watkis, Tasha Weber and Bryan Williams. The total amount awarded was \$24,000.

The balance of the John Anderson Francis Family Scholarship is \$1,149,147.00 and the balance of the Captain Joseph Oliver Scholarship fund is \$492,491.00 as of June 30, 2003. Please note only the interest earned on the above amounts are awarded so that future graduates of Provincetown High School and the Cape Regional Technical High School are guaranteed financial aid.

*Respectively submitted,*

**Betty Villari**

Chair



During 2003 the Management Information System's Office continued to improve and streamline the information systems which support the Town's various departments. The program to upgrade the Town's computers was placed on hold this year until the Town resolves the budget crisis. The investment we made in name brand equipment now becomes important as we move toward repairing equipment rather than replacing it. A new server was added to Cape End Manor which centralized their billing system and provides a much higher level of data security and system integrity. The server, which runs the Water Department

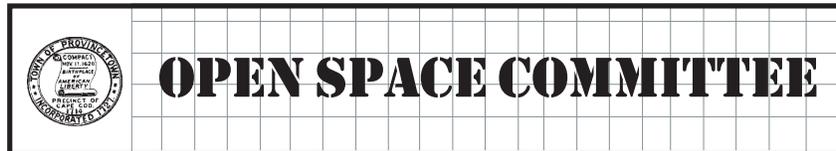
Billing system, was upgraded with a fault tolerant RAID system, which should provide years of uninterrupted service. The investment made in GIS software and equipment continued to pay dividends far greater than their cost and have become an integral part of every land use decision, saving the Town thousands of dollars in engineering surveys. Continuing our defensive strategy against outside incursion, security software has been upgraded to protect our systems from the various viruses and attacks which could destroy our data. Software systems, which went online over the past three years, continue to improve our ability to bill water and wastewater usage, to better manage our account payables and receivables, and to vastly improve our ability to ticket and collect for illegal parking violations. Integration of more modules to the accounting system were added for Excise Tax and Tax Title.

Planned for 2004 will be the continuation of the repair program and a new emphasis toward replacing equipment only when it cannot be repaired. Further efficiencies will be gained by continuing to service our phone systems internally, run all of our Internet functions internally, and focus more on application development rather than software acquisition.

*Respectfully submitted,*

**Gary Delius**

Information Systems Director



In 2003 the Open Space Committee awaited a State legislative directive in regards to a town meeting vote which was to re-allocate all Landbank Funds, currently dedicated to the purchase of properties related to Open Space, to affordable housing interests. A decision was rendered towards the end of the year, which now makes it possible to continue to implement the original intent and heart of the Landbank Act.

In 2003 the Open Space Committee also put on hold, in consideration of the extensive capital projects the town had undertaken, the implementation of conservation land management plans for previously acquired conservation properties: Shankpainter Pond Uplands and Whistle Path Woods.

The protection of our open space in Provincetown is of vital importance to the history, character, environment, people, animal life, our ground water and protection from storms and flooding. The committee affirms the goals of the Open Space and Recreation Plan of 1995 and the Local Comprehensive Plan of 2000: "Environmental quality and natural resources will be protected. We will

continue to expand local protection of wetlands, ponds, harbors, flood plains, ground water supplies, greenway migration corridors, dunes, beaches and other natural resources.....”

The Open Space Committee is enthusiastic about the opportunities in 2004. We invite new members to join the committee for an exciting year of discoveries.  
*Respectfully submitted,*

**Celine Gandolfo**

Chair



The Planning Board stayed on task during 2003 working on revisions to the Zoning By-Laws with the Local Comprehensive Plan Implementation Committee and our Cape Cod Commission assistant. We started the year putting the finishing touches on changes that were brought to the 2003 Annual Town Meeting. Many of these changes were prompted by the difficulties we experienced hearing the Nextel telecommunications application. We feel the changes that were made at the 2003 Annual Town Meeting will help us when hearing the next telecommunications application. The Nextel application saw itself through the court system and is still to be heard in yet another legal arena. The permits were issued for the installation.

We have met regularly dealing with our statutory responsibilities, which include sub-division plans, projects in the High Elevation Protection Districts and Approval Not Required applications. We have overseen projects to confirm compliance with the presented plan, and we have answered public questions when deviations have occurred. We have worked closely with the building department to ensure all aspects are in accordance with approved plans and all applicable codes.

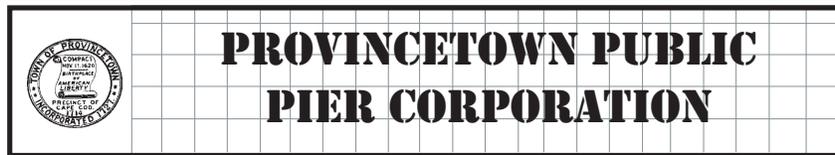
Throughout 2003, the Planning Board has been working with the Director and Deputy Director of Community Development on the community visioning process and affordable housing initiatives. Staff has been very good at keeping us informed of the discussions of other committees and the work they are doing so we do not duplicate efforts and can work as a united team toward a common goal.

We would like to take this time to thank the Community Development Department staff as well as all the other committees that give their time for our town.

*Respectfully submitted,*

**Anne Howard**

Chair



Provincetown Public Pier Corporation (PPPC) assumed management of MacMillan Pier from the Town through implementation of concurrent interim agreements between PPC and the Town, and PPC and Profish, the organization representing Provincetown's commercial fishing industry. The mandate of the Pier Corporation as set forth in its enabling legislation is two-part: First is to operate the pier as a business. The corporation is expected to balance expenses and revenues so that we break even and avoid having the pier become a financial drain on the Town. Second is to support and nurture the businesses that rely on the pier which include commercial fishing, transportation, tourism and special community events.

The Board of Directors of PPC met regularly throughout 2003, mostly on a weekly or biweekly basis. The largest share of our work in the past year was committed to our highest priority: negotiation of viable long-term leases between PPC and the Town, and PPC and Profish. This involved ongoing analysis and refinement of expense and revenue projections, development of historical financial data and review of other proposed lease terms with the corporation's legal counsel.

In order to align the fee structure for McMillan Pier with prevailing rates at comparable facilities in the region, the Pier Corporation completed and published a Survey of Current Market Rates. The survey served as the basis for completing a new ferry service contract with Boston Harbor Cruises and for setting new rates for commercial fishing and tourism-oriented facilities. Additionally, the corporation rented space for a range of special events including art exhibitions, dances and visiting tall ships.

The Pier Manager, Rex McKinsey, employed by PPC to handle the day-to-day operations of the pier, instituted a range of systems and procedures including bookkeeping, billing, parking regulations and berthing assignments. He also drafted an update to the Town's harbor regulations and initiated work on a marketing plan for the pier.

My personal thanks go to fellow Board members Robin Haueter, Nancy Howard, Martin Michaelson, and George Hitchcock for the many hours beyond meetings that this project has required.

Looking forward to the coming year, PPC expects to complete its long-term leases with the Town and Profish, and continue its efforts to expand services on the pier and develop new sources of revenue.

*Respectfully submitted,*

**Joyce Guide**

Chair



The Zoning Board of Appeals had another busy and productive year in 2003. The role of the Board is to hear and decide appeals for relief from the Zoning by-laws, by way of special permits or variances. The Board is also charged with the duty of hearing and deciding appeals by those members of the community who believe they have been aggrieved by a decision or action of the Building Commissioner. The Board generally meets on the first and third Thursday of each month for both a work session and a public hearing. All meetings of the Board are posted and open to the public with the rare exception of executive sessions.

In 2003, the board met 20 times, hearing 78 cases, many of which were multiple applications containing two or more requests for relief from the Zoning By-Laws. In all, these 78 cases included 78 applications for special permits, 13 applications for variances from the Zoning by-laws, two appeals of the Building Commissioner's decisions, and one application for a comprehensive permit under Massachusetts General Laws, Chapter 40B.

Of the 78 applications for special permits, 73 were granted, one was denied, and four were allowed to withdraw without prejudice. Of the 13 applications for variances from the Zoning by-laws, four were granted, one was denied, and eight were allowed to withdraw without prejudice. Of the two applications for appeals of the Building Commissioner's decisions, both were denied. The one application for a comprehensive permit under Massachusetts General Laws, Chapter 40B was granted.

One of the encouraging trends for the Zoning Board of Appeals in 2003 was related to the makeup of the board. The board began the year with only five members, leaving five vacant seats. In zoning cases, the applicant is entitled to a five member board to hear and fairly decide the outcome of each case and in order for the applicant's request to be granted, a supermajority (four out of the five seated members) must vote in favor of the application. In several cases this

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year, when five members were not available to hear a given application, the chair offered the applicant the choice of going forward with a four member board (with the understanding that a unanimous vote would be necessary to grant the applicant's request) or waiting until such time as a five member board is available. In every case this offer was made out of courtesy for the applicant and out of an understanding of the urgency of many applications before the board. By the end of 2003 the board had eight members, allowing it to be much more efficient and responsive to the needs of the applicants.

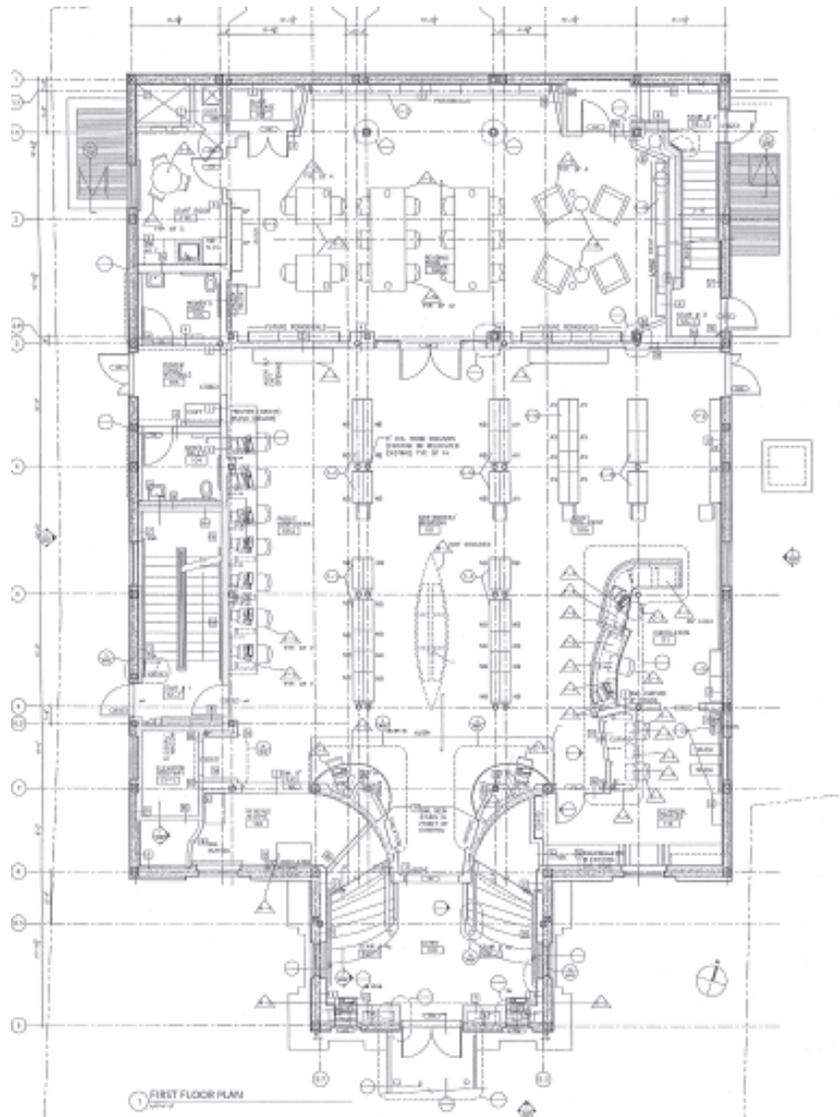
The Board views this year's boost in membership as a positive trend and encourages interested Provincetown residents to apply for board membership to fill the remaining two board vacancies.

*Respectfully submitted,*

**Gary Reinhardt**

Chair

# MUNICIPAL FINANCE



*Library First Floor Plan in New Heritage Site*



In 2003, the Finance Department continued to improve the internal financial reporting functions during FY 2003. From the onset of the fiscal year, monthly actual to budget reports were provided to all Town departments thereby tightening the expenditure controls of the Town. Additionally, the Finance Department began providing quarterly/year-end financial reports to the Board of Selectmen.

In conjunction with improving internal financial reporting and controls, the Department continues to strive to improve the Town's external reporting function. With continued efforts from staff and the Town's external audit firm, Thomas J. Scanlon, CPA, the Town continued to make improvements with the timeliness of completing the external audit. I would like to note, and express extreme appreciation to staff, that during the eighteen month time period ending January 2003, the Finance Department completed three external audits for fiscal years ending; 2000, 2001 and 2002 thereby bringing the Town up-to-date with all external reporting requirements.

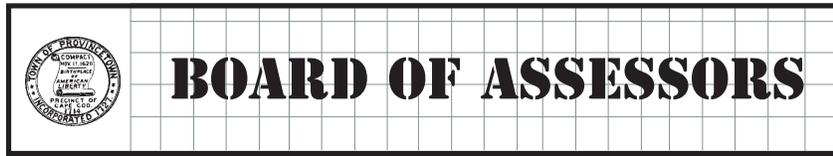
The department has spent considerable time in preparing for new financial reporting requirements generally known as Statement 34. Statement 34 is very comprehensive statement that encompasses many significant changes in municipal accounting standards and underlying principals. Statement 34 not only changes the presentation focus of the financial reports but also expands the scope of the audit by necessitating for the first time the inclusion of fixed assets in the municipalities general fund financial statements. Accordingly, the department has spent time preparing for the new requirements that will be needed for the financial reports ending June 30, 2003.

The Collector/Treasurer's Office also had a very productive year. It continued to pursue a very aggressive Tax Title collection policy whereby it was successful in collecting outstanding taxes, penalties and interest. The Office was also successful in improving its cash management and internal reporting systems thereby enhancing the overall financial management of the department.

*Respectfully submitted,*

**Bruce T. Miller**

Director of Municipal Finance/Town Accountant



Fiscal Year 2003 was the triennial recertification year. Although the recertification process was unusually protracted, on July 16<sup>th</sup> the Department of Revenue certified Provincetown's assessed values and approved the Fiscal Year 2003 tax rate of \$5.57. Total value of taxable property increased 21%. Fiscal Year 2003 values by class were as follows:

<i>Class</i>	<i>Total Value</i>
Residential Class	\$1,320,061,800
Commercial Class	\$370,884,800
Industrial Class	\$1,396,500
Personal Property	\$29,613,825
Total Value	\$1,721,956,925

At the April 2003 Special Town Meeting voters accepted language from the General Laws that, with respect to new construction, would move up the assessment date from January 1<sup>st</sup> to June 30<sup>th</sup>. This allows the Town to capture new taxable value attributable to construction a year earlier than was otherwise possible.

The April 2003 Special Town Meeting also increased the eligibility requirements for Clause 41C elderly exemptions from \$13,000 to \$20,000, if single, and from \$15,000 to \$30,000, if married. Following the mailing of tax bills in July, the Assessors received 96 real estate and 64 personal property abatement applications. The Assessors granted 64 real estate abatements and 59 personal property abatements.

The Board also granted statutory exemptions to 71 taxpayers as follows:

<i>Clause</i>	<i>Description</i>	<i>Exemption</i>	<i>Number</i>	<i>Taxes Exempted</i>
Clause 17D	Surviving spouse/Elderly	\$194.38	9	\$1,824.66
Clause 22	Veteran	\$250.00	20	\$5,000.00
Clause 37A	Blind	\$500.00	2	\$1,000.00
Clause 41C	Elderly	\$500.00	34	\$17,000.00
Clause 42	Surviving Spouse of Firefighter	100%	1	\$956.93
Totals			71	\$25,781.59

In addition, 24 taxpayers fulfilled the requirements for the \$500 senior volunteer work abatement program, and another seven taxpayers qualified for tax deferral.

The affordable housing tax exemption, which had been approved by the 2002 Town Meeting and signed into law by Acting Governor Swift in December 2002,

was approved by the voters at the May annual election and will go into effect for Fiscal Year 2004. The exemption provides for a 100% exemption for that part of a property that is rented year round to low-income tenants at affordable rents, as defined by HUD guidelines.

During the Summer of 2003, the Assessors' Office continued its intensive neighborhood-by-neighborhood inspection program concentrating on properties that had not been inspected during the last seven years or longer. The office was once again greatly aided in this effort through the Town's continued funding of a temporary Property Inspector position, the duties of which were once again capably carried out by Frank Pantano and Melvin Connors. During the 2003 summer season, staff completed more than 1,000 inspections.

On December 30, the Department of Revenue approved the Town's assessed values for Fiscal Year 2004. The total value of taxable property increased 14%. Values by class were as follows:

<i>Class</i>	<i>Total Value</i>
Residential Class	\$1,516,318,500
Commercial Class	\$411,278,100
Industrial Class	\$1,569,800
Personal Property	\$31,964,900
Total Value	\$1,961,131,300

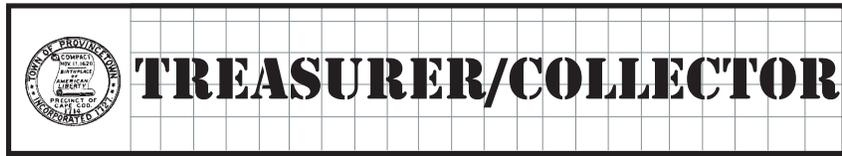
The Assessors' pages of the Town's web site were enhanced by the addition of interactive forms that can be filled out online and emailed to the Assessors.

In November, John Warner, who for the past six years had so very ably served the Assessors as administrative assistant and who was often the first point of contact with the public, announced that he would be leaving to move to Florida. We wish him well and thank him for his many years of service to the Town.

*Respectfully submitted,*

**Jack Kosko**

Chairman



**REPORT FOR THE FISCAL YEAR  
JULY 1, 2002 - JUNE 30, 2003**

**REALESTATE TAXES**

FY 2003	4,857,922.45	
FY 2002	608,034.34	
		<b>5,465,956.79</b>

**PERSONAL PROPERTY TAX**

FY 2003	67,341.99	
FY 2002	19,283.28	
FY 1986-2001	3,199.97	
		<b>89,825.24</b>

**WATER RATES**

FY 2002	984,564.24	
FY 2001	77,586.71	
FY 1995-2000	10,635.66	
		<b>1,072,786.61</b>

**MOTOR VEHICLE EXCISE TAX**

FY 2003	365,157.81	
FY 2002	115,470.39	
FY 1974-2001	11,717.83	
		<b>492,346.03</b>

**BOAT EXCISE TAX**

FY 2003	10,587.00	
FY 2002	402.04	
FY 1998-2001	210.97	
		<b>11,200.01</b>

**SEWER BETTERMENT 279,307.07**

**279,307.07**

**TAXES IN LITIGATION**

0.00

**INTEREST, DEMANDS AND FEES**

TAX COLLECTIONS	31,899.61	
MOTOR VEHICLE EXCISE	10,253.23	
WATER RATES	10,658.92	
BOAT EXCISE	440.00	
IN-LITIGATION TAXES	0.00	
		<b>53,251.76</b>

**TREASURY DEPOSITS FROM COLLECTOR - FY03****7,464,673.51****TOWN TREASURY - FY03****TAX REVENUE**

Deferred Taxes	\$0.00	
In Lieu of Taxes	\$5,912.35	
Interest & Fees on Deferred Taxes	\$0.00	
Interest & Fees on Tax Title	\$188,933.53	
Municipal Lien Certificates	\$24,115.11	
Tax Title Redemptions	\$342,964.34	<b>\$561,925.33</b>

**TOWN REVOLVING ACCOUNTS**

Airport Revolving	\$33,139.28	
Police Revolving	\$221,516.80	
Recreation Revolving	\$13,566.00	
Town Hall – Custodian Revolving	\$17,336.35	<b>\$285,558.43</b>

**DEPARTMENTAL RECEIPTS TO TREASURER**

Assessors	\$7,829.87
Building Department - Permits	\$146,816.07
Cape End Manor	\$2,828,975.69
Cemetery	\$5,350.00
Council on Aging	\$2,355.00
Court Fines	\$15,350.00
Department of Public Works	\$30,472.67
Fire Department	\$7,650.00
Harbor - Float Fees	\$84,000.00
Harbor - Mooring & Docking	\$120,602.15
Health Department	\$22,094.00
Legal Fees Reimbursement	\$13,000.00
Library	\$2,064.90
Licenses	\$167,142.50
Police Receipts	\$2,194.00
Refunds/Reimbursements	\$36,169.64

Rents & Commissions	\$1,310.40	
Sale of Surplus Equipment	\$4,423.13	
Shellfish	\$1,025.00	
Tourism	\$0.00	
Town Clerk	\$18,123.04	
Transfer Station	\$200,546.38	
Veterans	\$10,402.25	
Water Account Transfers	\$3,725.00	
Water Department	\$39,542.82	
Wharf Off-Loading Fees	\$12,714.79	
	<b>\$920.00</b>	<b>\$3,784,799.30</b>

**PARKING RECEIPTS**

Parking Meters	\$116,892.00	
Parking Lot - Grace Hall	\$326,762.05	
Parking Lot - Municipal	\$845,289.55	
Parking Lot - Stickers	\$155,030.00	
Parking Violations	\$136,699.42	<b>\$1,580,673.02</b>

**TOWN TREASURY - OTHER RECEIPTS**

Administrative Consent Order Deposits	\$138,095.67	
Art Commission - Poster Sales	\$665.02	
Bid Deposits/Security Deposits	\$4,500.00	
Bond Anticipation Notes	\$18,652,525.71	
Cable Fees	\$62,350.76	
Cape End Manor Patients' Account	\$9,951.79	
Composter Sales	\$0.00	
County Receipts	\$30,646.00	
Employee Portion - Benefits	\$261,705.09	
Fire Protection-National Seashore	\$6,300.00	
General Obligation Bond Proceeds	\$687,299.23	
Housing Rehabilitation Program	\$4,026.00	
Insurance Proceeds	\$7,089.56	
Interest on Investments	\$54,502.62	
Landbank Interest	\$7,681.27	
Landbank State Match	\$132,424.00	
Loan Payment - Cape Air	\$14,432.16	
Mass Water Pollution Abatement Trust	\$9,066,848.06	
Mt. Gilboa Rent	\$49,853.38	
Municipal Waterways - Clean Water	\$3,862.86	
Title V Repair Loan Program	\$104,279.02	
Town Education Gift Fund	\$574.00	
Town Scholarship Fund	\$558.00	
Trust Fund Income	\$677,987.94	

Workman's Compensation	\$7,688.13	<b>\$29,985,846.27</b>
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**STATE AND FEDERAL GRANTS**

Academic Support Services	\$13,600.00
AIDS Health Grants	\$178,144.27
Airport Runway Grant	\$2,892,531.74
Airport Runway Lights Grant	\$5,078.00
Airport Security	\$97,276.80
Anti-Terror Equipment Grant	\$15,500.00
Bill & Melinda Gates Library Grant	\$19,603.20
Cape Cod Tech Grant	\$1,866.00
Care Givers Grant	\$2,905.00
Chapter 90 Highway Funds	\$76,178.96
Childrens Place	\$7,883.23
Community Dev. Block Grant	\$603,000.00
Cultural Council	\$2,000.00
Drug Free Schools	\$1,709.00
Elder Affairs Grants	\$9,804.08
Enhanced Education	\$1,525.00
Enhanced School Health Services	\$42,500.00
EOPS/COP Grant	\$10,000.00
EOTC Grant - Pier Project	\$2,516,694.59
Firefighters Public Safety Eqp. Grant	\$15,000.00
Freedom Found./Cape Cod 5 Grants	\$1,200.00
HDSP	\$1,000.00
Health Protection/Connections	\$8,060.00
Kindergarten Enhancement Program	\$15,840.00
Law Enforcement Block Grant	\$11,240.00
Library Rehabilitation Grant	\$563,537.00
Locke Property Grant	\$250,000.00
MacMillan Pier Project Grant	\$507,045.41
Muni-Equalization Library Grant	\$3,132.18
Older Americans Title III	\$6,372.00
Public Library Cultural Council	\$5,234.40
REAP Grant	\$26,912.00
Recycling/Seamass Grant	\$144,850.49
SEMAC Grant	\$1,500.00
Sounds Conservancy Grant	\$450.00
SPED Early Childhood	\$3,069.00
SPED Electronic Port	\$2,000.00
SPED Entitlement	\$63,187.00
SPED Professional Development	\$3,750.00
SPED Program Improvements	\$7,500.00
Summer Success For Summer School	\$7,800.00

Teacher Quality	\$13,057.00	
Title I	\$52,607.50	
Title V	\$864.00	
Winthrop Street Cemetery	\$3,326.29	<b>\$8,216,334.14</b>

**SCHOOL RECEIPTS TO TREASURY**

Cape Cod Tech Revolving	\$145.00	
Elementary School Revolving	\$41,905.55	
Motta Field Usage	\$250.00	
School Athletic Revolving	\$4,590.75	
School Book Revolving	\$148.45	
School Choice Revolving	\$298.98	
School Custodial Revolving Acct	\$1,081.89	
School Drivers Ed Revolving	\$1,055.00	
School Lunch Revolving	\$81,946.89	
School Usage Revolving	\$7,332.00	
Student Activities Revolving	\$50,584.72	
Truro Alternative Tuition	\$35,172.70	
Truro Regular Tuition	\$669,226.98	<b>\$893,738.91</b>

**STATE RECEIPTS - CHERRY SHEET**

Additional Assistance	\$23,655.00	
Lottery Distribution	\$132,831.00	
Room Occupancy	\$968,440.00	
School Aid - Chapter 70	\$309,126.00	
School Building Assistance	\$207,120.00	
School Choice	\$199,353.00	
State Assessments	(\$125,128.00)	
State Owned Land	\$45,726.00	
		<b>\$1,761,123.00</b>
		<b>\$47,069,998.40</b>

**TOTAL TREASURER'S RECEIPTS - FY03** **\$54,534,671.91**

**SUMMARY OF TREASURY ACTIVITY**

**7/1/02 thru 6/30/03**

Cash July 1, 2002	\$11,126,208.81
Add: Net Receipts	\$54,534,671.91
Less: Net Disbursements	(\$59,304,400.80)
Cash June 30, 2003	\$6,356,479.92

**BONDED DEBT BALANCE AS OF 6/30/03**

General Obligation Debt - Miscellaneous (1993)	\$1,065,000.00
General Obligation Debt - Miscellaneous (1995)	\$840,000.00
General Obligation Debt - Miscellaneous (1996)	\$0.00
General Obligation Debt - Miscellaneous (2002)	\$7,710,000.00
FHMA - Police Facility	\$89,600.00
Library Improvements - Art 14-STM 1985	\$50,000.00
Improvements to Water Systems - Art 1-STM 1985	\$486,300.00
Water Pollution Abatement Trust - (10/99)	\$231,034.35
Water Pollution Abatement Trust - (01/98)	\$173,932.00
Water Pollution Abatement Trust - (11/00)	\$200,000.00
Water Pollution Abatement Trust - (11/02)	\$12,208,379.57

**TOTAL DEBT BONDED** **\$23,054,245.92**

**TRUST AND GIFT FUND BALANCE - 6/30/03**

Affordable Housing Trust Fund	\$74.00
Beautification - Wharf Park	\$359.02
Beautification - Gift - Benches	\$3,333.22
Cape End Manor Gift Fund	\$10,790.13
Capt. Oliver Scholarship Fund	\$491,830.00
Cemetery - Historical Commission	\$3,246.18
Cemetery - Perpetual Care	\$196,355.62
Community Center Gift Fund	\$10,110.88
Cultural Council	\$2,300.00
Education Gift Fund	\$6,353.50
Fireworks Gift Fund	\$11.83
Fisherman/Mariners	\$581.88
Francis Scholarship Fund	\$1,154,472.00
Graichen Music Fund	\$1,671.97
Dorothy Perry Scholarship Fund	\$23,523.48
Heritage Museum (J. Johnson)	\$4,629.30
Heritage Museum Gift	\$1,040.12
Heritage Museum Merger Feasibility Study	\$68.75
Historic Preservation	\$6,814.73
Holiday Lights Fund	\$70.00
John A Henry Trust Fund	\$350,000.00
Law Enforcement Trust Fund	\$45,071.16
Library Building Gift Fund	\$334,409.00
Library - Flores Trust Fund	\$101,648.53

Library Trust	\$5,869.17
Library - Gift	(\$866.32)
Library - H. Hersh	\$12,644.53
Library - McNabb	\$11,819.61
Outfall Pipe	\$797.93
Pilgrims Park Gift Fund	\$373.14
Police Education & Training	\$10,074.18
Public Fountain Gift Fund	\$11,650.92
Recreation Gift Fund	\$3,937.37
Senior Center Gift Fund	\$617.69
Skate Park Gift Fund	\$26,500.92
Smart Radar Fund	\$1,026.96
Stabilization Fund	\$532.87
Town Hall Clock Fund (J. Johnson)	\$42.53
Town Scholarship Fund	\$11,066.12
Van Arsdale Re-greening	\$294.81
Visiting Nurse Gift Fund	\$30.61
Waterfront Access Gift Fund	\$26,996.19
<b>Total Trust and Gift Fund Balances - 6/30/03</b>	<b>\$2,872,174.53</b>

	<b>EMPLOYEES EARNINGS</b>

Employee Name	Position	Annual Earnings
Bergman, Keith A	Town Manager	\$96,985.98
Johnstone, Douglas	Secr. to Town Mgr./Emp. Ben. Mgr.	\$37,133.73
Porter, Vernon	Secretary to Selectmen	\$35,974.90
Nofield, Stephan	Town Clerk/Resigned	\$24,255.15
Holman, Greta N	Town Clerk/Licensing Agent	\$36,842.00
Leventman, Aaron	Asst Town Clerk	\$18,737.22
Jarusiewicz, Michelle R	Grant Admin./Act. Asst Town Mgr	\$35,168.25
Delius, Gary	Information Systems Director	\$44,812.34
Battaglini, Ellen	On Call Secretary	\$1,378.50
Brucato, Frank	On Call Secretary	\$645.00
Chosse, M Annette	On Call Secretary	\$27.50
Crosby, Rachel	On Call Secretary	\$3,916.25
Gaudio, Evelyn	On Call Secretary	\$3,402.50
Glasser, Joel	On Call Secretary	\$3,083.00
Johnstone, Gladys	On Call Secretary	\$515.00
Krier, Betty	On Call Secretary	\$4,146.50
Leighton, Tanya	On Call Secretary	\$1,254.00
Lutsky, Phyllis	On Call Secretary	\$441.00

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
McCandless, Robert	On Call Secretary	\$1,354.00
McGuinness, Sheila	On Call Secretary	\$495.00
Saunders, Pauline	On Call Secretary	\$316.00
Vinthur, Gordon	On Call Secretary	\$234.00

**DEPARTMENT OF MUNICIPAL FINANCE**

Miller, Bruce	Dir. of Municipal Fin./Town Acct.	\$70,129.02
Silva, Irene L	Deputy Town Accountant	\$43,695.10
Gavin, Paul M	Assistant Town Accountant	\$32,538.68
Faris, Dana	Principal Assessor	\$46,574.06
Faust, Richard	Assistant Assessor	\$36,550.24
Warner, John	Assessor's Secretary	\$34,821.64
Pantano, Frank	Real Property Inspector	\$2,500.47
Connors, Melvin	Real Property Inspector	\$1,822.50
Fitzgerald, John	Treasurer	\$43,195.10
Stephen, Barry	Collector	\$40,934.92
Duarte, Cheryl	Dept. Secretary	\$34,286.35

**POLICE DEPARTMENT**

Meyer, Schuyler (Ted)	Chief of Police	\$110,641.60
	Holiday Pay (On-Duty)	\$3,221.12
	Housing Allowance	\$9,000.00
	Total Earnings	\$122,862.72
Cowing, Ruth Ann	Dog Officer	\$28,448.60
	Overtime	\$640.35
	Revolving Account	\$7,264.00
	Total Earnings	\$36,352.95
Peters, Rachel E	Police Officer	\$36,645.10
	Overtime	\$4,687.13
	Revolving Account	\$14,656.00
	Longevity	\$600.00
	Total Earnings	\$56,588.23
Rapose, Jodie J	Police Officer	\$41,024.80
	Overtime	\$2,675.92
	Longevity	\$400.00
	Revolving Account	\$6,632.00
Total Earnings	\$50,732.72	
Caldwell, Timothy	Dispatcher	\$35,937.51
	Overtime	\$5,032.36
	Longevity	\$300.00
	Total Earnings	\$41,269.87

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Golden, James	Police Officer	\$39,581.76
	Overtime	\$10,465.42
	Longevity	\$300.00
	Revolving Account	\$19,856.00
	Total Earnings	\$70,203.18
Allen, Douglas C.	Dispatcher	\$31,332.00
	Overtime	\$2,145.26
	Total Earnings	\$33,477.26
Benjamin, Carrie L	Police Officer	\$48,223.26
	Overtime	\$4,034.17
	Longevity	\$400.00
	Revolving Account	\$6,736.00
	Total Earnings	\$59,393.43
Carr, Michael	Police Officer	\$42,779.71
	Overtime	\$6,005.57
	Revolving Account	\$5,008.00
	Longevity	\$400.00
	Total Earnings	\$54,193.28
Cook, Geneva A	Police Officer	\$43,777.10
	Longevity	\$600.00
	Overtime	\$6,756.59
	Revolving Account	\$9,664.00
	Total Earnings	\$60,797.69
Enos, Glen	Police Officer	\$43,949.45
	Overtime	\$13,797.75
	Revolving Account	\$22,400.00
	Total Earnings	\$80,147.20
Menangas, Martin	Police Officer	\$43,537.00
	Longevity	\$600.00
	Overtime	\$4,321.87
	Revolving Account	\$8,880.00
	Total Earnings	\$57,338.87
Dahill, Thomas	Dispatcher	\$30,950.40
	Overtime	\$8,304.95
	Total Earnings	\$39,255.35
Palheiro, Robert E	Police Officer	\$41,920.00
	Overtime	\$3,069.04
	Revolving Account	\$5,584.00
	Longevity	\$400.00
	Total Earnings	\$50,973.04

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Russell, Robert K	Staff Sergeant (Retired)	\$61,121.08
	Holiday Pay (On Duty)	\$2,331.20
	Longevity	\$1,000.00
	Meter Repair	\$11,223.68
	Total Earnings	\$75,675.96
Souza, Allan J	Staff Sergeant (Retired)	\$2,623.10
	Longevity	\$1,000.00
	Total Earnings	\$3,623.10
Suchecky, Phillip P	Sergeant	\$50,314.40
	Overtime	\$2,956.03
	Longevity	\$400.00
	Total Earnings	\$53,670.43
Tobias, Warren D	Staff Sergeant	\$49,661.92
	Longevity	\$600.00
	Overtime	\$5,198.77
	Revolving Account	\$12,816.00
	Total Earnings	\$68,276.69
Green, Roger	Janitor/Jailer	\$33,025.16
	Overtime	\$1,088.75
	Longevity	\$400.00
	Total Earnings	\$34,513.91
Hatch, Paul	Adm. Clerk/Dispatcher (Resigned)	\$19,407.78
	Overtime	\$3,414.30
	Total Earnings	\$22,822.08
Baisley, Scott	Police Officer	\$30,065.60
	Overtime	\$857.96
	Total Earnings	\$30,923.56
Steele, Thomas	Police Officer	\$39,061.40
	Overtime	\$4,598.71
	Revolving Account	\$18,248.00
	Total Earnings	\$61,908.11
Hagglund, Nathan	Police Officer (Resigned)	\$26,079.26
	Overtime	\$4,076.91
	Revolving Account	\$3,184.00
	Total Earnings	\$33,340.17
Lind, John	Police Officer	\$37,754.19
	Overtime	\$10,454.39
	Revolving Account	\$7,888.00
	Total Earnings	\$56,096.58

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Roach, James	Police Officer	\$37,179.93
	Overtime	\$3,495.87
	Revolving Account	\$4,104.00
	Total Earnings	\$44,779.80
King, Johnna	Dispatcher	\$19,080.55
	Overtime	\$828.00
	Total Earnings	\$19,908.55
Roderick, Andrea	Adm. Clerk/Dispatcher	\$6,254.05
	Total Earnings	\$6,254.05
Biancuzzo, Brian D/ Resigned	Dispatcher	\$4,897.90
	Overtime	\$161.76
	Total Earnings	\$5,059.66
Baras, Richard	Summer Patrolman	\$6,238.20
Bourgault, Rachele M	Summer Patrolman	\$2,135.30
Bourget, Jonathan A	Summer Patrolman	\$12,644.82
Breton, Kenneth W	Summer Patrolman	\$1,575.81
Cabral, Shirley	Matron	\$5,458.11
Covino, Matthew	Summer Patrolman	\$2,942.84
DeMarco, Tracy A	Summer Patrolman	\$5,455.89
Ditacchio, David	Summer Patrolman	\$23,429.80
Duarte, Jacqueline A	Summer Patrolman	\$2,521.60
Feeley, Kevin M	Summer Patrolman	\$566.40
Fitzsimmons, Robert	Summer Patrolman	\$8,877.61
Foley, Daniel M	Summer Dispatcher	\$3,779.35
Griffin, Patrick	Summer Patrolman	\$8,748.44
Gonzalez, Domingo	Summer Patrolman	\$3,017.60
Hamilton, Paul	Summer Patrolman	\$500.00
Himes, Monica	Summer Patrolman	\$9,565.53
Joudrey, Paul	Summer Patrolman	\$6,105.10
King, Darren M	Summer Patrolman	\$2,857.60
Langlois, Adam	Summer Patrolman	\$14,098.28
Lochiatto, Deborah A	Summer Patrolman	\$2,560.96
Peters, Tracy	Summer Patrolman	\$7,980.87
Pitro, John P	Summer Patrolman	\$2,276.22
Provitola, Nicole	Summer Patrolman	\$8,660.56
Rasbeck, Kimberly A	Summer Patrolman	\$2,553.46
Soyt, Kevin	Summer Dispatcher	\$2,096.00
Thomas, Donald	Summer Patrolman	\$15,638.80
White, Lee	Intermittent	\$2,894.27
Wrightson, Holly A	Summer Patrolman	\$3,123.94
<b>PARKING DEPARTMENT</b>		
Richards, Donald	Parking Administrator	\$44,443.10

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Barros, John	Attendant	\$8,711.97
Benatti, Patricia C.	Parking Clerk/Bookkeeper	\$15,841.40
Bollas, Mary A	Attendant	\$13,358.92
Carter, Lacey	Attendant	\$4,946.72
Clapp, Alden E	Attendant	\$12,648.60
Gibbs, Gail	Attendant	\$2,225.30
Gonsalves, Deborah	Meter Person/Matron	\$13,992.96
Gredler, Michael	Meter Person	\$7,347.12
Gutzler, Joell	Attendant	\$11,086.02
Johnson, James R	Attendant	\$202.30
Mackin, Elizabeth	Attendant	\$6,736.88
Martin, Manuel	Attendant	\$9,173.80
Medeiros, Francis	Attendant	\$7,197.54
Newhouse, Beatrice	Attendant	\$5,865.52
Oberg, Kenneth	Attendant	\$1,178.10
Patulak, Richard J.	Meter Person	\$13,486.08
Perry, Kathy S	Attendant	\$8,032.80
Perry, Katherin M	Attendant	\$7,152.22
Seidel, Robert	Attendant	\$10,675.47
Silva Mildred	Attendant	\$5,266.56
Slobodian, Michael	Attendant	\$1,549.24
Souza, Ann	Attendant	\$12,160.70
Souza, James	Attendant	\$14,240.36
Strong, John	Attendant	\$14,315.36
Travers, Judith A	Attendant	\$1,904.00
Williams, Arthur	Attendant	\$13,646.54

**FIRE DEPARTMENT**

Trovato, Michael	Fire Chief	\$22,499.88
Mathews, Joyce	Department Secretary	\$31,851.82
Basine, Marcia	EMT	\$7,162.48
Cappello, Joseph	EMT	\$1,375.20
Cataldo, Julie M	EMT	\$458.40
Coehlo, Amy	EMT	\$731.86
Duarte, Mark	EMT	\$597.22
Francis, Jeffrey	EMT	\$9,768.71
Goddard, Michelle	EMT	\$1,146.00
Goldstein, Zack	EMT	\$4,086.98
Harding, Lori A	EMT	\$916.80
Henrique, Rosemary	EMT/Matron	\$864.93
King, Lisa	EMT	\$11,201.64
Macara, Joel A	EMT	\$10,145.64
Monks, Marilyn	EMT	\$76.40

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Notaro, Daniel	EMT	\$9,392.34
Oxtoby, Kenneth	EMT	\$1,337.00
Parmakian, betina J	EMT	\$636.40
Rabuano, Angela	EMT	\$2,179.67
Rego, Linda	EMT	\$3,322.11
Roda, Thomas	EMT	\$1,292.08
Russell, Lorne	EMT	\$11,149.43
Shannon, John	EMT	\$458.40
Sloan, Shawn P	EMT	\$2,470.92
Sturtevant, Jeffrey	EMT	\$6,336.34
Tarala, Brandy	EMT	\$573.00
White, Jamie R	EMT	\$5,268.59
White, Justin	EMT	\$7,357.21
Wold, Adam	EMT	\$76.40

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

Alexander, Warren G	Building Commissioner	\$54,165.12
Dias, Roger	Local Building Inspector	\$39,958.10
Gilmore, Jon B	Dir. of Community Development	\$39,773.60
Hartsgrove, Elizabeth A	Licensing Agent	\$19,083.88
Latour, Mark	Dep. Dir. of Community Dev.	\$60,290.88
Notaro, Maxine	Permit Coordinator	\$40,292.15
Perry, John	Plumbing Inspector	\$2,692.20
Power, Patricia	Department Secretary	\$12,712.02
Schneiderhan, Edward	Electrical Inspector	\$21,822.06
White, Patricia	Department Secretary (Resigned)	\$29,838.64

**SHELLFISH DEPARTMENT**

Jackett, Anthony	Shellfish Constable	\$30,709.90
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**DEPARTMENT OF PUBLIC WORKS**

Guertin, David	DPW Director	\$80,727.14
Turner, Sandra	Deputy Public Works Director	\$57,058.16
Branch, John	Head Mechanic	\$40,666.55
Lemme, Patricia	DPW Secretary (Resigned)	\$7,488.00
Duarte, Pennie	DPW Secretary	\$32,324.76

**Buildings And Grounds:**

Lemme, Antonio	Maintenance Supervisor	\$33,212.76
Andrews, Michael J	Custodian	\$37,589.36
	Revolving Account	\$7,430.29
	<b>Total Earnings</b>	<b>\$45,019.65</b>

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Wilhoite, Jackie	Maintenance	\$26,094.81
	Revolving Account	\$2,519.49
	Total Earnings	\$28,614.30
Adams, Bertha	Attendant	\$5,338.13
Aabye, Lewis/Resigned	Maintenance	\$4,697.44
Cowing, Brian	Maintenance	\$32,375.94
DeCecco, Doris	Laborer (Seasonal)/Resigned	\$674.52
DeCosta, Priscilla A	Laborer (Seasonal)	\$1,166.55
Hadley, Steven	Laborer (Seasonal)	\$15,293.33
Herrick, Nathan R	Laborer (Seasonal)	\$19,034.40
Joseph, Denise	Supervising Attendant	\$18,895.67
Joseph, Francis G	Attendant	\$18,818.75
Joseph, Marion	Attendant	\$12,553.53
Kalantzis, Anthony J	Maintenance	\$19,679.67
Machado, Ederlindo	Maintenance	\$34,736.36
Martin, Stephen	Maintenance	\$31,994.10
McGonagle, John	Laborer (Seasonal)	\$1,478.40
O'Rourke, Thomas	Maintenance (Seasonal)	\$6,518.93
Perry, Jeffrey	Maintenance	\$33,132.90
Roderick, Ethel	Attendant	\$7,243.50
Silva, Richard L	Attendant	\$1,155.00
Sula, Jaroslav	Laborer (Seasonal)/Resigned	\$8,675.30
White, Deborah	Attendant	\$10,376.36
White, John	Attendant	\$11,766.79
White, Steven D.	Attendant	\$12,687.02
<b>Highway Department:</b>		
Duarte, Ramao	Supervisor	\$44,755.80
Enos, Scott	Skilled Laborer	\$37,004.72
Flores, Larry L	Skilled Laborer	\$35,102.29
Roderick, Paul	Skilled Laborer	\$41,538.09
Santos, Dennis	Skilled Laborer	\$39,417.40
Sparks, Mims E	Skilled Laborer	\$40,223.38
Watson, Jon	Skilled Laborer	\$37,716.40
<b>Sanitation/Transfer Station:</b>		
Bronsdon, Scott A	Skilled Laborer	\$37,410.24
Cox, Jeffrey	Skilled Laborer/Resigned	\$32,374.32
Legg, Roger	Skilled Laborer	\$37,610.90
Martin, Craig	Skilled Laborer	\$36,835.43
Martinez, Stephen	Skilled Laborer (Resigned)	\$3,350.17
Menangas, Gerard L.	Working Foreman	\$45,109.88
Prato, Barbara	Laborer/Seasonal	\$13,221.12

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Richmond, James	Skilled Laborer	\$33,700.05
Roderick, Christopher	Skilled Laborer	\$32,946.36
Smith, Larry	Skilled Laborer	\$33,226.08

**HARBORMASTER DEPARTMENT**

Costa, Warren	Asst Harbormaster/Seasonal	\$11,556.00
DeLima, Chad	Harbormaster (Resigned)	\$11,902.69
Fiset, Donald N	Asst Harbormaster/Seasonal	\$7,986.24
Fiset, Robert P	Asst Harbormaster/Seasonal	\$9,533.76
Huey, Martin	Asst Harbormaster/Seasonal	\$8,294.88
Ribas, Luis	Asst Harbormaster/Seasonal	\$7,276.14
Steele, Duane	Asst Harbormaster	\$30,338.96

**WATER DEPARTMENT**

Briganti, Louis A	Water Superintendent	\$49,677.80
Matrango, Bernard	Meter Reader/Repairer	\$37,487.57
McNulty, Margaret	Clerk/Bookkeeper	\$32,586.86
Meads, Kathleen C	DPW Project Coordinator	\$44,331.20
Pumphret, Michael R	Treatment Operator	\$38,253.31
Roach, David	Meter Reader/Repairer	\$40,302.99
Robinson, Albert	Meter Reader/Repairer	\$43,282.16
Silva, Matthew	Meter Reader/Repairer	\$39,773.75
Turcotte, Christopher	Skilled Laborer	\$30,545.25

**WASTE WATER DEPARTMENT**

Tyszka, Henryk	Administrative Assistant	\$30,948.06
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**HEALTH DEPARTMENT**

Pajaron, Patricia	Health Inspector	\$41,422.94
Raasch, Jane E	Health Agent	\$20,116.40

**TOWN NURSE DEPARTMENT**

Manning, Patrick J	HIV Grant Prog Coordinator	\$24,908.00
Hudson, Pamela	Clerical Health/Clerical Tourism	\$9,662.80
Nezbeth, Teresa	Clerical PT Grant (Resigned)	\$8,196.56

**CAPE END MANOR**

Abraham, Sandra	Nurse's Aide	\$23,384.62
Abrams, Sally (Resigned)	Nurse's Aide	\$1,390.75
Achstetter, Johnathan	Nurse's Aide (Resigned)	\$1,056.08
Alexander, Elizabeth	Registered Nurse	\$26,889.46
Anderson, Barbara A	L.P.N.	\$62,405.82
Anderson, Emily	Nurse's Aide	\$2,992.00

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Anderson, Scott	Nurse's Aide	\$26,855.11
Ballentine, Keisha	Nurse's Aide	\$40,018.78
Baracchi, William M	Laundry Aide	\$24,010.47
Binkowski, Timothy	Nurse's Aide	\$37,316.65
Brown, Errol	Diet Aide	\$29,641.55
Butler, Rachel E	Medical Records Secretary P/T	\$32,988.65
Cadima, Mark	Nurse's Aide	\$13,190.40
Camerlin, Pamela	Medical Records Keeper	\$38,252.46
Canela, Sheri	Laundry Aide	\$30,125.01
Chenell, Joanne	L.P.N.	\$45,472.00
Costa, Anika	Nurse's Aide	\$28,161.86
Costa, Eleanor	Nurse's Aide	\$38,489.44
Costa, William	Custodian	\$33,319.96
Cox, Kerry A	Registered Nurse	\$1,384.00
Culver, John D	Registered Nurse	\$78,424.83
Curley, Arlene	Nurse's Aide	\$33,491.65
Debarros, Adelaine	Nurse's Aide	\$41,529.86
Debarros, Jose	Diet Aide	\$23,708.87
Duarte, Samantha	Nurse's Aide (Resigned)	\$1,823.44
Dutra, Ruth	Care Plan Coordinator	\$62,416.87
Gonzales, Antonio	Registered Nurse/Resigned	\$19,675.66
Grosso, Eileen	Nurse's Aide	\$42,368.86
Hayden, Glenn E	Nurse's Aide	\$4,403.20
Hopkins, Sheila	Registered Nurse	\$53,297.05
Jefferson, Jean	Cook	\$26,550.64
Johnson, William	Nurse's Aide (Resigned)	\$6,467.91
Kelly, Linda J	Nurse's Aide	\$7,056.21
Knight, Linda M (Resigned)	Nurse's Aide	\$3,627.77
Leoncyk, Walter	Diet Aide/Cook	\$15,227.46
Lombard, James	Relief Diet Aide	\$1,249.20
Mandeville, John R	Nurse's Aide (Resigned)	\$7,005.00
Maroon, Joseph A	Custodian	\$36,479.44
Martin, Claudia	Laundry Aide	\$25,311.63
Martin, Dennis	Nurse's Aide	\$53,601.68
Martin, Joseph L	Cook	\$32,338.47
McClure, Marcia	Laundry Aide	\$28,759.88
Michaels, Robert B	Nurse's Aide	\$33,302.09
Myers, randi	Nurse's Aide	\$15,542.67
Oceant, Dieulene	Housekeeping Aide	\$7,752.40
Oceant, Evony	Nurse's Aide (Resigned)	\$1,844.00
Oceant, Jean L	Nurse's Aide	\$33,078.90
Owens, David E	Relief Diet Aide (Resigned)	\$11,915.28
Patrick, Christine	L.P.N.	\$6,656.00

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Peckowitz, Michael J	Diet Aide	\$12,230.03
Perrone, John P	Registered Nurse	\$44,689.06
Perry, Erica L (Resigned)	Housekeeping Aide	\$3,159.11
Phipps, Constantine	Diet Aide	\$35,304.71
Planinshek, Rob	Registered Nurse (Resigned)	\$9,981.00
Pushkin, Joseph	Registered Nurse	\$49,439.01
Reid, Shannette	Nurse's Aide (Resigned)	\$2,469.49
Reid-Votta, Lurline	Nurse's Aide (Resigned)	\$3,512.73
Rice, Rella	Registered Nurse	\$20,212.00
Robinson, Isabelle	Nurse's Aide	\$20,825.00
Rodrigues, John Paul	Registered Nurse	\$80,099.66
Rozza, Jackie	Registered Nurse	\$44,033.60
Santos, Alice	Registered Nurse PT	\$60,306.76
Santos, Cynthia	Laundry Aide	\$29,815.92
Santos, Patrick	Diet Aide	\$31,843.58
Scott, Andria	Nurse's Aide (Resigned)	\$23,382.73
Shea, Brian	Nurse's Aide	\$31,622.75
Sinclair, Eloise	Nurse's Aide	\$39,516.80
Smith, Joan D	Nurse's Aide (Resigned)	\$1,460.89
Stroth, Peggy	Registered Nurse (Resigned)	\$16,099.00
Tarvers, Nancy	Registered Nurse	\$25,473.00
Thomas, Eileen M	Social Services Worker	\$61,914.00
Thomas, Heath J	Relief Diet Aide	\$26,791.04
Thomas, Karen A	Activities Director	\$38,786.35
Valenzano, Helle S	Rehabilitation (Resigned)	\$9,974.68
Walker, Santricia	Nurse's Aide	\$48,802.92
Ward, Marianne (Resigned)	Nurse's Aide	\$1,642.70
Welsch, Nathaniel T	Nurse's Aide (Resigned)	\$8,666.12
West, Jean	Rehabilitation (Resigned)	\$29,022.31
Wilhoite, Daena	Nurse's Aide	\$31,621.76
Woods, Judy	Nurse's Aide	\$29,565.56
Ximines, Violet	Nurse's Aide	\$36,143.38
Young, Elizabeth	Registered Nurse	\$12,238.00
<b>COADEPARTMENT</b>		
Carrano, Valerie	Public Health/COA Director	\$46,433.88
Cartwright, Ann	Aide	\$416.00
Deyo, Norma	Aide	\$5,202.16
Dorman, Mary Jo	Aide	\$64.00
Henneberry, Robert	Oncall Van Driver	\$2,103.80
Hottle, Christeny A	On-Call Outreach Worker	\$21,493.88
Hurst, Maureen	Secretary/Bookkeeper	\$21,555.00
Leighton, Tanya	Aide	\$7,728.51

<b>Employee Name</b>	<b>Position</b>	<b>Annual Earnings</b>
Saunders, Pauline	Aide	\$3,997.84
Woitalak, Dennis	Van Driver/Aide	\$28,442.68

**LIBRARY DEPARTMENT**

DeJonker-Berry, Debra A	Library Director	\$50,380.98
Desmaris, Maryanne	Library Tech Asst/Part Time	\$1,010.44
Gibbs-Brady, Irene	Circulation/Secretary	\$33,762.82
Jarrett, Jeanne	Relief Tech Asst	\$2,359.31
MacDonald, Karen	Asst Library Director	\$36,779.08
Maher, Diana	Relief Tech Asst	\$3,914.36
Masters, Arno	Relief Tech Asst	\$916.38
Quinn, Elaine	Relief Tech Asst	\$17,080.00
Smith, Mary B	Relief Tech Asst	\$1,368.69
Watts, Linton C	Relief Tech Asst	\$1,299.15

**RECREATION DEPARTMENT**

Carriero, Amanda	Summer Recreation Leader	\$3,337.95
Clark, Dennis J	Recreation Director	\$43,125.94
Courtney, Matthew	Summer Recreation Leader	\$3,146.96
Kelley, Nathan P	Asst Recreation Director (Resigned)	\$5,883.24
Labree, Kimberly	Summer Recreation Leader	\$3,146.96
Machado, Brandon J	Summer Recreation Leader	\$3,025.27
Mason, Douglas H	Asst Recreation Director (Resigned)	\$18,100.41
Roderick, Justine	Summer Recreation Leader	\$3,213.68
Schumacher, Eric A	Summer Recreation Leader	\$3,121.48
Swanson, Evan	Summer Recreation Leader	\$3,146.96
Weber, Tasha	Summer Recreation Leader	\$3,213.68

**VETERANS'SERV/CIVIL DEFENSE**

Chaddock, Earle H	Veterans' Agent	\$10,192.00
	Emergency Management Director	\$1,199.90
	Total	\$11,391.90

**HERITAGE MUSEUM**

Fanning, Dale	Administrative Director	\$15,400.00
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**TOURISM**

Fitzpatrick, Patricia E	Tourism Director	\$43,247.00
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**AIRPORT**

Duda, Daniel M	Airport	\$260.00
Lisenby, Arthur W	Airport	\$5,512.50
Woods, Melanie	Airport	\$1,240.00

**PIER CORPORATION**

McKinsey, William R	Pier Manager	\$21,351.00
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**CABLE ADVISORY**

Zur, Patricia A	Media Center Coordinator	\$10,260.00
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# **PUBLIC SAFETY**



*Doughboy Statue on Town Hall Grounds*



The Department of Community Development is comprised of two divisions: regulatory management and planning. Regulatory management includes building inspection functions (gas, plumbing, electrical), health (sanitary and clinical or public health) and licensing (food service, liquor, entertainment). The planning function during 2003 has been busy with three primary tasks: staff support to the Harbor Committee with amendments to the five-year old Provincetown Harbor Plan; staff support to the Community Development Plan Working Group with preparation of five Community Development Plan elements (visioning, affordable housing, open space-natural resource protection, transportation and economic development); and staff support to the Local Comprehensive Plan Implementation Committee with preparation of zoning by-law amendments intended to implement policy directions elaborated in the Local Comprehensive Plan several years ago.

#### **Regulatory Management Division**

The most important operational goals for the department's regulatory management function are to fairly, consistently and clearly interpret, administer and enforce Town, State and Federal land and building development controls in order to protect resident, business and visitor health, safety and welfare, and to help property owners better understand applicable Town, State and Federal laws and regulations that affect their private interests so as to better manage their regulatory needs.

We estimate the Building Inspection function conducts 6,000 inspections annually. Revenues from the Regulatory Management Division in 2003 were as follows:

Permitting process:	\$169,637.00
Health Inspections:	\$22,780.50
Conservation:	\$1,147.75
Licensing:	\$278,134.75
<b>2003 Total Revenues:</b>	<b>\$471,700.00</b>

#### **Health Department**

Throughout 2003 the Health Department implemented high priority objectives such as food service establishment inspections, household hazardous waste collections, food handler training, and sanitation. A total of 381 inspections were conducted at restaurants, guest houses, inns, lodging houses, motels, retail stores, stables, hot tub and swimming pool areas, body art establishments and massage businesses. In line with that many commercial and residential properties began to connect to the new sewer system.

The number of commercial and residential permits issued by the Health Department which generated revenue for the town in 2003 totaled 480. Animal issues investigated amounted to 119. Residential and commercial establishment inspections totaled 200 and actions taken to close beaches amounted to 21 beach closure incidences. Eighteen communicable diseases were reported in 2003 requiring investigation and follow up.

A considerable amount of time is spent investigating nuisances and complaints most of which involve garbage, rubbish, junk, and housing issues. 28% of the complaints investigated in 2003 were housing issues. A breakdown of complaints into categories is as follows:

**Category of Complaints:**

Animal Control	2	Noise	1
Building	2	Odor	1
Housing	28	Pest Control	2
BOH Licensing	6	Sanitation	20
Food borne Illness	6	Public Safety	2
Communicable Disease	1	Septic	12
Food Sanitation	8	Tobacco/Smoking	5
Hazardous Waste	4		

The Town Animal Inspector serves as the eyes and ears of the MA Bureau of Animal Health at the local level. Duties range from conducting an annual livestock census to working with and educating the public on animal diseases, especially rabies. Barn inspections help the Animal Inspector get a good census of the livestock population in Town and assists owners in disease control and emergency preparedness.

Animal Bites that required follow up and quarantine included 14 dog bites and 2 cat bites. Animals with wounds of unknown origin must also be quarantined for a length dependant on current vaccination status of the animal in question. There were 2 cats quarantined for wounds of unknown origin. One skunk was submitted for rabies testing and the result was negative.

In February of 2003, Provincetown hired its first permanent full time Health Agent since 1996. Jane Evans Raasch comes to the position with an Associated Degree in Law Enforcement and a Bachelors of Science in Public Health Education. She is a registered Sanitarian, a licensed Soil and Site evaluator and licensed Septic System Inspector. Previously, the Town had contracted the service of the Barnstable County Health and Environmental Department, who sent an individual two to three days a week as acting Health Agent. The hiring of a full-time Health Agent greatly improves response time to the concerns of citizens, cohesiveness

between departments and the degree of consistency necessary for good and accurate communication between the Health Agent and the citizens of Provincetown.

The Health Department would like to thank the Board of Health for their informed and friendly approach to decision making, and Sky Power for her much appreciated clerical support.

### **Planning Division**

Provincetown land and building growth is challenged by the real constraints represented by limited land area, steadily increasing housing costs, decline in school-aged children, housing affordability and the difficulty in adequately housing seasonal workers. These substantial challenges to the community dramatically underscore the importance of achieving the widest possible consensus on future Town visions, goals, policies, strategies and alternatives.

*Affordable Housing:* In 2003, work was performed with the Local Housing Partnership, the Affordable Housing Task Force, the Planning Board, the Housing Authority, and the Local Comprehensive Plan Implementation Committee on a wide range of affordable housing initiatives with the expectation of bringing them to Town Meeting in April 2004.

Progress was made developing a use conversion by-law which addresses conversions of existing non-residential structures (i.e., hotels, motels, guest houses, restaurants, mixed use buildings, etc) to multifamily dwellings if some portion of those units are deed restricted for affordable housing. This is a way of creating affordable housing through reuse of existing buildings, potentially without additional growth and resource consumption.

In addition, efforts got underway on an inclusion-style housing by-law, such as has already been adopted in Marion and Arlington, Massachusetts, whereby a small number of units built through new construction would be deed restricted for affordable housing. This percentage would be below what is needed for a property developer to jump to the head of the growth management queue.

Planning assisted with affordable housing production goals for the Town through the Affordable Housing Task Force. It was determined that about 350 units of affordable housing need to be built or converted through reuse of existing privately-owned and publicly-owned buildings over the next ten years. Work was also performed with the Assessor's Department to implement the Affordable Housing Property Tax exemption, which was passed at last year's town meeting.

*Community Visioning Process:* Planning has also been involved in a Community Visioning process, which is an element of the Community Development Plan. The Community Development Plan results from a grant to the Town by the State Department of Housing and Community Development. Its goal is development of a Community Vision Statement and a community survey to focus on affordable housing, economic development, transportation and open space/ resource preservation. Staff met with close to 30 different community groups and organizations to hear their ideas and aspirations for Provincetown's future. A facilitated Working Group is managing the planning process.

Many comments were made during the Community Visioning process about the need for greater year-round public transportation into and out of Provincetown; the need for more year-round jobs; the need for more year-round housing as well as how we define ourselves as a community. These are among the most often repeated issues raised by community groups.

*Growth Management:* Extensive work was done with the Growth Management By-Law (Article 6), proposing a new model for Growth Management that would involve not only the creation of low and moderate income housing, but also the creation of medium and middle-income housing. This would address a large sector of the Town's population which does not qualify for low and moderate income housing and who cannot afford market rate housing in Provincetown.

*Historic District:* During the past year, Planning also worked with a group of Town citizens to develop by-laws for a proposed Local Chapter 40C Historic District that was approved by voters at the 2003 Town Meeting along with related by-laws and guidelines. The department is working with the newly formed Historic District Commission to apply these by-laws throughout the District. Staff and volunteers have also been working with Historic Preservation Consultants to develop a more complete inventory of the many homes, historic or otherwise, which exist in Provincetown.

*Zoning By-law Changes:* Planning has worked closely with the Local Comprehensive Plan Implementation Committee and the Cape Cod Commission to develop a range of zoning changes to help bring the Town's Zoning By-laws into greater conformity with the Town's Local Comprehensive Plan.

Planning contributed to a wide range of miscellaneous projects over the past year (generally with considerable assistance from staff outside the department). This included working with the Cape Cod Commission to begin developing a Hazard Mitigation Plan for Provincetown; planning for a town Skate Park which is now located at the Jerome Smith Parking Lot, and assisting with researching

wind power since Provincetown has more potential to develop wind power than any other non-island Town in Massachusetts.

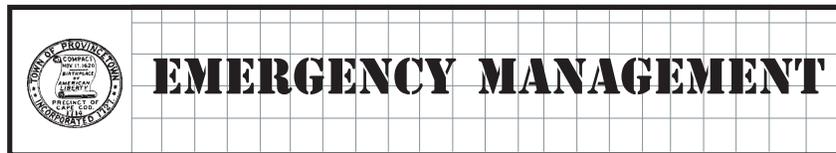
A relational database-driven Growth Management Tracking System is also being created to facilitate more accurate and continuous accounting of Provincetown’s land and building development in response to the Town’s Growth Management By-Laws. The department will, in time, also implement an electronic Integrated Permit System, utilizing GIS mapping capabilities and other relevant town data, to facilitate greater information flow.

We want to thank other town departments, and especially the many citizen boards and committees who work hard, often anonymously, to secure our health and safety now and in the future.

*Respectfully submitted,*

**Jon Gilmore**

Community Development Director



This has been a year of many changes of the use of this Department because of its connection with the Massachusetts Emergency Management Agency (MEMA), receiving from the Federal Emergency Management Agency (FEMA) supplemental funding for grants for state and local All-Hazards Comprehensive Emergency Management Planning. 75% of \$2,207,168 will be distributed by MEMA directly to local governments for quarterly reimbursements expenses. Provincetown has received a total of three grants under this program.

The purpose of the All Hazards Comprehensive Emergency Management Planning Grant is to assist in updating and enhancing the Comprehensive Emergency Management Plan for Provincetown and to include plans for Terrorism Incident Response Annexes. The other two grants received were the Community Emergency Response Team (CERT) grant which assists the local citizenry by training individuals to be better prepared to respond to emergency situations in our community, and the Citizen Corp Grant, which assists local government with establishing local Citizen Corp Councils, a community-based initiative to engage all citizens in homeland security.

Regular quarterly reports are made to MEMA on the status of these grants. There have been meetings of the newly formed Local Emergency Preparedness Committee (LEPC) headed by Chief of Police Ted Meyer and is progressing

nicely. Provincetown is a member of the Regional Emergency Planning Committee (REPC) and is registered as LEPC under the REPC. Monthly meetings are attended by the Police Chief and the Emergency Manager to the REPC.

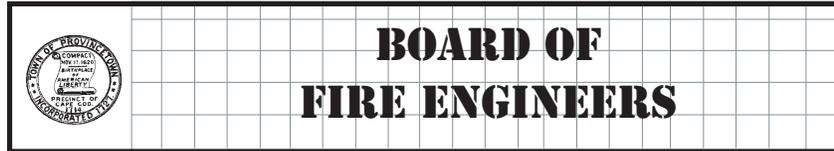
The Generator for the Veterans Memorial Elementary School was installed in 2003, and the Regional Shelter now has permanent emergency power.

I want to thank Police Chief Ted Meyer for his great help in getting the LEPC going and Grant Administrator Michelle Jarusiewicz who provided assistance with the grant work.

*Respectfully submitted,*

**Earle H Chaddock**

Director



In 2003 the Provincetown Fire Department answered approximately 236 calls. Calls for fire and rescue continue to increase every year. On November 17, 2003, District Chief Adam J. Wolf went to Ferrara Fire Apparatus in Holden, Louisiana to do a preliminary inspection of our new Engine Three fire truck. This will be the third new fire engine that we have purchased since 1976. On December 17, 2003 we took delivery of the new Engine Three. This Engine will be housed at the Shank Painter Road Main Fire Station.

On July 1, 2003 we took delivery of a new E450 Ford Life Line Advanced Life Support vehicle, Rescue 197. This truck replaced a 1993 Ford E350 Emergency One Advanced Life Support Unit. The old truck was well worn and would no longer pass the Massachusetts State Department of Health Vehicle Inspection. We are finding that the Rescue Trucks need to be replaced or re-chassis every eight years. We just cannot get ten years out of them like we used to due to the amount of use they get.

Our goal has always been to operate as a volunteer department for as long as possible. This not only saves the town a great deal of money, it also provides a large number of personnel to any type of incident when needed. To date our system works well. Our members give a great deal of their time for little or no compensation. This is a very dangerous business. The proper equipment for protection and fire fighting better serves the citizens of Provincetown. We are thankful for everyone's support of this department.

We continue to plan for the future and are always looking for better ways to serve the citizens of Provincetown. I would like to thank everyone for their generous donations to the Firemen's Association and the Rescue Squad Association. Your donations make it possible for these organizations to purchase much needed equipment for our department. In closing, I would like to thank the dedicated Fire and Rescue members for always being there, as well as Town Manager Keith A. Bergman, the Board of Selectman, Fire Inspector Ed Schneiderhan and all other Town Departments and the citizens of Provincetown for their continued cooperation and support. A special thanks to Deputy Town Accountant Irene (Babe) Silva, and to my Secretary Joyce Mathews, I just couldn't do this job without her.

*Respectfully submitted,*

**Michael Trovato**

Fire Chief

### **Provincetown Fire**

#### **Department 2003**

Michael S. Trovato, Fire Chief  
 Warren G. Alexander, Deputy Chief  
 Russell V. Zawaduk, District Chief #1  
 James J. Roderick Jr., District Chief #2  
 Gerard L. Menangas, District Chief # 3 & 4  
 Adam J. Wolf, District Chief #5  
 Marilyn L. Monks, Rescue Engineer

#### **Engine Company #1**

Ronald White, Captain  
 Vaughn Cabral, Lieutenant  
 John C. Branch, Steward  
 Mark Lambrou  
 Paul Silva  
 John Reis  
 David White  
 John Bumpus  
 Mark Duarte  
 Francis Santos  
 Aubrey Gordon  
 Scott Martin  
 Chad Edwards, Jr.  
 Andrew Souza, Jr.

#### **Ladder Company #2**

E.J. Martinez, Captain  
 George Felton, Lieutenant  
 Jamie White, Steward  
 Glenn White  
 Carl Sawyer, Jr.  
 Paul Roderick  
 James Roach  
 Thomas Roda  
 John Browne  
 Thomas Steele  
 Justin White  
 Alan Felton  
 Jeremy Felton, Jr.  
 Evan White, Jr.  
 Elias J. Martinez III,  
 Junior

#### **Engine Company #3**

Craig Martin, Captain  
 Rosemary Henrique, Lt.  
 Scott Enos, Steward  
 Jon Watson  
 Joel Macara  
 James Meads, Jr.  
 Michael Smith  
 James Richmond  
 Michael Turner  
 Travis Costa  
 Adrian Peters  
 Keegan Morris

**Engine Company #4**

Larry Flores, Captain  
 Brian Alexander, Lieutenant  
 Jeffrey Perry, Steward  
 Tim Caldwell  
 Rachel Peters  
 David Gonsalves  
 Michael Benjamin  
 Anthony Jackett  
 Betina Johnson  
 Joshua Peters, Jr.

**Engine Company #5**

Roger Martin, Captain  
 Lorne Russell, Lieutenant  
 Marcia Basine, Steward  
 Michael Coelho  
 Chris Enos  
 Jeffrey Notaro  
 Daniel Notaro  
 Jonathan Sinaiko  
 Michael Coelho, Jr.  
 Lisa Silva  
 David Roach

**Rescue Squad**

Marilyn Monks, Rescue Engineer	Paramedic
Thomas Roda, Captain	Paramedic
Justin White, Lieutenant	Paramedic
Lisa King, Steward	EMT
Ronald White	EMT
Adam Wolf	Paramedic
Joel Macara	Paramedic
Daniel Notaro	Paramedic
Kenneth Oxtoby	Paramedic
Lynda Trovato	EMT
Michael Coelho	EMT
Lorne Russell	EMT
Glenn Enos	EMT-I
Michael Anderson	EMT
James Golden	EMT
Rosemary Henrique	EMT
Amy Coelho	EMT
Thomas Steele	EMT
Mark Duarte	EMT
Angela Rabuano	EMT
Marcia Basine	EMT
Alan Felton	FR
Betina Johnson	EMT
Linda Rego	EMT
Jamie White	EMT
John Chris Branch	EMT

2003 Fire Report of Calls		PRS Call Summary 2003	Totals
<b>Fires</b>	-	Abdominal Pain	75
Structure Fires	8	Allergic Reaction	16
Vehicle Fires	3	Altered LOC	27
Trees, Brush, Grass Fires	3	Behavioral/Psychological	27
Chimney Fire	1	Bleeding	27
Oven Fire	2	Burns	3
Refuse Fire	3	Cardiac	43
Boat/Wharf Fires	2	Cardiac Arrest	3
Medflight Standby	4	Chest Pain	43
<b>Hazardous Conditions</b>	-	CVA/Stroke/TIA	17
Motor Vehicle Accident	28	Dehydration	14
Power Line Down	3	Diabetic	13
Power Outage	3	Dizziness	28
Arcing/Shorted Electrical Equip.	20	DOA/Obvious Death	5
Spill/Leak No Ignition	12	Electrocution	1
Aircraft Assist	1	General Illness	33
Suspicious Envel/White Powder	1	Hypothermia/Heat	2
Carbon Monoxide Alarm	1	Hypothermia/Cold	2
Overpressure Rupture	1	Injury, Closed Head	14
<b>Service Calls</b>	-	Injury, Orthopedic	102
Assist Police	2	Injury, Soft Tissue	193
Unauthorized burning	2	Injury, Other	14
Animal Rescue	2	Multi-Trauma	19
Water Leaks	4	Nausea/Vomiting	18
Stalled Elevator/PeopleTrapped	1	Neuro/CNS Injury	5
<b>Good Intent Calls</b>	-	No Complaint	53
Smoke/Odor Scare	30	Obstructed Airway	14
Controlled Burning	1	Obstetric/GYN Emergency	2
Good Intent Calls	2	Overdose	37
<b>False Alarms</b>	-	Pain, Non-Specific	9
Bomb Scare, no bomb	1	Poisoning	0
Faulty Smoke Heads	8	Respiratory	73
System Malfunction	53	Seizure	33
Unintentional False Call	20	Sepsis	8
<b>Mutual Aid Calls</b>	5	Syncope	27
Total Calls	227	Other	94
		No Patient	2
		Patient Assist	9
		<b>Total Calls</b>	<b>1,105</b>
		Transport to OCHS	44
		Transport to CCH	625
		Transport by Med-Flight	4



# GROWTH MANAGEMENT REPORT

This is an executive summary of the annual growth management report to the Board of Selectmen prepared pursuant to Section 6600(3) of the Provincetown Zoning By Law. The complete report and its exhibits are on file in the office of the Town Clerk.

### *Findings*

#### **WATER: DECREASE IN AVERAGE DAILY WITHDRAWAL IN 2003**

The Provincetown Water System's average daily withdrawal was 852,377 gallons per day (GPDs) in Calendar Year 2003. Water pumpage DECLINED in August, September, and October, even though those months were pretty good economically. This compares to 869,518 GPDs last year, and a DEP-permitted level of 850,000 GPDs (with non-compliance at 950,000 GPDs).

#### **SOLID WASTE: SEMASS**

Tonnage Increased by 2.8% in FY 2003 (July 1, 2002 – June 30, 2003). Between FY 2002 and FY 2003, solid waste tonnage tipped at SEMASS increased from 4,503.65 to 4,631.02 tons. This represents an increase of 127.37 tons, or 2.8%. However, for the first three months of FY 2004 (July, August, September), tonnage tipped at SEMASS declined by 9.32 tons, compared to FY 2003.

#### **SEPTAGE PUMPING**

Septic tank annual pumping frequencies and disposal amounts have been increasing since 1995. However, there is good reason to believe, on the basis of the most recent pumping frequencies and Tri-Town disposal records that the town's wastewater treatment facility, which came on-line in July, will result in both short-term decreases in septic tank pumping frequency and disposal volumes. The further issue is the remaining 2,500 town septic systems that won't be tied into the sewer, their future maintenance and consequent lifetime. The municipal intention is to make those short-term decreases in septage pumping and volumes a long-term reality.

#### **WASTEWATER DISPOSAL**

The treatment facility start-up occurred during July 2003. There is little existing data on plant performance other than management accolades from the State DEP, and apparent underutilization of plant design capacity. The experience at the facility is that predicted property Title 5 flows are rarely processed currently. What is needed, and will be seen next season, is plant experience with all Phase 1 properties connected, and the additional flows from weekend seasonal visitors.

**BUILDING PERMITS**

Since building permits were changed to a basis of Title 5 gallonage in 2000, information collected on permits issued (bedrooms proposed), that is, permits, which were growth management (the four categories) and which were not growth management has been collected. What changes in land use or housing occupancy characteristics result in either increases or decreases to water consumption or wastewater disposal amounts is information that is needed to document the need for more restrictive development controls, which seek to better manage and promote decreased use of the town's limited natural resources.

**GROWTH MANAGEMENT STRATEGY**

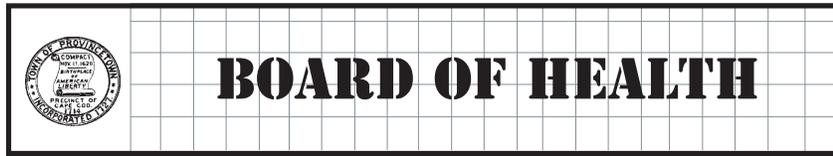
The potential water flow savings that result from changes in use could theoretically be "banked" and made available for reuse, perhaps in one or more of the community housing categories. There appears to be substantial board support for such a mechanism, if it can be adequately drafted.

In terms of water pumpage or consumption, disposal of solid and liquid wastes, changing permit numbers would not eliminate the municipal need for additional source(s) of supply, places for disposal or need for septic system maintenance and inspection. Decreasing the number of permits would not prevent the annual emergency declaration with the state DEP, or the need for the NTAFB wells, etc. Increasing the number of permits would add to the existing July/August emergency and perpetuate present misunderstandings of Provincetown's "uncontrolled" growth.

Maintaining current growth levels as these weightier resource issues, such as sources of supply, are solved is probably the appropriate course of action for policy-makers. A confident and sustained effort, with data collection and careful monitoring seems the best approach.

The most critical issues for the town are resource capacity issues, which occur during the summer tourist season:

How much consumption and waste generation is there during June - September?  
Is that consumption and waste generation more than the town can now manage with its current management practices?  
If it is, what other alternatives should the town explore, and what process should the town employ to do so?



The bulk of the Board's work again this year has been assisting both commercial and residential properties in repairing existing on-site septic systems and/or soil absorption systems, either for upgrades to current Title 5 systems or for "quick fixes" until properties could hook-up to the town's municipal sewer system. This repair and/or hook-up process was eased tremendously by the addition in February of the Town's first permanent, full-time Health Agent since 1996, Jane Evans Raasch. The Board is very pleased with Ms. Raasch's wide-reaching expertise in many areas of public health, her dedication to the citizens of Provincetown, and her desire to increase the accuracy of communication between the varying departments within the Department of Community Development.

The Board worked closely in 2003 with the Department of Public Works, the Water and Sewer Board, the Town's "Sewer Team," and the Barnstable County Health Agents to create priorities to guide the approval process for properties wishing to hook-up to the town's municipal sewer system.

The Board continues to be grateful for our refined and expanded set of Harbor Beach Water Sampling Areas approved by the Barnstable County Health Department. Beginning in 2002, harbor water quality tests were increased in both frequency and the number of locations at which the tests were performed. 2003 saw an unprecedented 21 beach closings, up from 9 in 2002. The Ryder Street beach vicinity is still of major concern. The goal continues to be to keep our harbor waters safe for residents and visitors alike.

Finally, the Board continued its wonderful working relationship with the Town's Health Inspector, Patricia Pajaron. The amount and variety of the work that Pat oversees is overwhelming at times, but she is always extremely conscientious, honest, and ready to help businesses, citizens and animals in need. We are indeed lucky to have her.

As Chair, I would like to extend the Board of Health's sincere gratitude to our Barnstable County Health Agents whose knowledge and experience continues to be of service to the Board and the Department of Community Development, as well as Recording Secretary Evelyn Gaudiano for her excellent minute-taking and Health Department Secretaries Pat White and Sky Power for their terrific support. Many thanks also to Board members Kay Halle, who stepped down in 2003 after years of service to spend more time with her family, Ken Janson who serves as an invaluable Clerk to the Board, and Duane Gregory, Cynthia Gast and David

McLean for their continued valuable service. In closing, I would like to thank the citizens of Provincetown for their patience, understanding, and input to the Board of Health. You continue to help us make Provincetown a better and healthier place for all to enjoy.

*Respectfully submitted,*

**Mark W. Baker**

Chair



The primary purpose of the Department of Public Health is to promote wellness through education and the prevention of disease. To this goal a number of services are offered to town residents: blood pressure clinics, diabetic screening, medication information, immunization clinics, hypertension programs and follow-up, wellness and prevention programs, referrals and assessments, local human services information and referral assistance, and annual health fair coordination.

Nursing services and homecare continue to be provided through a town contract with the Visiting Nurses Association of Cape Cod (VNA). The Director of Public Health supervises the utilization of these services. Nursing services are provided to the town's uninsured and underinsured residents. Well-baby visits, maternal & child health services, childhood immunizations, frail elder visits, home health services, physical therapy, flu & hepatitis clinics are all examples of the services provided. Town residents can access these services by calling the VNA directly at 1-800-631-3900 or by calling the Public Health Department at 487-7083.

The Department of Public Health continues to serve as the vaccine depot for town distribution to schools, the Cape End Manor, Outer Cape Health Services and Provincetown Medical Group.

The Director continues to coordinate human services delivery. Many human service agencies can be accessed through this department. Gosnold Drug and Alcohol Treatment Center (mental health counseling, hospitalization and rehabilitation available), Cape Cod Human Services, Veterans Assistance, the Town's Domestic Violence Intervention Program, and the VNA all have offices at the Grace Gouveia Building.

As advisor to the annual Human Services Grant Program, the Director participates in the work of the Human Services Committee. Accountability of services directly given in Provincetown is a high priority and quarterly reports from the Human

Services grant recipients are reviewed by the Director. Two annual public hearings are held to assess the community’s human services needs. Additionally, in an effort to identify gaps in human services and evaluate the delivery of services, regular round table discussions take place between the Director of Public Health and local health and human service providers and clergy. The Director performs all follow-up work associated with these round tables.

The Director also serves as a member of the Working Group Against Hate Crimes, the Domestic Violence Intervention Program, the Community Oriented Policing Program, the Human Rights Resolution Working Group, Local Emergency Planning Committee, Hazard Mitigation Team and serves as Employee Assistance Program (EAP) liaison and as team leader for the Human Services Management Team.

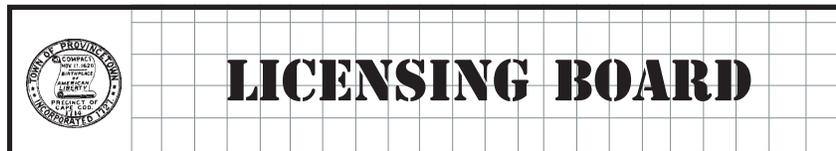
In collaboration with the Board of Health, the Department of Public Health is involved with the investigation, surveillance and prevention of communicable diseases. Communicable disease clinics (education and prevention) are offered to the public regularly.

The Department’s HIV Comprehensive Home Health Grant Program continues to provide services through funding from the Massachusetts Department of Public Health for Provincetown residents living with HIV and AIDS. The grant provides a program coordinator and services that included: home health aides, training and supervision of homemakers, and counseling for caregivers.

*Respectfully submitted,*

**Valerie A. Carrano, BS, MPH, GHT**

Director



In 2003 the Provincetown Licensing Board forwarded its mission to assist local businesses, while at the same time assuring they abided by all applicable rules and regulations.

The Licensing Board was saddened to lose two valued members, Mitchell Baker and Jean Bock, each who devoted valuable service to the Board. We were happy, however, to welcome Irene Rabinowitz as an alternate member and John Foley as a full member. Both Irene and John have spent considerable time familiarizing themselves with the applicable state and local rules, which apply to the numerous license holders. Other current Board members include: Hunter O’Hanian, Chairman; Keith Brickel, Vice-Chairman; and Nick Robertson, Clerk

and Second Vice Chairman. As the year ended, the Board still had two openings: one full member and one alternate member.

The Board held 28 meetings in 2003 and continues to remain flexible in addressing the needs and concerns of the public. The Board, with the assistance of the Licensing Agent Elizabeth Hartsgrove, processed over 700 license applications. Revenue to the Town through the licensing process amounted to approximately \$297,981.94.

Our focus for 2004 will be to update the Board’s Rules and Regulations, to provide more staff service to the community, to continue to streamline the process where possible, to work with other Boards on issues of mutual concern, to address business and community concerns and to continue to remain flexible. This Board will continue to strive to meet the needs of the public while assuring that local, state, and federal regulatory licensing requirements are met.

*Respectfully submitted,*

**Hunter O’Hanian**

Chair



The most significant event of the past year was the unfortunate damage sustained to both the north and south floating docks during a storm on December 6<sup>th</sup> and 7<sup>th</sup>. While the total damage is still being assessed, the setback itself was a disappointing blow to all Town residents. The majority of the docks have been removed until further determination is made on what exactly must be done to rectify the situation. Until that time, a small portion of the south dock will remain in the water for slip holders’ use, thereby limiting the potential for any further damage. Although the damage was discouraging, there is a steadfast determination by the Town to repair the damaged sections and make the floating docks a safe and efficient facility for its users.

MacMillan Pier, did, however, enjoy an excellent first post-construction summer. The positive comments received from residents and tourists alike should reinforce that the Town has a marine facility to be proud of. The Harbormaster’s Office and the Pier Manager continue to work out problems such as parking and traffic generated by the ferries. These are minor obstacles, however, and after some trial and error last season, I anticipate a smoother operation next summer.

The transfer of management on MacMillan Pier from the Town to the Provincetown Public Pier Corporation (PPPC) continues. On July 1, 2003 the day-to-day responsibilities were formally shifted to Rex McKinsey, the Pier Manager. On October 1, 2003 the PPPC also assumed the cost of utilities and maintenance of the pier. The final lease between the Town and PPPC is pending an agreement between PPPC and Profish, the Provincetown Fisherman's Association, concerning the construction and operation of a seafood offloading facility. Although this department plays less of a role in the management of the pier, we continue to be the primary Town enforcement agency as stated in Massachusetts General Law.

The Harbormaster's Office has continued to grow and improve. We are anxiously awaiting the delivery of a new patrol boat, expected just after the first of the year. In September a contract was awarded to Edgewater Marine for the construction of this twenty-five foot, twin-engine craft. Capable of reaching speeds approaching fifty miles an hour and being equipped with the gear necessary to tow vessels twice its size, this asset will greatly enhance our ability to patrol and respond to emergencies in Provincetown Harbor and the surrounding waters. The office itself has also undergone some renovation including interior painting, installation of floor tile and carpeting. Additionally, an emergency, outdoor telephone has been purchased and will be installed shortly near the front entrance. This public access telephone will connect directly with the Police Department in the event of an emergency after hours.

Over the course of the next year I hope to address several key issues. First, improved management of the mooring field, including the removal of illegal moorings and the standardization of mooring balls as specified by Federal law. Also, along with the PPPC, I hope to address some security concerns on MacMillan Pier. We are currently reviewing several options including an electronic camera system capable of direct and remote monitoring of the facility.

Having held this position for only four months, I would like to express my appreciation to all the Town staff who have taken the time to help out "the new guy". Also, my thanks to all the fishermen and float owners, all of whom have been incredibly supportive.

*Respectfully submitted,*

**Chris Flavell**

Marine Superintendent



**PARKING  
ADMINISTRATOR**

The Parking Department manages the parking system in Provincetown by coordinating a number of functions, including on and off street parking facilities, parking meters, permits, regulations and enforcement. Provincetown has two attended parking lots, five off street metered parking lots, one off street combination meter and permit parking lot and six on street metered parking zones representing approximately 1,200 revenue producing parking spaces. The department serves thousands of people each season, issuing 2,670 parking permits, 11,400 parking violations and provides parking for 500,000 lot patrons. During the season the department employs 23 workers and operates 24 hours a day, 7 days a week.

The Parking Department produced over \$1,606,000 in tax-reducing revenues in 2003, \$34,000 more than 2002 and just the second year the Department has topped \$1,600,000. We have seen a shifting in revenues with lower lot receipts being offset by higher meter and permit fees and more aggressive collection procedures. The Department has developed several initiatives to increase revenues to help offset the Town and statewide budget crisis. We completed the town-wide installation of electronic parking meters in July at the increased rate of \$1.00 per hour. This brought in an additional \$39,000 this season. The meters paid for themselves in less than a year and with the installation of 40 meters in the Jerome Smith Lot we anticipate another \$20,000 in meter fees next season. Higher permit fees have increased permit revenues by \$27,000. We have begun tagging overdue violators for non-renewal at the registry. This results in added surcharges and forces the payment of long overdue tickets. This program has been a big contributor to the 23.5% increase in ticket collections.

The Department continued its high level of productivity. Through cross training, advanced planning and a very low absentee rate, we have reduced overtime by 60%. Purchased new money counting equipment that enables us to count the increased meter revenues in less than half the time. Increased off-season evening meter officer patrols which will extend from Patriots Day weekend through women's week. Achieved a high degree of accuracy in parking infractions, with written appeals on only 4% of tickets issued. We upgraded safety procedures and markings at the MPL and Grace Hall gate areas and improved lot security by installing alarms in all three booths. Obtained a surplus patrol car for the lot manager and utilized an electric powered "think" car for lot operations. We installed a new gate and ticket dispenser system at the MPL as part of a program to upgrade older lot equipment. The department also worked with the Cape Cod

National Seashore to help alleviate special event parking shortages by utilizing the Herring Cove Parking lot for the July 4<sup>th</sup> fireworks.

We are currently awaiting state legislative approval on a home rule petition to increase our basic parking fines from \$15 to \$25; this projects to a \$60,000 per year increase in ticket collections.

The Parking Administrator headed the Transportation Team on projects assigned by the Board of Selectmen as Town-wide policy goals. The Team is studying various policy changes such as time limits at meters, additional resident zones and permit restrictions in our lots aimed at freeing up more high revenue generating spaces. The Team is giving top priority to increasing parking revenues in any reallocation of parking. The Team is also working with the Town in support of a year-round shuttle service on the Outer Cape.

The Parking Administrator continued to oversee Shuttle operations and work on transportation issues. The number of shuttle riders was down this season, due in part to the end of a grant supported worker free pass program. It is still the largest shuttle system on the Cape, however, and is considered a national model in partnering between towns, the State Transit Authority, and the National Park Service to solve transportation problems.

The work and responsibilities of the Parking Department in 2003 could not have been carried out without help from the Police Department, Town Hall staff and numerous Town Officials and Boards. I want to thank Chief Meyer, the Board of Selectmen, Town Manager, Treasurer's Office, DPW, Transportation Team, Shuttle Committee and Visitor Services Board for their cooperation and support. The Public Works Department has been very cooperative in working with Parking to mitigate the effects of the large town wide constructions projects.

I also want to commend the entire Parking Department for another successful season. These dedicated seasonal employees keep parking enforcement and the lot operations running smoothly 7 days a week, 24 hours a day in peak season. I look forward to working with this exceptional group of employees in 2004.

*Respectfully submitted,*

**Donald K. Richards**

Parking Administrator



The year 2003 went very quickly and was far different in many respects from last year's efforts. In the first place, the "newness" of the Chief could not be used as an excuse for any misunderstandings. Thus, when kudos came into the department for a courteous, service-oriented summer, the "Not So New" Chief was more than happy to recognize both regular staff as well as summer people for jobs well done. Everyone contributed to generating a feeling of comfort on the part of visitors and citizens alike. Parties, which caused concern the previous summer, were exceptionally well behaved, utilizing the plans set forth by the Community Oriented Policing Working Group on noise. From all appearances, people recognized the mission was to have fun the responsible way.

From a crime and activity standpoint, our calls for service generally decreased until December (see graph). Solving two murders were significant successes in the teamwork model between State Police and our own personnel. One murder this year and one committed many years ago were closed with arrests with both cases awaiting trial. Our appreciation is extended to the State Police in Yarmouth as well as the District Attorney's Office for their diligence in bringing both matters to conclusion.

It is important to note that in many respects Provincetown is no longer a little Town, but rather, a city with problems typical of a much larger jurisdiction. It is critical to point out that police personnel readily adapt to assisting a few thousand people in winter to upwards of 100,000 for the Fourth of July festivities and some thirty to fifty thousand at any other time during the summer. The importance of having a fully staffed and trained Department to handle these issues cannot be stated firmly enough.

Any suggestion that the Police Department be measured in terms of crime rate fails to take into consideration the overall aspect of customer service expectations. Our hiring of 16 summer officers is tribute to the need for front line people capable of handling a very diverse and active crowd, able to answer countless questions, keep the peace and do it all courteously and pleasantly.

A very positive event for us was the inclusion of the Gay Officers Action League (GOAL) in the Carnival Parade. As a first time participant, 15 police officers from around Massachusetts took part. A state police car was positioned just after the marching group. We were honored to have them with us and look forward to a beneficial long-term relationship. The leadership of GOAL is trying to get the

International Chiefs of Police Association to recognize the need for a gay and lesbian committee, something much needed at this point in time.

A number of personnel changes took place this year. Robert Russell retired and Sgt. Warren Tobias became Staff Sergeant by rising to the top in a hotly contested assessment center process. It was comprised of police officials from other towns and members of the Provincetown community who evaluated candidates on a number of relevant work-related exercises. Jim Golden was subsequently promoted to sergeant. A great addition to the staff was Andrea Roderick, our wonderful secretary, who adapted quickly to handling payroll, purchasing and general duties with dignity and thoroughness. We are very thankful to have her here. We also welcomed Paul Hamilton as a transfer officer from Chatham. He has made his presence known in slowing speeders on Bradford St., controlling crosswalks and similar day-to-day problems. More importantly, he has demonstrated an aptness and interest in grant writing, the result of which was a number of Highway Safety grants.

Homeland Security was a consideration in our work and many meetings were held with officials in a number of capacities on the state, county and local level. Earle Chaddock continued to play a major role in the Local Emergency Planning Committee for which we're grateful.

The work of the summer officers and the Parking Department was enhanced with the implementation of our Ford THINK cars, which saw action all summer. Ford donated these electric cars through the auspices of the Clean Cities Coalition for testing purposes by municipal police agencies. The cars were demonstrated in the various parades this year and were very well received. The one used for patrol by summer officers was quiet and gave them an opportunity to cover more ground comfortably and efficiently.

The Department continued its commitment to Community Oriented Policing in terms of working groups devoted to dogs, noise, hate crimes and licensed premises. The working groups involved in dog leash law changes as well as noise successfully saw new bylaws provided for Town Meeting. The acceptance of these laws required support throughout the year on making sure the procedures were followed. The working group dealing with hate crimes met to cover the matching grant provided by ADL in association with our earning the "No Place for Hate" designation. The project involving the schools and two others are required to maintain our certification. We hope to accomplish them before the April meeting in Boston. New to the fold was the working group on licensed premises, which Town Manager Keith Bergman convened following the awful Rhode Island nightclub fire. Business owners met with police and fire officials to discuss safety features and ideas such as announcing exits in the event of

emergency. The major issue will be a mandate for sprinklers at the state level. Government partnering with citizens is unquestionably the best means of fulfilling community service goals.

Drugs continue to be a major concern in the community and the DARE program carries on with its successful venture in the school system. We solidified the strong support we have for anti-drug projects. The wave of drug abuse is identified as the “party drugs” such as Ecstasy, GHB and Crystal Methamphetamine. We were able to assign Officer John Lind to a DEA Task Force that provided him with outstanding resources such as a car, training, money and paid overtime. Numerous arrests took place including seizures of both drug and cash.

Licensed premises in Provincetown have been very helpful in working with the Police on excess use of alcohol and related behaviors. Almost all participated in the TIP training program run at the beginning of the season. Important this year was our addressing visitors via mail, website and special documents for parties addressing the recognition of coming here to have fun but also knowing the expectation is to act responsibly.

As we complete this year, I want to express my gratitude to our citizens, customers and visitors who so richly stimulate this Town. The feedback from many has been supremely helpful in determining our many courses of action. For us to be able to contribute to the quality of life, the well-being and the comfort level of everyone, we walk a very thin line. We are truly thankful for everyone’s understanding and support.

I am grateful to every member of this Department for the major contribution they each make on a daily basis. I thank my fellow Department heads for their support of our objectives, their sense of fair play and interaction at all levels. Many exceed expectations and that is what the Town team is all about. I thank the Town boards and volunteers and COP participants who give so unselfishly of their time. Most importantly, the considerable support we receive from Town Manager Keith Bergman and the Board of Selectmen is exceptional.

I believe that future visitors will continue to enjoy all that Provincetown has to offer in beauty, creativity, diversity, fun and freedom. The Police Department stands ready to work with everyone in the partnership mode that makes Community Oriented Policing the success it is.

*Respectfully submitted,*

**Ted Meyer**

Chief of Police

<b>Arrest Summary</b>			
Total Arrests	395	Building Checks	10
Total I.P. Persons	211	Child Neglect/Abuse	10
Total Persons Processed	606	Civil Injunction/Service/Violation	6
<b>Citation Summary</b>		Complaint/General	178
Arrest Citations	34	Complaint/Musicians	2
Criminal Citations	56	Complaint/Towing Operator	1
Civil Citations	166	Complaint/Domestic	50
Warning Citations	220	Complaint/Customer	18
Dog Citations	100	Court Complaint (non-arrest)	3
Other Citations (By-Laws)	86	Crowds/Overcrowding	9
Total Citations Issued	662	Cruiser Equipment Maintenance	113
<b>Calls For Service</b>		Cruiser Escort	41
209A Order/Viol/Service	68	Cruiser Transport	245
911 Call/Trace/Abandoned	919	Cruiser in Pursuit	3
Accident/Bike & All Other	35	Damaged Property Complaint	93
Aircraft/General	5	Death/Natural	5
Alarm - Commercial	309	Defrauding - Restaurant	6
Alarm - M/V	10	Delivery - Message/Item	31
Alarm - Residential	106	Demonstration/Parade	6
Alarm - Fire	179	Disorderly Person	30
Alcohol/Drug/Mental Health	17	Disturbance - Family	2
Ambulance - General	705	Disturbance - General	19
Animal Compl/other than dog	84	Dog Citation Issued	97
Animal Cruelty Complaint	24	Dog Complaint/Call	414
Animal Injured/Dead	76	Domestic - Assault/Threat	7
Argument/Verbal Dispute	84	Domestic - Verbal	35
Arrest/Domestic Assault	12	Drinking Minors	1
Arrest/General	72	Drug Violation/Complaint	64
Arrest/OUI	17	Elderly Abuse/Neglect/Compl	16
Arrest/Juvenile	5	Embezzlement	1
Arrest/209A Violation	3	Fight Complaint	51
Arrest/Warrant	48	Firearms - General	10
Assault	10	Fire/Electrical/Utility Pole	10
Assault & Battery	37	Fire/Vehicle In/Out Service	136
Assault - Dangerous Weapon	5	Fire/Motor Vehicle	10
A & B - Deadly Weapon	4	Fire/Boat	1
Assist Inspections Dept (DRM)	4	Fire/Commercial Bldg	10
B & E - Attempt	13	Fire/Grass & Brush	3
B & E - Residential/Commercial	28	Fire/Residential Bldg	25
Bank Runs	24	Fireworks Complaint	16
Bikes/Mini-bikes Complaints	4	Forgery & Counterfeiting	3
Boat - Assistance	5	Found - Wallet/Purse	95
Boat - Complaints	12	Found - Bicycle/Moped	51
Boat - Larceny Equipment	3	Found - Property	189
Boat - Missing/Stolen	5	Fraud	17
Boat - Recovered/Found	4	Fugitive from Justice	1
Boat - Vandalism	2	Gun Shots Complaints	4
Bombs/Bomb Threats	1	Halloween Complaint	5
		Harrassment Complaints	74

Provincetown		2003 Annual Town Report		183
Harbormaster/General	52	Malicious Destruction (Under)	6	
Hate Incidents	13	Minors with Alcohol	2	
Hazard Complaints	136	Miscellaneous	217	
Homeless Person	3	Motorcycle Complaint	3	
Hunting Violations	1	Murder	1	
I.P. Person/Complaints	242	Mutual Aid/Assist Other Dept's	105	
Indecent Exp/Nude Bather	6	Nat'l Park Service/Rangers	55	
Investigation	61	Noise Complaints	314	
Issue B.O.L.O. / A.T.L.	32	Non-Criminal Citation Issued	84	
Juvenile Complaints	47	Notify Fire Department	115	
Keep the Peace/Standby	31	Notify Other Departments	343	
Landlord/Tenant Complaints	34	Officer Assaulted	1	
Larceny - Attempt	4	Open Door - Business	33	
Larceny - More than \$250.00	37	Open Door - Residence	13	
Larceny - Less than \$250.00	46	Operating After Suspension	5	
Larceny by Check	7	Person Missing/Overdue	24	
Licensing Violation	15	Phone Calls - Threat/Prank	42	
Lost & Found Property	225	Possession Dang. Weapon	1	
Lost & Found Animals	90	Power Outage	39	
Lost/Stolen License Plates	15	Property Check/Request	1,133	
Lost/Missing Child	17	Property Held/Safekeeping	9	
Lost/Stolen Bicycle/Moped	69	Protective Custody	29	
Lost/Stolen Wallet/Purse	112	Rape	1	
M/V Abandoned	8	Reassurance Check	152	
M/V Accident - Major	33	Request Police Officer	377	
M/V Accident - Minor	182	Rescue - Code 99	3	
M/V B & E	9	Rescue - Call/Request	1,099	
M/V B & E & L	3	Robbery	1	
M/V Citation Issued	453	Search Warrant Served	3	
M/V Complaint/Violation	146	Service - Civil/Order/Summons	30	
M/V Disabled	176	Service Calls	134	
M/V Erratic Operation Compl	71	Sex Offenses	4	
M/V Hit and Run	66	Shoplifting Complaint	11	
M/V Illegally Parked	504	Soliciting Complaint	10	
M/V Larceny From	6	Spiritus Detour	8	
M/V Left Compound	1	Storm Damage/Flooding	25	
M/V Missing/Misplaced	14	Suicide/Attempt	11	
M/V Observance/Assignment	263	Suspicious Activity	87	
M/V Recovered	1	Suspicious Persons	78	
M/V Repossession	10	Threats	53	
M/V Stopped by Cruiser	1,171	Trespass Complaint	107	
M/V Suspicious	49	Vandalism Complaint	35	
M/V Theft/Stolen	7	Violation of Town By-Laws	221	
M/V Tow & Hold (Parking Dept)	19	Water Leak Call/Complaint	85	
M/V Towed Police (Rod's)	167	Wires Arcing/Sparking	46	
M/V Towed Police	1	<b>Total Calls For Service</b>	<b>12,906</b>	
M/V Traffic Problem	117	<b>Total E-911 Calls Received</b>	<b>919</b>	
M/V Vandalism	69	<b>2002- Total Calls for Service</b>	<b>14,055</b>	
Malicious Destruction (Over)	9	<b>2002- Total E-911 Calls</b>	<b>1,004</b>	



**SHELLFISH CONSTABLE**

Every three years we rotate our shellfish beds giving the juvenile shellfish a chance to grow to harvest size. The public is encouraged to bury the seed and the larger shellfish they sometimes bypass for smaller ones. This past year I seeded the east side of the west end breakwater in late June. Our very successful relay program has been the single most contributing program to work in concert with encouraging spawning with our natural wild stock. Because of the recent budget cuts and rising costs to purchase shellfish stock we were not able to get the allocation as in recent years. However, we continue to augment our parent stock by using varied propagation methods.

In cooperation with the Marine Program of Barnstable County’s Cape Cod Cooperative Extension, our shellfish department has participated in a number of exciting projects that have benefited the town’s shellfisheries. We received 250,000 1mm quahog seed through Barnstable County’s municipal propagation program. Having access to Eastham’s upweller system allowed the seed to grow out to a field plant size; they were planted last Fall. We also received and deployed 5,000 reproductive bay scallops in floating cages designed to stimulate the reproductive success of bay scallops in the local waters. Our shellfish committee has been active and supportive in building a sustainable shellfish harvest.

The harvest for last year was 545 buckets of mixed quahogs; 59 buckets of soft-shell clams; approximately 80 buckets of mussels and 100 bushels of surf clams taken recreationally. Commercially, surf clams continue to be State regulated. We have been discussing how we can reclaim the Herring Cove area for the Town to manage a Commercial surf clam fishery for our local fisherman.

*Respectfully submitted,*

**Tony Jackett**  
Shellfish Constable

## HUMAN SERVICES



*Berta Romano, Gladys Johnstone, Anita Berman, Irene Joseph and Florence Alexander volunteering at one of several Council On Aging Bake Sales held in 2003 at Firehouse No. 2 on Commercial Street.*

	<h1>CAPE END MANOR ADMINISTRATOR</h1>
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The Cape End Manor provides 24-hour skilled nursing care as well as Inpatient Physical, Occupational, and Speech Therapies. Our shorter stay rehabilitation patients continue to increase over previous years as we serve a younger and more active population. We provide a range of Medical services including the Attending Physician, Psychiatrist, Psychologist, Dentist, Podiatrist, Optometrist, and Dieticians.

Quality is our priority. We previously were fortunate to have four continuous years of deficiency-free Massachusetts Department of Health annual surveys. Our annual survey in September 2003, however, resulted in deficiencies, none of which were related to substandard care. We have addressed the deficiencies and we are now “in substantial compliance”. Our resulting score is 127 out of 132 points for this last survey with the state average being 121 points.

Staff most directly impact quality and are constant advocates for their residents. Our ability to be reimbursed is based on staff documentation and our state compliance is based on the quality of services they provide. Our staff retention is above average and therefore staff vacancies are rare when compared to other facilities. This promotes a constancy that is generally unique to Provincetown’s Cape End Manor. True suffering results from loneliness and boredom perhaps even much more than from disease and the health issues associated with aging. Visitation and Activities are believed to be the most critical factor in enhancing quality of life. The majority of our residents have families and or visitors routinely. This is perhaps one of the greatest aspects of being “so close to Town”.

Our goal is to assure skilled nursing and rehabilitation services continue in a way that the Town is not financially responsible for providing those services. The fiscal challenges of the Cape End Manor Nursing Home are directly related to the facility’s limitations and costs associated with being municipally owned. A new nursing facility is needed to attract the existing and growing need for these services.

We have initiated a strategy to review land options to locate a new Nursing Home, Outpatient Rehabilitation, and Assisted Living facility. The selection of a site for this project has been complex as each site presents unique challenges and opportunities. We’ve considered numerous “in Town” and “out of Town” options. Site options have narrowed and site selection is eminent. A formal public procurement process would be required to seek and select the new

organization (e.g. sometimes referred to as the new “Entity”) to accept the conveyance of the land from the Town as well as fiscal responsibility.

The Cape End Manor Nursing Home has provided greater than nearly 50 years of services to the community. We look forward to assuring services continue as we acknowledge the need to change our approach to providing those services.

*Respectfully submitted,*

**Eileen Thomas**

Administrator



The voters at the April 7, 2003 Special Town Meeting supported the Board of Selectmen and the Cape End Manor Board by voting to approve Article 5, which allocated the sum of \$40,000 to be used to study options for the future if the Cape End Manor. Half of this sum was used to secure Intergovernmental Transfer Funds, also referred to as IGT. To be eligible for IGT funding, the Cape End Manor had to meet the following criteria: be located in a rural area; be primarily a Medicaid facility; and be designated as a political subdivision. A political subdivision is a nursing home that is owned by a State, County or Town. The Cape End Manor met these criteria.

Representative Shirley Gomes, in her December 2003 “Gomes Report” stated, “We were able to include specific language earmarking the Cape End Manor in Provincetown to receive a portion of the \$16 million in the Intergovernmental Transfer Account.” There are only five nursing home facilities in Massachusetts, Cape End Manor included, that are eligible for these funds. The remaining money from Special Town Meeting Article 5 is being used to identify sites and develop plans for the Cape End Manor Care Campus.

Thank you to all the family, friends, and neighbors who came to the Manor to visit; to the Public Works Department for moving a portion of the Manor offices into a Trailer Annex; and to Town Manager Keith A. Bergman and the Board of Selectmen for their help. Special thanks to all the business that made donations to the Manor in 2003, and to all the volunteers who donated their time and talents. We would also like to take the opportunity to commend Dennis Anderson, Manor CEO, Eileen Thomas, Manor Administrator, and the Manor staff for their deep devotion and dedication to the residents of the Cape End Manor.

*Respectfully submitted,*

**Marilyn J. Downey**

Chair



This report summarizes the 2003 work of the Board and the Friends of the Council on Aging. The members of the Board were: Anita Berman, Geraldine Brennan, Gladys Johnstone, the Rev. Gregory Howe, Dr. Brunetta Wolfman with alternates, Roberta Elliott for the first half of the year and Florence Alexander the last half of the year. The Friends Board consisted of Chair Marge Perry, Vice Chair Diane Corbo, Treasurer Vernon Wilson and Bob Henneberry, Joan Lenane. Director Valerie Carrano provided support in her role as Director of the Council on Aging/ Public Health and Human Services.

The goals for the year were:

*To continue to make elective officials aware of the needs of the Town's elderly and to solicit suggestions from town officials for the programs and activities for the elderly.* The Board has been in regular communication with town officials and with elected state and federal officials to make them aware of the concerns and problems of our elderly, most of the concerns related to cut backs in financial and service programs and the resulting hardships.

*To continue to make elected and administrative Town officials aware of "quality of life" issues which affect the elderly; such as safe and accessible paths and streets used by the elderly and particularly those who are handicapped or use mobility devices for transportation.* The Provincetown Police have been the most responsive to our concerns by posting new speed limit signage on major streets, but the Board still has major concerns about street safety and lighting. The Department of Public Works has installed better lighting at the Grace Gouveia Building making late afternoon and evening winter participation safer.

*To continue to encourage a coordinated town wide approach to the recruitment of volunteers, especially those over 59, to serve agencies and programs.* There has been little discussion of this proposal to date.

*To encourage Town officials to identify a new site for The Manor and assisted living facilities for the elderly.* The Board has continued to address the Selectmen and made suggestions about assisted living and adult day care programs for the ambulatory elderly.

*To continue to develop the means to identify new elderly residents and those who are not COA participants to inform them of the services available to them*

*by developing an informational campaign and publicize Senior Center programs and activities.* The Board sent out over four hundred personal letters to seniors inviting them to the Senior Center, and the Board got the approval of the Selectmen to place brochures in the offices of the Town Clerk, the Assessor and the Parking Office.

*To continue to be advocates for the elderly of the Town and to continue our work to improve the health and safety of Provincetown seniors.* The Board regularly contacted the Selectmen, the Town Manager, and Town committees and participated in the Visioning process of the Community Development Working Group. The Board was also represented on the Board of Elder Services of Cape Cod and the Islands and is thus able to be better informed about the needs and programs for the elderly in the larger region. The COA Board was a founding member of the SALT Council (Seniors, Law Enforcement and Public Safety groups), and the Friends provided the necessary funds for the program to begin in our area. The Board again this year had to assert its support for the retention of the Grace Gouveia Building for the Senior Center.

*To continue to advise the COA Director and assist her as requested.* The Board meets regularly with the Director and advises her on program ideas. New activities have resulted from Board suggestions including Tai Chi classes, continuing art exhibits in the Senior Dining Room, participation in The Yearrounders Festival, the Fall Arts Festival and art shows at the Provincetown Library.

*To continue providing services as needed and to recruit additional volunteers.* The Board is constantly recruiting volunteers to extend the work of the Senior Center, and all Board members volunteer as facilitators for program activities.

*To continue to make the Senior Center pleasant and accessible for the elderly and handicapped and to review the Board and Senior Center programs and change as needed.* The Friends of the COA raised \$6,041 through bake sales, cookbook and photo card sales along with direct mail appeals and the generosity of organizations in town. The money paid for refurbishing and furnishing a room for leisure activities, buy equipment, pay for classes and special events including a presentation of the Boston Post Cane to Charlotte Motta, the oldest registered voter.

In addition, for a second year the Board sponsored an informational meeting on issues prior to Town Meeting. The Board then took a stand on those issues that impacted the elderly. The Board will continue to work for the elderly of Provincetown.

*Respectfully submitted,*

**Brunetta R. Wolfman**

Chair



The Provincetown Council on Aging (COA) is dedicated to the needs, interests and enjoyment of Provincetown senior citizens. The COA's primary function is to provide information, advocacy and referrals. Over 800 seniors 60+ years of age and over 700 citizens under 60 have used the COA services this year.

During 2003, the COA offered over 100 programs in the following categories: Senior Education and Fitness; Health, Nutrition and Disease Prevention; Community Resource (a chore service); Homecare Services; Social and Artistic Programs; Individual and Family Assistance; Leisure and Travel; Personal Assistance Programs; Sr. Real Estate Tax Abatement Program; Needs Assessment and Referrals; Monthly Senior Radio Show (WOMR); Intergenerational Programs and Monthly Newsletter. The COA also provides a complete 5-day transportation program with door- to-door services, providing over 3000 rides this year.

Our Elder Services Nutrition Program (Meals on Wheels) provided 5,000 home delivered meals (by town volunteers) and 1,300 congregate meals. Other hot meal programs; Gourmet Cooking Classes, special luncheon programs and summer barbecues combined served over 500 meals.

In March, the COA signed a cooperative agreement with the Barnstable County Sheriff's Office, Provincetown Police and Fire Departments and the Provincetown S.A.L.T. (Seniors and Law Enforcement Together) Council to establish the Sheriff's TRIAD Program. This program is a partnership dedicated to crime prevention and senior safety. In April, the COA Board sponsored it's second annual Town Meeting Informational Forum. This forum provided seniors the opportunity to hear from town officials regarding various town articles coming up at town meeting and for town officials to hear from our seniors. In June, the COA hosted an open house and senior information fair that was funded through a grant from the Cape Cod Community Foundation's GALE (Gay and Lesbian Equity ) Fund. This open house was an opportunity for the entire community to come together and experience the Senior Center and learn about all the services the COA provides.

The COA Director continues to collaborate to a great extent with the other Lower Cape COA's. Through monthly Directors' meetings with the towns of Truro, Wellfleet, Eastham and Orleans, we bring a regional approach to the issues that affect us all. This year, in collaboration with Cape Cod Health Care, Elder Services, Cape and Islands Emergency Medical Services System and other Lower Cape

COA's, we developed the REACH program (Reaching Elders with Additional Needs through Community Help). This program is designed to address the gaps in coordination of services at the entry and exit of Lower Cape elderly patients in the emergency departments of Cape Cod Hospital and Falmouth Hospital.

During 2003, the COA received over \$16,000.00 in grant funds. These funds, from the Executive Office of Elder Affairs and Elder Services of Cape Cod and the Islands, are used for outreach, to support our chore service program that helps low income seniors maintain their independence at home and to fund the caregiver respite program which provides temporary relief for caregivers in our community.

This year the Senior Citizen Real Estate Tax Abatement Program celebrated its eighth year. In 1995, Provincetown became the first town on Cape Cod to vote in favor of this program. In 2003, the COA successfully placed 30 seniors to work in town departments. A \$500 tax credit was given to the senior for 75 hours of work. These seniors were very happy with their experience and the town departments appreciated their help.

I wish to express my sincere appreciation for the hard work and kindness shown to our seniors by our Outreach Coordinator, Chris Hottle, and also our Social Service Worker, Patrick Manning. Their efforts have helped to assist many of our seniors through critical and difficult times.

My deepest gratitude to Maureen Hurst, COA Administrative Assistant, Dennis Wojtalak, COA van driver, and senior aide Tanya Leighton for their hard work and dedication. Many thanks to Polly Saunders, Bunny Howe and Dot Sanderson. My sincere thanks to COA Board members: Chairman Brunetta Wolfman, Anita Berman, Gladys Johnstone, Rev. Gregory Howe, Geraldine Brennan and alternate Florence Alexander; COA Friends Board members: Marge Perry, Diane Corbo, Vern Wilson, Joan Lenane, Bob Henneberry; and COA volunteer Raymond Sawyer.

Our appreciation goes out to all the dedicated volunteers who give unselfishly of their time to assist our seniors.

Congratulations to Attorney Roslyn Garfield, Provincetown Senior Citizen of the Year for 2003.

*Respectfully submitted,*

**Valerie A. Carrano, BS, MPH, GHT**

Director



The Provincetown Disability Commission has an on going commitment to keep our community accessible to residents as well tourists. Crosswalk safety continues to be a work in progress. The Commission continues to work with town officials to ensure that all crosswalks are safe for everyone. Over the course of the year we met with Community Development Director Jon Gilmore to express concerns over the insufficient number of handicap parking spaces along Commercial Street. Some spaces had been moved and others were not available due to construction sites. This is an unfortunate situation for our disabled residents, and an ongoing concern for our disabled tourists. We also met with Parking Administrator Don Richards concerning cars that do not have handicap placards parking in handicap spaces. Many times when areas are under construction the unused equipment gets parked in handicap spaces. We continue to try and implement a system that will first warn violators, then fine repeated offenders.

We welcome input from the community and from our guests.

*Respectfully submitted,*

**Toni Schiff**

Chair



In 2003 the Provincetown Housing Authority (PHA) continued to manage and operate the Housing Authority's subsidized housing programs. The Housing Authority owns and operates 24 units for elderly and disabled at 44 Harry Kemp Way (Maushope); 9 scattered site units for families; 10 units for homeless persons with HIV (Foley House); and 6 alternative housing vouchers for low-income individuals with disabilities.

Additionally, PHA continued 1) To explore the development of property located on Creek Road in Provincetown. The property is to be transferred to the Provincetown Housing Authority from the Town of Provincetown in accordance with Article 31 of the Provincetown April 2001 Annual Town Meeting. 2) Spent the year exploring the feasibility of developing additional affordable housing units within Provincetown. The Provincetown Housing Authority has explored expansion at 44 Harry Kemp Way as well as acquisition and development of private and town owned land. 3) Has been and continues to be active in the

Provincetown Community Visioning Process as well as serving on the Affordable Housing Task Force. 4) Has met regularly in 2003 to develop and implement the Provincetown Affordable Housing Trust Fund.

In 2003, Arturo Alon and Pamela Parmakian were elected by the Town of Provincetown to replace Robert Cabral and Brenda Haywood as new members of the Board of Commissioners. Andrew Barasda resigned as the State appointee to the PHA Board and a state appointee has yet to be appointed to replace him. Michael Bunn resigned from the PHA Board and Teri Nezbeth was appointed to replace him. Continuing to serve on the board is Margaret Carroll-Bergman.

The Housing Authority is committed to its role as advocates for affordable housing and in supporting the goal of the Provincetown Selectmen to prioritize the need to develop affordable housing options.

*Respectfully submitted,*

**Patrick J. Manning**

Executive Director



The Provincetown Local Housing Partnership (PHLP) continues to advocate for the construction and preservation of housing that is affordable to our residents. In May 2003 there were 18 affordable units completed and occupied on Old Anne Page Way as a result of permits issued to Community Housing Resource (CHR). CHR was also issued a permit for creation of a one-bedroom affordable housing ownership unit on 34-36 Conwell Street currently under construction. At 40A Nelson Avenue, 6 affordable rental units will be available for occupancy in May of 2004.

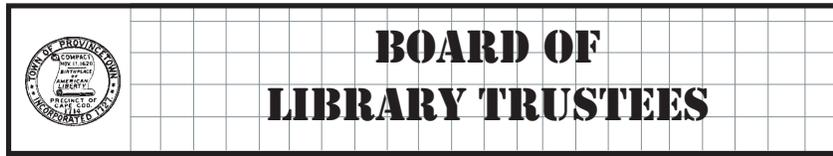
Voters at the May 6, 2003 annual Town elections accepted House Bill # 2325, an Act Relative to Property Tax Exemptions for rental properties in the Town of Provincetown used as affordable housing. Thirty applications have been received to date are undergoing review.

The PLHP continues to work with the Affordable Housing Task Force in reaching affordable housing goals. We encourage the community to attend our meetings and help solve our vital housing issues. Thank you voters, we appreciate your support!

*Respectfully submitted,*

**Arturo Alon**

Chair



The dream is becoming a reality .Work has begun in earnest on the Center Street Building soon to be known as the New Provincetown Public Library. In early June, an acceptable construction bid was received from the Falmouth firm of JK Scanlan Inc. In mid-September, the construction firm was on-site working closely with the Boston Architectural firm of Perry Dean Rogers/Partners and in particular, architect Warren Van Wees. In mid-November, groundbreaking ceremonies were held and by years' end the basement was excavated and a new foundation almost in place.

Throughout the construction phase, bi-weekly construction meetings are held on site to identify problems and to assure that the project remains on budget and moves forward in a timely manner. In attendance at these meetings are Scanlan representatives; Craig Gabri and Bruce Hanna, Architect Warren Van Wees, DPW Director David Guertin, Library Director Debra DeJonker-Berry, Building Committee member Ellen Rousseau, Clerk of the Works Bill Ingraham, and two Board of Library Trustee members. We are fortunate to have Bill as our Clerk of the Works, for he is on the job daily overseeing all operations and making on-the-spot decisions.

A few special thanks: To all the Trustees for their tireless energies and efforts in overseeing Library policies and budgetary finances; to Maghi Geary who left the Board after three terms; the Department of Public Works, David Guertin, Sandy Turner and their staff; the friendly staff and volunteers of the Library who go out of their way to be helpful and courteous; the Friends of the Library for their support and funding of everyday "Wishes" for the Library, the supporters of the Library for their continued financial contributions; to Marcia Fair and Debra DeJonker-Berry for their daily work on this construction project, overseeing every detail, and lastly to Cj Noyes, for her poem in honor of our new Library:

**Commercial Street**

(The Flagship)

by Carol Noyes, Library Trustee.

*Written for and read at the Groundbreaking, November 13, 2003*

They call you a construction site...  
Though once you were consecrated  
You will be whole again...

---

Born anew into the holy house of books  
Sacred Space, for those who seek solitude  
Communion Space, for those who share the love...  
Of the written word  
The record of history  
Touch of fine paper  
Weight of the bound book word

Our children will be harboured by the "Rose Dorothea"  
Beneath her sails they will enjoy storytimes  
Some may learn to write their first poems  
Others will sailaway on the internet

We will sail on into the 21st century  
in The Flagship  
of the  
Massachusetts Library System  
With room to grow  
Space to breathe  
and  
Light to find our way

Capital Building Campaign: The Trustees and members of the Capital Campaign Committee, along with community volunteers, continued their challenging pursuit of new donors and new funds for the Library Building Fund.

Reporting directly to the Trustees, the Campaign Committee is led by Trustee and Committee Chair Marcia Fair and Vice Chair Nancy Sirvent, along with Trustee Arthur Pike, Supporter representatives Sandy Fay and Carol MacDonald, and community representative Gail Enos. In 2003, the Committee sadly bade its last good-byes to Roberta Lasley, an inspiring 'mover and shaker' and Library aficionado who passed away in October.

As 2003 drew to a close, the Committee reported a total Building Fund cash balance of \$465,912, with outstanding pledges of \$71,234, bringing the total of money raised to \$537,146 toward the \$1.1 million goal. At year-end, records indicate that 1,014 individuals had contributed to the Campaign since it was launched in July, 2001, many having given multiple gifts over that time period.

Contributions came from supporters all over that United States, 31 states in all, spurring the Campaign forward. This year, these individuals with deep ties to Provincetown responded generously to the invitation to help see the Library building reconstruction and renovation project through to completion.

It is with great appreciation that the Committee extends its thanks to each and every donor to this wonderful community effort to move the Library into one of the Town's most historic buildings. The reconstruction and restoration of this beautiful 1860 building, a defining structure on our skyline, will honor the thousands of residents who have invested their lives, their goods and hard work in Provincetown over the years. Transforming the former Center Methodist Episcopal Church into our new Library only serves to confirm that the Library remains the heartbeat of this community.

Volunteers continue to be the mainstay of this Campaign, helping make the plethora of 2003 special events a success: 1) "Razzle Dazzle Revue" produced by Melissa Becker in February at the Surfside Club, courtesy of Gail and Lenny Enos; 2) Year-rounders in March; 3) "Raise the Roof" benefit produced by Gary Daniels at the Porchside Bar in May; 4) "Dinner and Music with Bobby Weatherbee" organized by John Twomey at his Pub in May; 5) "Vintage Jewelry Sale I" in August; 6) "2<sup>nd</sup> Annual Packard Gallery Reception" courtesy of Artist Anne Packard in September; 7) "Vintage Jewelry Sale II" and 8) "Crone's Luncheon" in October.

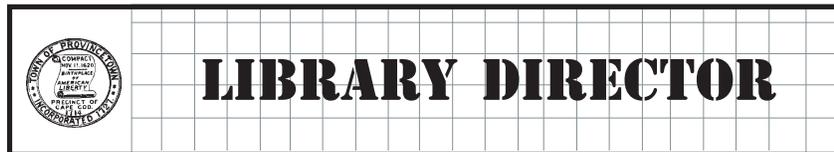
In addition, the Supporters continued to underwrite Campaign expenses and volunteers handled the multitude of administrative Campaign tasks, assuring that every contribution goes directly to building the new Library.

Volunteers who made it all possible include Laurie Allen, Maria Andrews, Dana Berry, Lina Berry, Jane Bloom, Gerry Brennan, Lee Brenner – a leader of the Friends of the Library, Beth Chapman, Lee Ciliberto, Jim Cole, Laura Darsch, Ruby Druss, Bill Ingraham, Maghi Geary, Renee Gibbs-Brady; Joyce Guide, Jean Jarrett, Tanya Leighton, Karen MacDonald, Sheila McGuinness, Bruce Moidell, CJ Noyes, Anne Packard, Leslie Packard, Marie Pittman, Lucille Plante, Paula Post, Barbara Prato, Laine Quinn, Robin Reid, Meg Stewart, Murray Wax, Maureen Wilson, and Mike Wright. In addition, pro-bono graphics were provided by Doug Allen, Sally Brophy and Laine Quinn.

*Respectfully Submitted,*

**James D. Cole**

Chair



While the Library Construction project is scaled back in order to meet the funds available, the completed new Library space, scheduled to open in early 2005, will ultimately offer Library Patrons a wonderful Library facility, specifically:

- A quiet Reading Room on the First Floor;
- New books and audiovisual materials easily accessible on the First Floor
- Major book stacks for the Adult Fiction and Non-fiction Collections with a Reference and Technology Center located on the Lower Level;
- Children's Library, offering spaces for every age group that fully incorporates and historically interprets the Rose Dorothea model;
- An Arts and Literature Mezzanine with quiet spaces and fabulous views of the harbor;
- An elevator, making the building fully accessible to all.

On a daily basis, I marvel at the professionalism of the Town staff who have worked with Library staff and with the Trustees on the new Library Project. David Guertin and Sandy Turner of the Public Works Department offer years of professional experience, which have kept the Library project moving forward. The Building and Grounds Department, and especially our custodian Brian Cowing, keep the Library safe and clean. Treasurer John Fitzgerald sees that every penny of interest is squeezed from the donations and grant funds available. Gary Delius and the staff of the Information Systems Department not only maintain the Library's 18 computers but provide a technical sounding board for thoughts and ideas that result in greater computer access and services for the public. Town Manager Keith Bergman has presented the Library with a sound plan to continue forward with the Library Project. Finally, I have had the great pleasure of again working with Bill Ingraham, the Clerk of the Works of the Library Construction Project. Bill monitors each step of the Library construction, ensuring that the Town's interests are protected.

With the upgrade to the CLAMS software complete, Library staff are working with an increased volume of materials being received as a result of Library patrons requesting materials on their own through the CLAMS online catalog, [www.clamsnet.org](http://www.clamsnet.org). Library staff are now fully trained on the software and, for the first time, are able to search for magazines as well as books. In addition, Library staff are now regularly updating the Library's website, [www.ptownlib.com](http://www.ptownlib.com). Among the many features that Library patrons access are monthly lists of new books, DVD's, CD's and videocassettes added to the collection on the Recent Acquisitions Page, and photos of the new construction site on the New Building/Project Album pages.

As a result of Town funding, the Bill and Melinda Gates Foundation Grant, and donations by community members, the Library now has 11 public access computers with printers. In addition, many laptop users visit the Library on a regular basis to take advantage of the Library's wireless network.

The Library Trustees, Supporters and Friends: Maghi Geary left the Board last May after serving 3 full terms. Her hard work, generosity, and sense of humor are missed at meetings, but Maghi is always there for the Library as a friend and volunteer.

My appreciation for the dedication and effort that the Library Trustees contribute to the Town on a regular basis is difficult to express. Jim Cole, Marcia Fair, Arthur Pike, Anita Berman and Carol Noyes make serving the Town a pleasure. Besides monitoring Library policies and representing the Library at functions at the local, regional and State level, the Trustees have dedicated themselves to ensuring that the fundraising goal for the new Library is met while fully participating in the planning of the new Library and monitoring the daily progress at the construction site.

Each Trustee has adopted a role: Jim Cole provides direction at meetings and is always a phone call away for advice and support; Marcia Fair spearheads the Capital Campaign and because of her efforts and those of the many volunteers serving on the Campaign Committee, the Trustees are nearing the half-way mark of their fundraising goal; Trustee Carol "Cj" Noyes has adopted merchandising and is photographing and videotaping the Building Project for use on the Library website and for posterity; Anita Berman helps to promote Library programs and services; Arthur Pike's keen analytical mind helps us interpret and communicate data. Of special note, last Summer, Arthur Pike testified at the State House in support of Library funding.

The members of the Supporters of the Provincetown Public Library continue to fund the expenses of the Capital Campaign, which means that every dollar that is donated to the Building Fund goes directly towards the Library Building Project. In addition to this fundraising effort, this year, the Supporters have taken a leadership role in helping to restore the exterior of the new Library by establishing a "Belfry Restoration Fund."

The Friends of the Library are raising additional funds to help furnish the Children's Room of the new Library besides continuing to fund the Library's Children's Programs and the Library's "Wish List".

I am gratified to be working with an exceptionally dedicated and professional staff. Library Operations Director Karen MacDonald sees that Library patrons' questions are answered, trains Library staff, and enthusiastically works with community members on Library programs and services. Children's Librarian Renee Gibbs-Brady works vigorously to anticipate the next request ensuring that the Library has already ordered a title before a patron requests it. Technical Assistant Elaine Quinn is responsible for every magazine that comes into the

building, for those tax forms that we cannot live without, and for seeking out and training our volunteers.

There are three new faces on the Weekend Staff roster. Andrew Aull and Nancy Sirvent have been hired as new On-Call Weekend staff, and Martha Hyams now substitutes for Linda Schlecter and Marti Knapp for many Saturday Story Hours and also works on the front desk. All three add new energy, enthusiasm, experiences and perspectives to our dedicated staff. As a result of these new hires, the Library is now open on Sundays year-round. Library hours are:

Sunday	1:00–5:00	Thursday	Noon–8:00
Monday	10:00–5:00	Friday	10:00–5:00
Tuesday	Noon–8:00	Saturday	10:00–2:00
Wednesday	10:00–8:00		

The Library's Front Desk Staff and Volunteers – Andrew Aull, Lee Ciliberto, Martha Hyams, Jean Jarrett, Carol MacDonald, Diana Maher, Cj Noyes, Nancy Sirvent, Mary Smith, and Linton Watts –always deserve recognition and thanks from the community for their hard work and dedication. Gerry Brennan and Wendy Willard worked hard shelving all the material that was returned. We are indebted to the Council on Aging's Senior Tax Program for funding Gerry and Wendy's hours. Volunteers Andrew Aull, David Carrino, Dean Coddens, Kevin Aeh, Carol MacDonald, Gene Meredith, Paula Post, Bernard Rolland, Nancy Sirvent and Pat White helped Library Staff shelve the 51,248 items borrowed by Library patrons this year. Volunteer Pebo Bohannon again beautifully maintained the Library's gardens, and Cecilia Hall helped to keep our indoor plants healthy. In addition, Junior Volunteer Pages Patricia Sendao and MacKenzie Kiefer enthusiastically helped keep the Children's Room in order.

Children's Librarian Renee Gibbs-Brady ran an extremely popular and successful Children's Program this year. Storyteller Linda Schlecter helped run the "Zero to Three" Program at the Community Center (in the off-season) and at St. Mary of the Harbor (in the Summer). We are grateful to these organizations for their trust and generosity in lending us their space. The theme for this year's Summer Reading Program was "READ! THINK! CREATE!" Renee and Diana Morton, the Summer Reading Program Assistant, planned a different activity for every day of the week throughout the Summer. The hard work and generosity of the Friends of the Library and their Book Sale Volunteers, and the generosity of the members of the local business community makes these series possible. In addition, last Winter, Renee worked with the Fellows at the Fine Arts Work Center to offer a very successful poetry series for Children.

In order to maintain the current Library hours and services, and in response to the many cuts to the State and Federal programs upon which the Library has

relied for supplemental operating revenue, the Library Trustees decided to begin to charge Non-Massachusetts Residents who are not Provincetown taxpayers a \$25.00 annual fee for a Library card. The Library Trustees are also investigating ways to recoup the printing expenses associated with public Internet use. In addition, all the CLAMS Libraries have agreed to charge the same late fees and use the same borrowing periods, making it easier for Library patrons to keep track of the material they borrow and to make the calculation of late fees more efficient and fair.

In 2003, residents borrowed 51,248 items. The Library's collection contains 30,910 volumes. The Library borrowed 6,586 items to satisfy the needs of patrons for material our Library does not own and loaned 6,812 volumes of materials to other Libraries for use by patrons in other communities. Each one of these statistics represents work performed by Library staff and volunteers ranging from finding the material for the patrons (both within our walls and beyond), preparing the item for loan and delivery, checking the items out and back in, and re-shelving the materials when returned.

This Fall, Library staff conducted a patron survey. Patrons indicated appreciation for the Library's new DVD collection; appreciation for the quantity and distribution of Library hours; and an expressed interest in programming on genealogy, local history and computer skills. Library staff will work this year to address those needs.

This year, the Library received \$24,174 in grants and gifts. These funds included \$3,450 as part of a three-year Operational Support grant from the Massachusetts Cultural Council; \$7,873 from the Massachusetts Family Network for the "Birth to Three" Program for Children and their Families; and \$10,000 from the Massachusetts Board of Library Commissioners for a grant for Children's programs and materials entitled "Mother Goose Asks 'Why?'" Library patrons also contributed \$3,996 to Library fines and \$400 to the Gift Fund.

Today's Libraries must keep a watchful eye on federal legislation and judicial decisions. This summer, the American Library Association lost its battle at the U.S. Supreme Court level with the Federal Government over the Children's Internet Protection Act. In response, the Library Trustees adopted a policy not to filter the Library's public computers and to reject federal funding for computer technology. In May, in response to the USA Patriot Act, the Library Trustees adopted a set of policies and procedures for Library staff to follow in the event that the Library staff are approached by a Federal Law Enforcement Agency.

*Respectfully Submitted,*

**Debra DeJonker-Berry**

Library Director



# RECREATION DIRECTOR

The year 2003 was highlighted by ongoing progress towards our goal of building a skatepark for the youth of Provincetown. Article 4-5 of the 2003 Annual Town Meeting appropriated \$50,000 towards construction of a skatepark in the northwest corner of the Jerome Smith parking lot. A smooth concrete surface was laid and fencing installed around the perimeter. The first shipment of ramps and obstacles was assembled by Ray Duarte and his crew from the Highway Department, along with volunteers Wesley Medeiros, E.J. Martinez, John Lambrou and Nathan Herrick. Several local skaters turned out to help and together everyone worked diligently sorting out thousands of bolts and parts and assembling a very attractive beginning of a skatepark. Fundraising activities are ongoing to acquire the additional pieces needed.

Skating of a different sort brought in the new year. Taking advantage of the bitter cold in January we were able to light up the Beech Forest pond for ice skating on weekend evenings, thanks to the generous support of the Provincetown Fire Department and the crew of Ladder Truck #2. The annual Olympic (Table) Games were held at the Community Center. Fun activities for the holidays included trips to disco bowling and ice skating at the rink in Orleans.

The youth basketball teams played intramural games in addition to a full season's schedule with teams from Wellfleet, Truro, Eastham, Orleans, Chatham and Harwich. Also offered in the winter were teen trips to locations around the Cape, for bowling, ice-skating, movies and shopping, and longer off-Cape trips such as skiing. Special game nights were held at the Community Center featuring ping-pong, fozzball, and pool tourneys.

The annual Valentine Dance at the Community Center brought out nearly every kid in the area, and many family members. The parent/child basketball games at the culmination of the season filled the gym to capacity, and once again the children showed the adults how the game should be played. The Toddler Reading Program, sponsored by the Provincetown Public Library, and parent/toddler movement classes were among programs that were very well received through the winter.

Spring was ushered in with some fun and successful events. The Easter Egg Hunt, sponsored by Marcey Oil Co., drew a large flock of children into the Provincelands and they were well rewarded with candy and prizes beautifully served up by Jon and Wendy Salvador. Also offered in April were the Spring

Dance, movie specials, theater games and parenting courses. Little League baseball and softball continues to be one of the most popular activities, and children and families look forward to the season and the awards cookout which caps the season. The annual Fishing Derby was again held in conjunction with Blessing of the Fleet activities.

The children's summer day program was once again very well attended. Popular summer events were a poetry slam for children, plays, movies, songwriting clinics, cookouts, fishing trips, tennis, baseball, basketball, and lots of swimming. New Assistant Recreation Director Tracy Roderick came on board in July, bringing huge infusions of energy and creativity.

In the fall, the Recreation Department joined with the schools to offer a wide array of after school programs, including soccer, dance, arts & crafts, board games, theater, karate and writing. Also in September new programs offering child care and enrichment services were offered in conjunction with The Children's Place. The Halloween Parade, once again held in conjunction with the Library and the Pilgrim Monument, brought out every ghoul and zombie in the vicinity, many of whom attended our Halloween Dance.

The youth basketball teams again participated in the Outer Cape Basketball League, uniting young basketball players from Truro, Wellfleet and Provincetown, Eastham and Orleans, along with tournaments to include towns from further up Cape. New programs offered included youth football and the Clam Club, which showed kids the delights of gathering their own clams in the flats. A great new aerobics class for adults began in December. The Thanksgiving holidays were highlighted by youth dances at the Community Center. Also offered through the holidays were chess and checkers tournaments, open gym for kids, movies and trips around the cape.

The success of so many events is made possible through the generous donations by local citizens and businesses, and many wonderful volunteers. The Recreation Department would like to thank the members of the Recreation Commission, Candy Silva, Bob Cahill, Dawn Henrique, Jill Macara, Susan Cook and Treg Kaeselau for their invaluable support. Also thanks to Johnny Adams, Larry and Cynthia Luster, Marie Pace, Madeline Miller, Loretta White, the Public Works Department, especially Buildings and Grounds and the Highway Department, the School Department, and all the coaches, umpires, high school students and the parents who worked so hard on so many projects.

*Respectfully submitted,*

**Dennis J. Clark**

Director of Recreation



## VETERAN'S AGENT

The Veterans Services Officer conducts investigations, processes paperwork, counsels and provides referrals as well as perform other numerous services for veterans, widows and dependants. Three veterans, widows, or dependents who received benefits in 2003 and the total benefits distributed equaled \$7310.00. The town is reimbursed 75% of these funds. Applications for Veterans Benefits and assistance under Chapter 115, Veterans Pensions, Widows Pensions and all other Veterans Services may be initiated at the Office of Veteran's Services, Room 16 at the Grace Gouveia Building, 26 Alden St, Mondays and Thursdays from 9 am – 5 pm.

*Respectfully submitted,*

**Earle H. Chaddock**

Veterans Services



## VISITOR SERVICES BOARD

The Visitor Services Board (VSB) is pleased to report that in spite of national and international issues, weather worse than in most memories, and an overall shaky regional economy, that Provincetown again led the Cape, proportionately, in the number of guests to our town. In actual count we're reported to be fourth on the entire cape including the islands.

While we had a strong summer season, a few of our themed events suffered from the weather, though fortunately most did well and continued to draw guests to the town. We saw our first Drum & Bugle Corps event, with over 8,000 guests, as well as our first Birdman event with over 3,000 guests utilizing our new McMillan Wharf. A number of our core events such as the Cabaret Festival, Film Festival, Portuguese Festival, Fall Arts Festival, Swim for Life, Woman's Week, Mates Leather Weekend, Single Men's Weekend and Schooner Regatta all reported good figures compared to the previous year.

The VSB via the Town and Board of Selectmen gave over 21 grants to various organizations to assist them in running their events in Provincetown.

It is of note that the Town was featured in over 57 published stories about tourism and tourism related newsworthy articles throughout the United States

and abroad during 2003, and hosted the Annual Foreign Workers Celebration held in June.

Our Tourism Director Patricia Fitzpatrick deserves strong accolades for her energetic efforts to serve Provincetown. Patricia has traveled not only to France to assist in bringing the 2005 Eugene O'Neil Society meeting to us, she has also traveled to Brazil and continues to work with Delta Vacations to bring Brazilian visitors on a package tour to Provincetown in 2004.

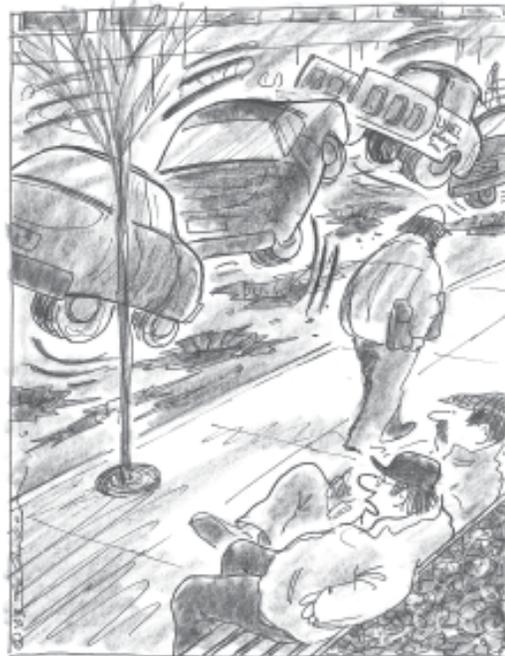
We had a record number of bus tours visit us in 2003. The Tourism office has been working with the American Bus Association to bring more overnight bus tours, and has worked on developing a Waterfront Park to improve the looks of the Municipal Parking Lot and Lopes Square. The shuttle also continues to serve the Town well during May - October with the assistance of VSB funding, the CCRTA and the National Seashore. We have the best utilized shuttle on the Cape and our now considered a National model after but three years in operation.

The VSB will strive to continue to bring more stability and financial growth by enhancing, developing and supporting the Town through Tourism.

*Respectfully submitted,*

**Steve Melamed**

Chair



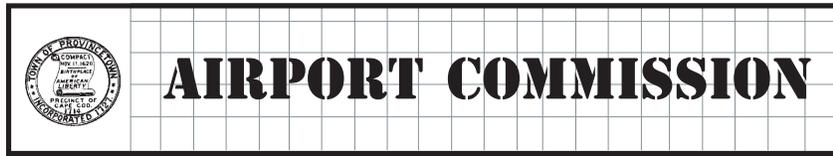
*Artist Howie  
Schneider's wry  
observation on sewer  
construction in  
2003.*

*"Detourism" is the winter industry of Provincetown."*

## **PUBLIC WORKS**



*Sewer construction along Commercial Street - 2003.*



The Provincetown Airport Commission is pleased to report another successful year at our municipal airport. We survived our closure in the fall of 2002 for complete reconstruction of our runway; and were fully up and in operation by January of 2003. We now have a slightly longer runway with runway safety overrun areas at each end of our runway. The new runway lights, instrument landing system and approach light systems are working very well.

Future projects include enhanced airport security fencing as mandated by the Transportation Security Administration, as well as further reconstruction and repaving of taxiways and aircraft parking areas. As usual, 95% of the funding will come from Federal and State sources. Thanks to the Federal Aviation Administration and the Massachusetts Aeronautics Commission for their ongoing assistance.

The changing security environment has resulted in fewer emplanements out of Provincetown this year, but we are working in conjunction with our scheduled carrier, Cape Air, to try and negotiate ways to make security for outbound passengers less cumbersome. We have also worked with the Town Treasurer and Board of Selectmen to create and maintain a workable budget.

As usual, the Commission would like to thank Cape Air, and particularly President Dan Wolf for his ongoing commitment to Provincetown both by maintaining reliable, safe and efficient air service, as well as support to the community at large. We would also like to thank Airport Manager Arthur "Butch" Lisenby and the remainder of the Cape Air staff for their continued excellent service.

*Respectfully submitted,*

**Leonard H. Alberts, MD**

Commissioner



2003 was a year of planning for the Beautification Committee. While we did oversee the completion of the plantings at the Town Green, and our usual project of planting flowering plants at Lopes Square and in front of the Post Office in the Spring (the labor generously donated by member Jennifer Crooks and her crew

from *Garden Renovations*), the bulk of our resources and planning time went into an exciting joint project with the Visitor Services Board and Public Works Department.

The first phase of a broad plan for the renovation and joining together of Lopes Square, the Provincetown Waterfront Park, Municipal Parking Lot, and Transportation Center will be realized by spring of 2004. The renovation of Lopes Square, an area that sees more tourists every day in season than just about any other block in town, will address the needs of the people who frequent Lopes Square. Beginning from the ground up, lovely paving stones will replace the white shells on the ground. More seating (matching the benches on the new pier and all over town), better lighting, and the creation of safer pedestrian crosswalks are also planned. The renovation will include a memorial to Provincetown fishermen lost at sea.

The remaining phases of the project will be a complete make-over for the Waterfront Park, with matching paving stones and benches, more plantings, new plantings at the Transportation Center, and new paved sidewalks and crosswalks all around the area. The final effect will be a much more cohesive and welcoming Waterfront area for the Town of Provincetown.

Thank you, citizens of Provincetown, for continuing to provide funding so projects like this can become a reality.

*Respectfully submitted,*

**James Mack**

Chair



The Harbor Committee’s Mission Statement is: “To assist in the preservation, enhancement and protection of Provincetown Harbor. To balance the needs of all its users while ensuring minimal negative impact on its traditional uses, ecological balance, natural resources and visual aesthetic. To review and revise the Harbor Plan to reflect these goals.” The Harbor Committee is responsible for the Harbor Plan, Harbor Regulations: Mooring Fees and Shellfish Regulations and is also responsible for monitoring the Harbor Access Gift Fund from monies collected from Chapter 91 filings. The Harbor Committee is appointed by the Board of Selectmen and consists of 5 members and one alternate as approved by Annual Town Meeting vote in April 1997.

The Harbor Plan was approved by the state in May 1999 and must be reviewed according to state regulations every 5 years. 2003 was a busy year for the Committee, which often met on a weekly basis. We formed several subcommittees to review the six chapters of the plan (Land Use, Water Use, Public Facilities, Chapter 91 Licensing, Long Term Plans, etc.). In its present state the Harbor Plan is very lengthy and extremely difficult to read. We are attempting to eliminate redundancies and inaccuracies in an effort to make the Plan more “user-friendly”. Some of the content is unwelcome and inappropriate to Provincetown harbor and our committee wants to change that. We have held and will continue to hold public hearings for input in order to finalize changes to the Harbor Plan to present to Annual Town Meeting in Spring 2004. The Harbor Committee also reviewed and approved changes to the Harbor Regulations: Mooring Fees as recommended by the Marine Superintendent. The Board of Selectmen approved these changes in December 2003.

Public Town Landings were identified by signage with assistance from AmeriCorps-Cape Cod, which also tagged abandoned boats that were later removed by Public Works department staff.

In 2003, the Harbor Committee submitted an application to AmeriCorps-Cape Cod for a volunteer to research records and deeds for historic rights-of-way and coordinate Chapter 91 licensing for the committee and assisted in issuing the Town Harbor Guide, a helpful informational map.

*Respectfully submitted,*

**Gerard Irmer**

Chair



Major projects throughout 2003, coupled with the need to deliver essential services on a daily basis, made for a most interesting year.

**MacMillan Pier Project:**

The MacMillan Pier Project was essentially completed within budget. We have had many compliments from residents, visitors and users on the beautification and rehabilitation the project provided. In the late Fall of 2003 the pier experienced major damage to the floating docks when the Town was hit by a Nor'easter. Efforts to correct the damage and prevent future occurrences are ongoing.

**Library Building Project:**

The groundbreaking for the new Library building was November 13, 2003. The old Heritage Museum, home of the new Library, has been gutted and is in the process of having a new foundation installed. Fundraising by the Board of Library Trustees and Friends of the Library continues with renewed vigor to meet their goal.

**Solid Waste & Waste Recycling:**

Transfer Station income generated from fees last year totaled \$200,000. The department's goal was to develop a fee structure so residents are not and will not be subsidizing the cost of the disposal of commercial waste. The amount of solid waste tonnage handled this year was 4631 tons, which was a significant increase of 116 tons over last year. The amount of recycling in the same period was 889 tons, which is a significant decrease of 161 tons. In 2003, the Swap Shop opened and has been a great success with high utilization by townspeople. This remains a no cost service and we want to thank our volunteers who man the facility.

**Water Department:**

Water withdrawals decreased in calendar 2003 by 2.0% for a total of 311.12 million gallons. This figure put us just about even with the compliance level of 850,000 gallons per day. The Water Enterprise budget fell short for FY-03, which forced staff to provide and recommend a water rate increase to the Water Sewer Board, which was approved in 2003. We are now entering the fourth year of analysis for a new water source. Working in part with US Geological Service and in part on our own, the understanding of the aquifer and the dissemination of that information have brought us to the point of cooperative investigations. This past year we have dropped test wells on two parcels of property located in Truro known as North Union Field and C-5 indicating that they could be viable resources for additional water.

**Wastewater:**

The Wastewater Treatment Plant came on line and began to accept waste on July 16, 2003. Major pipeline work was completed before Summer of 2003. Crews continued off road work for specific property connections throughout 2003. Work crews will be returning in March to complete final sewer connections. A total of 484 properties will be served when all are connected.

**Building and Grounds:**

The Buildings and Grounds Department continues to provide many cost saving projects for Town property, including the Pier, Manor, Library, Police Station, and Fire Stations and the rehabilitation of the Winthrop Street Cemetery. They also performed 16 burials, brought a new level of care to our Cemetery and provided us with a five-day a week, 7:00 AM litter patrol program that helped keep our streets and sidewalks clean.

The Public Works Department is challenged daily with maintaining essential services while also providing a first line of defense for the Town, and protecting the Town's interest throughout ongoing construction projects.

*Respectfully submitted,*

**David F. Guertin**

Public Works Director



In 2003 the Provincetown Water and Sewer board members, Anne Lord, Lucille Plant (retired), Terry Siegel, Sacha Richter, John Cilucci, and Chairman Jonathan Sinaiko attended over 16 scheduled meetings. The board worked with the staff of the Provincetown Department of Public Works to guide the town through the final construction and start up of Phase I of the sewer project. The members reviewed for final approval: hook-ups, opt-outs, and betterment assessments. Additional gallons that became available through this process were then imputed into a matrix designed to prioritize as objectively as possible properties in need of a hook-up.

While overseeing the sewer project the board continued to work with the DPW and Water Superintendent regarding testing of the SCADA alarm system, which monitors both the sewage treatment system and water distribution system (well fields, pump stations, water tower) for malfunctions. The system failed to send an alarm of a 4.5 million gallon leak in 2002. The cause was a programming and hardware problem that was corrected by Water Superintendent Louis Briganti. We would like to thank Louis Briganti for his technical expertise in solving this problem.

The board also continued to oversee the search for additional well sites in order to fulfill the state requirement for a redundant supply of water. Test wells have been drilled and one site appears very promising. The board held a public hearing on a water rate increase and instituted a 60% increase for high end users. These additional funds will not only cover the cost of supplying water, but help pay for development of a new well field and water tower maintenance.

It is the goal of the board to continue to find additional ways to not only inform the public of the need to protect our water supply through conservation, but also develop and initiate regional policies that would do so as well.

*Respectfully submitted,*

**Jonathan Sinaiko**

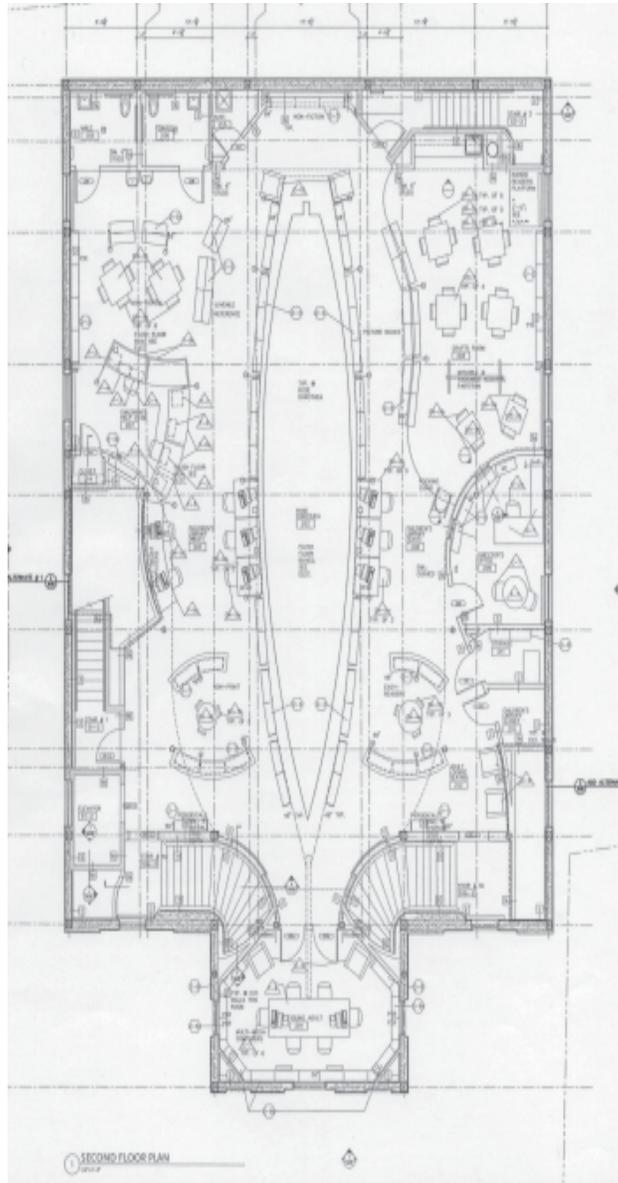
Chair



*Sewer construction on Bradford Street (top) and the corner of Standish and Commercial Streets (below). Over 650,000 feet of sewer pipe was installed throughout the town in 2003.*



# PUBLIC SCHOOLS



*Library Second Floor plan in new Heritage Site featuring the scale replica of the Rose Dorothea.*

	<h2 style="margin: 0;">SCHOOL BUILDING COMMITTEE</h2>
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Renovations to the Veterans Memorial Elementary School (VMES) and Provincetown High School (PHS) were completed in July 2003. The total cost of the project was \$7 million, of which 60% will be reimbursed by the Commonwealth of Massachusetts. The Provincetown School Building Committee is pleased to report that it is concluding its oversight of the program planning, architectural design, construction bidding, construction management and fiscal control of the Town’s \$7million appropriation for the renovation of the Veterans Memorial Elementary School and Provincetown High School. The Committee would like to point out that while the foremost priority of the project was to improve the ability to provide quality education, the vast majority of the expenditures of funds were devoted to eliminating years of deferred maintenance, to bringing both facilities up to current safety and fire codes, to eliminating asbestos, and to updating infrastructure systems to improve efficiency. The two facilities with approximately 100,000 square feet of space will continue to require annual maintenance and replacement to maximize the \$7million already invested.

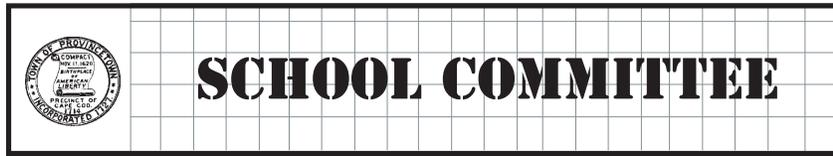
The Committee is pleased to report that the design of the project has created a significant new community asset. The newly renovated area in the former industrial arts wing, the gymnasium, media center and auditorium are so situated that they can meet not only the needs of the high school population but be made available for a wide range of community use in extended hours without requiring opening the entire school complex.

The Committee would like to recognize and thank the many individuals who made the project a success; foremost, the citizens of Provincetown, Lois Borgesi, former School Committee Chair, Dr. Susan Fleming, former Superintendent, and David Guertin of the Department of Public Works. The building project could not have accomplished as much with the funds available without the cooperation and sacrifice of the school administration, teachers and students and parents who endured two years of construction in cramped quarters so that we could empty each building for the renovation. These challenges were met under the leadership of Dr. Colette B. Traylor, Superintendent of Schools. The project was greatly assisted by the services of Richard Marks, Project Manager for Daedalus Projects Incorporated. Betty White, School Business Manager, was chiefly responsible for maintaining all financial records throughout the project.

*Respectfully submitted,*

**Burton Wolfman**

Chair



The Provincetown School Renovation Project is now completed. Students, staff and administration that spent last year cramped in the Annex are now enjoying their newly refurbished, state of the art, facilities. While the physical plant underwent renovation, the administration and School Committee restructured and improved the curriculum. Through the efforts of the Provincetown Professional Curriculum Team, English, math, science and social study curriculums were rewritten to align more accurately with the guidelines of the educational mandates of the State of Massachusetts. This was accomplished by the development of instructional processes that are individually organized to meet the needs of each student, and tailored to the variations in needs among learners. The success of our new approach to learning can be gauged by the improvements made by the students in MCAS scores and in other standardized testing used to measure student achievement.

In the Fall of 2003 the High School received its accreditation. During the process of accreditation, the District realigned the professional staff to insure that all professionals were teaching only those subjects in their area of certification. While examining our curriculum changes and staffing needs during the past two years, the District eliminated all extraneous staff positions in the direction of creating the most fiscally responsible budget in the midst of improving our delivery of educational services.

The School System generates over a million dollars of revenue each year through tuition, grants, and other related revenues. Most of this income goes directly into the General Fund of the Town of Provincetown to offset the per pupil costs, making our bottom line per pupil cost very reasonably comparable to most other school districts.

None of what we as the School Committee do would be possible without the stalwart support and able assistance of those who implement our policies in the classrooms day in and day out, all year long: Anthony Teso, Ed Boxer, and Dr. Colette Traylor. Anthony Teso, VMES Principal, who also serves as Director of the Special Education Program, comes to us from having served as coordinator of Special Education in the Everett Public School in Everett, Massachusetts, and as Administrator for Special Education and Assistant Principal of the Seven Hills Charter School in Worcester, Mass. Edward Boxer, Principal of the Provincetown High School, has moved up from many years as an educator and administrator at the High School. Dr. Colette Traylor, Superintendent of Schools, comes to us with

a Ph.D. in Special Education and Administration, and post-doctoral certification in Educational Leadership. Dr. Traylor has been instrumental in providing clearly focused educational leadership experiences that promote excellence. Under Dr. Traylor’s leadership, the School Committee has and continues to improve the current curriculum with the addition of cultural and environmental learning opportunities to widen the breadth of the curriculum offerings.

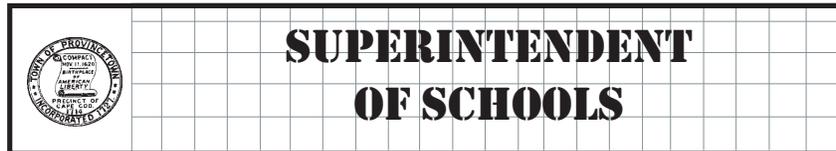
The School Committee would also like to thank the hard-working, dedicated members of the Provincetown School Building Committee, most of whom labored for years without much public acclaim: Burt Wolfman, Chair; David Condron, Paul Silva, Mark Ford, Anthony Teso, Ed Boxer, Fran Manion, George Thomas, Ted Dubsy and Peter Grosso. They all served vigilantly, and their hard work paid off in an amazing product, wondrous to behold. I also want to send a special thank you to those who day in and day out hold these policies together by receiving and dispensing the valuable communications by which all the committees and staff function; they are our heartbeat: Alma Welsh, Betty White, and Sally Tighe, our tireless administrative office staff, Madonna Tasha, who anchors the desk at VMES, and Pamela Silva, who does the same at the High School. To all the devoted teachers of VMES and the High School, who teach, motivate, and inspire our youth, who open up young minds toward a better future, thank you.

Special thanks to Provincetown School Committee Recording Secretary Sheila Colburn and to my colleagues, Peter Grosso, Vice-President, Dr. Frank Wills, Secretary, Deb Trovato and Molly Perdue, whose professionalism, dedication, and vision have enabled the School Committee to do its job for the young people of our school district. Thank you, one and all.

*Respectfully submitted,*

**Terese Nelson**

Chair



The Provincetown School District continues its mission to provide appropriate educational, social, and cultural experiences for its students from Pre-K through Grade 12. The school district continues to strive to meet the needs of each student, maintains high levels of expectations for academic achievement, and seeks to develop new and creative educational programs.

In 2003, the School Committee continued under the leadership of Terese Nelson, Chair; Vice Chair, Peter Grosso; and Committee members, Debra Trovato, Dr.

Frank Wills, and Molly Perdue, who was elected to replace William N. Rogers II as the fifth Committee member. Sheila Colburn served as secretary to the School Committee. Dr. Colette B. Traylor continued her work as Superintendent of Schools; Edward Boxer, as Principal of Provincetown High School; and Anthony Teso, as Principal of the Veterans Memorial Elementary School who is also the district's Administrator of Special Education.

The School District experienced many changes during the year 2003. Major initiatives were launched and completed. The District was reviewed by several external professional authorities to ascertain its conformity with educational goals and its compliance with state and federal mandates. Following an eighteen month self-assessment along approved professional goals, the high school received a team of professional experts from the New England Association of Schools and Colleges (NEASC). The team was commissioned to evaluate the School's practices and procedures during the week of March 16<sup>th</sup>. During the fall of 2003, the Commission on Secondary Education of the New England Association of Schools and Colleges voted to grant Provincetown High School reaccreditation. Veterans Memorial Elementary School launched its eighteen month program review in anticipation of a field review by NEASC for its reaccreditation.

Following nearly twelve months of preparation, the Massachusetts Department of Education conducted a field visit with personnel evaluating the infrastructure and operations of the district in special education; in the design, development, and management of Title I, a federal grant earmarked for students whose families are economically challenged; and, in the district's compliance with Civil Rights laws and practices. The review was held during the week of May 12<sup>th</sup>.

In addition, major activities took place within the district and they focused on several key areas, including the reopening of Provincetown High School. The relocation of interim High School programs, scheduled during the past year in the Annex, and those located at Veterans Memorial School were permanently relocated to Provincetown High School.

Numerous educational initiatives continued to be implemented. The curriculum division, headed by Jessica Waugh, completed a standards-aligned curriculum guide in social studies and began its work towards a health curriculum. The district's MCAS scores reflected considerable improvement to the credit of a shift in instructional practices and the commitment of the district's teachers to work toward this goal. A new Mathematics program was researched, selected, and implemented from Grades 1 through 8; the program was selected because it is closely aligned to the Massachusetts Standards in Mathematics. In addition, considerable time and energy were expended to address the extensive

requirements of “No Child Left Behind.” The School Department continued with its regular radio program through WOMR informing the public about its programs and progress.

**Veterans Memorial Elementary School:** The Veterans Memorial Elementary School was finally reconstituted as a Pre-K to Grade 6 school. For the first time in several years, the School enjoyed its new appearance and its true status as an elementary school. A new initiative was launched by the PTA and supported by numerous contributions from community groups to design and install a new playground to accommodate K through 6 students and one for the Pre-school students.

**Provincetown High School:** The relocation of the high school into its permanent site was also a logistically difficult process. Merging educational supplies from two sites and relocating all the materials stored for the past year into six large storage bins commanded the attention of all teachers, custodians, and support personnel. During the fall of 2003, the Building Committee and the School Committee began to plan to open the schools to the public and to officially turn the building over to the School Department. A new initiative was launched to restore the High School’s tennis courts. The School Department opened its doors to the Provincetown Theatre Group to schedule theatrical productions for children. The affiliation was launched with the performance of “The Wizard of Oz” held at the High School auditorium in December. A newly designed Culinary Arts program was implemented and is a training site affiliated with the Massachusetts Restaurant Association. Students can obtain college credits in addition to certification in the field through active participation in this program.

**Personnel:** Faculty changes took place for the onset of the 2003-2004 school year. Several faculty members retired or resigned from the district and their contributions are gratefully acknowledged. Faculty who left the district included Johana Conklin, Gwen Eiger, Mark Ford, Rick Leighton, Deb London, and Katherine Dundas.

New faculty members hired included Theodore Dubsky, Director of Technology; Nathaniel Bull, Industrial Technology Teacher; Janice Newell, Teacher of Technology; and Elizabeth Wentz and Heather Peters, Special Education Teachers. New appointments in the district included Robert McKay to Guidance Counselor; Jessica Waugh, to Coordinator of Curriculum; Lisa Colley as Athletic Director; and, Larry Brownell, to Coordinator of Buildings and Grounds. Melanie Braverman was appointed as Adult Education Director and began to plan a winter program for the community.

**Acknowledgements:** It is, once again, that I report on the huge successes of the Provincetown School District during the past school year. I do so with pride and

with sincere appreciation. I am truly grateful to the members of the community as well as the School Committee, the administration, faculty and staff that continue to strive to meet the needs of all of our students. We are grateful to all who have provided us with support and assistance during the past year. I would like to take this opportunity to acknowledge and thank all the efforts of the members of Department of Public Works who assisted us greatly in our move this past summer and to those municipal departments that have assisted us in countless ways. A special acknowledgement to our custodial staff for all the work completed that went above and beyond in coordinating the huge task of moving out of and relocating into buildings.

*Respectfully submitted,*

**Colette B. Traylor, Ph.D.**

Superintendent of Schools



Patience, perseverance, and persistence were the prime ingredients for the recipe for a successful school opening this year as we completed a year of renovation of our facilities. Although there was a punch list of projects needing attention, everyone's positive attitude permeated the air, which, in turn, kept spirits high. We are now enjoying the bright, spaciousness of the classrooms, media center, cafeteria, and the new Fine and Practical Arts area. It is the feeling of all involved that it was well worth the wait!

I am also pleased to report that in the Fall of 2003 the Commission on Public School has voted to award Provincetown High School continued accreditation in the New England Association of Schools & Colleges. The Commission was impressed with many of the programs and services at Provincetown High School, specifically citing the school's strengths related to the Standards for Accreditation on Leadership and Organization and Community Resources for Learning.

Specifically, the Commission commended Provincetown High School for:

- the inclusion of all school constituencies in defining the school's mission and expectations for student learning
- the school's culture and spirit that support the mission and expectations for student learning
- the many and varied opportunities provided to students by administration, faculty, and support staff to extend the course work beyond the school campus
- the offering of numerous opportunities of authentic application of knowledge and skills

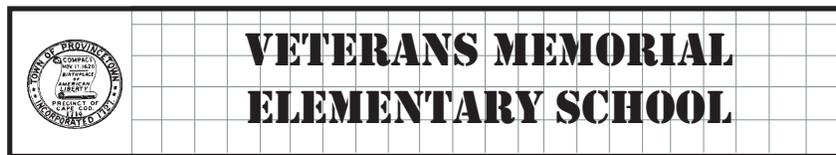
- the addition of a professional development/curriculum coordinator
- the personalized instruction and accommodation of individual learning styles
- the school committee and superintendent's continued support in effectively guiding the school community
- the community's commitment to the students of Provincetown High School
- the community's involvement in school programs such as the Academy of Arts, Science and Technology; the internship program; and the school's spring musical
- the school committee and community's success in securing funding and successfully planning and implementing a total renovation of the high school facility
- the outstanding school/business/community partnerships that make learning experiences beyond regular course offerings and the school campus available to all students"

My sincere thanks and appreciation go out to the students, faculty and staff, Superintendent of Schools, School Committee members and most especially to the community for making it all possible.

*Respectfully submitted,*

**Edward G. Boxer**

Principal



Veteran's Memorial Elementary School (VMES) is in the process of gaining accreditation from the New England Association of Schools and Colleges (NEASC). A steering committee is in place and staff is in the process of doing the Self-Study required by NEASC. Simultaneously, VMES is undergoing accreditation for the Pre-School Program with the National Association for the Education of Young Children.

In 2003, the Mathematics curriculum has been reviewed and accepted for grades K-8 with the intent of ensuring that our curriculum meets the standards contained within the Massachusetts Frameworks. A thorough examination of our Reading curriculum has been completed as we strive to meet the demands of the federal No Child Left Behind Act. The school continues to work at improving the Inclusion Model for educating students with disabilities. All forty-two children with disabilities are educated within the regular classroom. The Special Education

staff along with General Education personnel has forged excellent working relationships and they continue to provide superlative services to all our students.

The staff will continue to work with the community to provide the best education for Provincetown's children.

*Respectfully submitted,*

**Anthony Teso**

Principal

	<h2 style="margin: 0;">REPORT OF SCHOOL EMPLOYEES EARNINGS</h2>
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Name	Began Service	Education	FY 2003 Salary
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**Administrative Office**

**Superintendent of Schools**

Dr. Colette B. Traylor	2001	Eastern Conn. State Univ. B.S. Univ. Conn. M.A., C.A.G.S., Doctor of Philosophy	\$88,400
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**Administrative Support**

Alma M. Welsh	1979	Burdett Junior College	\$47,840
		Longevity	\$2,600
Betty White	1986	\$47,840	
		Longevity	\$1,700

**Veterans Memorial Elementary School**

**Principal/Director of Special Education**

Anthony P. Teso	2002	Univ. Mass. B.A. Fitchburg State M.Ed. Framingham State, M.A.	\$81,120
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**Title I Reading Specialist**

Barbara Losordo	1976	Kent State B.S. (Funded by Title I Funds)	\$52,395
		Longevity	\$2,100

**Teachers**

Dolores Bazikas	1970	Univ. of Mass. B.S	\$28,625
Helen Motto	1975	Salem State College B.S.	\$52,395
		Longevity	\$2,100
Judy Ainsworth	1983	Keene State College B.S.	\$52,395
		Longevity	\$1,400
Marie Boxer	1993	Fairleigh-Dickinson Univ. B.A.	\$49,220
Elizabeth Francis	1994	Boston College B.A. Lesley College M.Ed.	\$45,593
Mary Beck	1984	Westmar College B.S	\$52,395
		Longevity	\$1,400

Name	Began Service	Education	FY 2003 Salary
Martha Neal	1986	Anna Maria College B.A., M.A.	\$58,742
		Longevity	\$700
Helena Ferreira	2000	Smith College, B.A. (Partially Funded by School Choice)	\$32,747
M. Valerie Valdez	1999	Univ. College of Dublin, B.C.L. Lesley College, M.Ed.	\$41,513
Janice Newell	2003	Cardinal Cushing College, B.A. Univ. Oklahoma, M.A., Lesley College, M.Ed.	\$43,175
Sandra Bostwick	1979	Corning Community College A.A. SUNY @ Cortland B.A.	\$52,395
		Longevity	\$1,400
Madonna Tasha	1972		\$38,365
		Longevity	\$3,000
<b>Media Technician</b>			
Nancy Edwards	1973	Wilkes Barre Business College	\$31,122
		Longevity	\$2,800
<b>Library Assistant</b>			
Judy Ward	1998		\$17,368
<b>VMES Cafeteria</b>			
Claudia Colley	2000		\$17,729
Lawrence DeCosta	2000		\$12,286
Elyse Zandonella	2003		\$6,060
<b>VMES Head Custodian</b>			
Larry Brownell	1975		\$42,036
		Longevity	\$3,075
George Thomas	1980		\$34,013
		Longevity	\$2,375
Xavier McLeod	2003		\$27,821
<b>Provincetown High School</b>			
<b>High School Principal</b>			
Edward Boxer	1975	Farleigh-Dickinson Univ. B.S., M.A.	\$82,160
<b>Guidance Counselor/Athletics Transportation Director</b>			
Robert McKay	2002	Fitchburg State B.S. Boston State M.Ed.	\$61,125
<b>Teachers</b>			
John Hanlon, Jr.	2000	Cornell Univ. B.S., Boston Univ. M.Ed.	\$47,105
Olympia Ciliberto	1972	Merrimack College B.A.	\$52,395
		Longevity	\$2,800
Genevieve Martin	1998	Univ. of Mass. @ Amherst B.A., M.A.	\$48,163
Francis Johnson	2002	Worcester State College B.S.	\$52,395
Susan Avellar	1975	Suffolk Univ. B.A.	\$52,395
		Longevity	\$2,100
James Brizzi	1971	Ohio Univ. B.A., Kent State M.A. Northeastern Univ. M.Ed.	\$60,253

Name	Began Service	Education	FY 2003 Salary
Peter Codinha, Jr.	1981	Yankton College B.A. Univ. of So. Dakota M..A.	\$58,742
		Longevity	\$1,400
Arthur Reis, Jr.	1973	Northeastern Univ. B.S.	\$52,395
		Longevity	\$2,800
Eric Beck	1973	Westmar College B.A.	\$52,395
		Longevity	\$2,800
Nathaniel Bull	2003	State U of NY College @ Oswego, B.S.	\$38,165
Amelia Rokicki	1995	Univ. Mass. B.A. Simmons College M.S.	\$55,568
Margaret Phillips	1989	Indiana Univ. B.A., M.A.	\$58,742
Lisa Kiefer	1986	Trinity College B.S.	\$47,709
		Longevity	\$700
Brian Robinson	1999	Westfield State College, B.A.	\$37,734
Carol D'Amico	1988	Emmanuel College, B.A.	\$45,896
Nancy Scott	2002	Univ. of Georgia B.S.	\$37,734
Dawn Butkowsky	2002	Oneonta State B.A.	\$34,258
Nancy Flasher	1997	Lesley College B.S. Antioch New England M.Ed. (Funded by School Choice)	\$40,606
<b>Director of Instructional Technology</b>			
Ted Dubsky	2003	Worcester Polytechnical Inst., B.A Worcester State College M.Ed. (Funded through School Choice)	\$55,000
<b>Curriculum/Prof. Development Coordinator:</b>			
Jessica Waugh	1980	Sweet Briar College B.A. Fitchburg State M.Ed.	\$58,742
		Longevity	\$1,400
<b>High School Librarian</b>			
Fran Manion	2002	Univ. of Toronto B.Ed. Syracuse Univ. B.A.	\$55,226
<b>Instrumental Music Teacher</b>			
Robert Ellis	2001	Berklee College of Music, B.M.	\$31,517
<b>Music Teacher</b>			
Linda Weissenberger	1977	Univ. Mass @ Lowell B.A. in Music	\$47,709
		Longevity	\$2,100
<b>Art Teacher</b>			
Lisa B. Fox	1977	Univ. of Mass B.F.A. in Ed. and Art	\$47,709
		Longevity	\$2,100
<b>School Based Administrative Assistant</b>			
Pamela Silva	1984	Bay Path Junior College	\$34,871
		Longevity	\$1,900
<b>High School/Guidance Secretary</b>			
Sheila Colburn	2000		\$26,853

Name	Began Service	Education	FY 2003 Salary
<b>PHS Cafeteria</b>			
Brenda Costa	1984		\$17,729
		Longevity	\$1,900
Cynthia Lambrou	2002		\$12,286
Donald Morris	2003		\$6,850
<b>PHS Head Custodian</b>			
Michael Smith	1977		\$36,590
		Longevity	\$2,900
Kevin Littlefield	2000		\$31,178
Jill Sawyer	1999		\$31,862
<b>School Psychologist</b>			
Janice Johnson	2001	Mount Holyoke College, B.A. Assumption College, M.A. Anna Maria College CAGS (Funded by Special Ed. Entitlement Grant)	\$66,279
<b>School Nurse</b>			
Judith Dutra	2001	Paterson G.H. School of Nursing, R.N. Farleigh Dickinson Univ. B.S.N.	\$42,722
<b>Lead School Nurse</b>			
Susan Baker	1999	Emmanuel College, B.S.N. Quincy College, R.N. (Funded by the Enhanced School Health Services)	\$47,722
<b>Special Education Dept/Student Services</b>			
<b>Dept. Secretary</b>			
Sallie A. Tighe	1981	Cape Cod Community College	\$29,371
		Longevity	\$2,200
<b>Teachers</b>			
Marcia Rose-Packett	1981	Lesley College B.S.	\$52,395
		Longevity	\$1,400
Jeanie Peterson	2000	Plymouth State College B.S.	\$46,500
Traci Sheehan	1999	No. Adams State College, B.S.	\$41,060
Judith Stayton	1998	Pennsylvania State Univ. B.S.	\$49,070
Elizabeth Wentz	2003	State Univ. @ Buffalo NY, B.S.	\$49,221
Heather Peters	2003	Connecticut College B.A.	\$24,868
<b>Speech Therapist</b>			
Linda DiBenedetto	1975	Trenton State B.A., M.A.	\$48,203
		Longevity	\$1,680
<b>VMES Paraprofessionals</b>			
Sheree Silva	1988	(Funded through Kindergarten Grant)	\$17,368
		Longevity	\$1,300
Jill Macara	1996	(Funded through School Choice)	\$17,368
Freya Hemley	1995	Northeastern Univ. B.A.	\$17,368
Michael Coelho, Jr.	1998	Oswego State Univ. B.A. Lesley Univ., M.Ed.	\$17,027
Paloma Campillo	2001	Politecnico Grancolombiano, B.S.	\$16,619
Valerie Kepler-Golden	2001		\$15,834

Name	Began Service	Education	FY 2003 Salary
Melissa Youngblood	2003		\$10,558
<b>PHS Paraprofessionals</b>			
Mark Peters	2002	Wesleyan Univ. B.A.	\$16,242
Susan LaBree	2000	Fisher Junior College	\$16,619
Jamie Colley	2002	Pine Manor College B.A.	\$16,242
Abby Morris	2002	Cape Cod Community College A.A.	\$16,242
<b>Athletic Director/Part Time Phys. Ed. Teacher</b>			
Lisa Colley	2002	Salem State B.S.	\$32,747
<b>School Adjustment Counselor</b>			
Maryann Campagna	2002	Lesley College B.S. Rhode Island College MSW	\$45,664
<b>Assistant to Transportation Director/School Bus Driver</b>			
Lucy Hamilton	1998	(Funded through School Choice)	\$12,558

School Committee Members	Term Expires
Terese Nelson, Chairperson	2006
Frank S.G. Wills, M.D., Vice Chairperson	2004
Peter Grosso, Secretary	2005
Debra Trovato	2004
Molly Perdue	2006

#### School Year 2003-04 Calendar

Sept. 1, 2003	Labor Day
Sept. 2, 2003	Prof. Development Day
Sept. 3, 2003	School Opens for Students
Oct. 13, 2003	Columbus Day
Oct. 14, 2003	Prof. Development Day
Nov. 11, 2003	Veterans Day
Nov. 25, 2003	Close End of School Day
Nov. 26th-28th	Thanksgiving Recess
Dec. 1, 2003	School Re-opens
Dec. 23, 2003	Close End of School Day
Dec. 24th-Jan 2nd	Christmas Recess
Jan. 5, 2004	School Re-opens
Jan. 19, 2004	Martin Luther King Day
Jan. 20, 2004	Prof. Development Day
Feb. 16, 2004	Presidents' Day
Feb. 13, 2004	Close End of School Day
Feb. 16th-Feb. 20th	Winter Recess
Feb. 23rd, 2004	School Re-opens

**School Year 2003-04 Calendar - continued**

Mar. 15, 2004	Prof. Development Day
April 16th, 2004	Close End of School Day
April 19th, 2004	Patriot's Day
April 19th-23rd	Spring Recess
April 26, 2004	School Re-opens
May 31,	Memorial Day
June 21, 2004	Prof. Development Day

Senior Early Release Day: May 28, 2004

Graduation Day: June 4, 2004

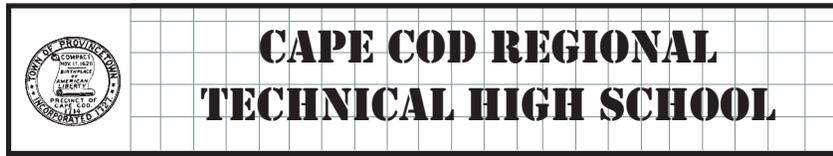
180th School Day: June 18, 2004

185th School Day: June 25, 2004

	<b>2003 - 04 Enrollments</b>	<b>2004 - 05 Projected Enrollment</b>
Pre-K	15	15
Kindergarten	9	9
Grade I	9	10
Grade II	12	9
Grade III	19	12
Grade IV	10	19
Grade V	19	10
Grade VI	10	19
Totals:	103	103
Grade VII	31	21
Grade VIII	24	31
Grade IX	26	24
Grade X	27	26
Grade XI	23	27
Grade XII	25	23
Totals:	156	152
<b>Grand Totals</b>	<b>259</b>	<b>Projected 255</b>

**Cape Cod Regional Technical High School Enrollments**

1992-93	<b>2</b>	1996-97	<b>4</b>	2000-01	<b>2</b>
1993-94	<b>1</b>	1997-98	<b>4</b>	2001-02	<b>4</b>
1994-95	<b>2</b>	1998-99	<b>4</b>	2002-03	<b>3</b>
1995-96	<b>6</b>	1999-00	<b>5</b>	2003-04	<b>2</b>



Cape Cod Regional Technical High School was established in 1973 as a public vocational technical high school. Cape Cod Tech enrolls students from the towns of Barnstable, Brewster, Chatham, Dennis, Eastham, Harwich, Mashpee, Orleans, Provincetown, Truro, Wellfleet, and Yarmouth offering studies in technical programs for students in grades 9 through 12. This year there were 140 students in the Cape Cod Tech 2003 graduating class with 49% of our graduates employed in their trade, 34% going on to further their education, and the remaining 17% of our graduates working outside of their trade or joining the armed services. We had a total school enrollment of 664 students with 59% of our students participating in a cooperative educational experience. We also offer a secondary contingent of adult education, adult and youth employment programs, and an 8<sup>th</sup> grade pre-vocational program.

The New England Association of Schools & Colleges (NEAS&C) sent an accreditation team for the decennial evaluation of our school in April of 2003 and we proudly announce that the NEAS&C voted to continue the accreditation of Cape Cod Tech. This accreditation will last for the next 10 years but there will be a 2-year written review and a 5-year focus visit by the New England Association of Schools & Colleges.

Cape Cod Tech continues to implement two related major initiatives entitled Senior Project and High Schools That Work. The Senior Project was expanded in 2003 to include all technical programs and will become a graduation requirement for all students with the class of 2006. Students will follow a structured plan in choosing a project that will relate to his or her technical field. The High Schools That Work is a whole-school improvement model funded by a three-year comprehensive school reform grant through the Massachusetts Department of Education. The goal of this initiative is to raise the achievement of all students in Reading, Math, Science, and technical shops.

The 2003 MCAS (Massachusetts Comprehensive Assessment System) showed improvement over the previous year in both English Language Arts (ELA) and Math. MCAS English Language Arts (ELA) passing percentages increased 11% in 2003 over the results of 2002 and our MCAS Math passing percentages increased 6% for that same time period.

Our Vocational and Industrial Clubs (VICA) of America had 50 students participating in the VICA District competitions bringing home 20 medals, 36

students participating in the VICA State competitions winning 12 medals, 4 of them gold, with 4 students going onto the VICA National competitions. Our Future Farmers of America (FFA) had 22 students participating in the FFA State Convention bringing home 10 medals and 4 of our FFA students will go on to compete in the 2004 National competition.

Our school has participated in a number of community projects and what follows are a few examples of what our students have accomplished this year. Our Carpentry students took part in completing the Astronomical Observatory project at Dennis-Yarmouth High School; and our Electrical and Plumbing students continued their work on Habitat for Humanity projects. Our Auto Collision Technology students repaired and refinished a Town of Mashpee vehicle and our Cosmetology students participated in a day of beauty for parents of children with cancer.

We continue to strive for excellence in our student's performance both academically and technically.

*Respectfully submitted,*

**Carolyn Crowell**

School Committee Chair

Cape Cod Regional Technical High School District

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## Town Directory

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**Accountant**

508.487.7010

accountant@provincetown-ma.gov

**Airport - Director of Operations**

508.487.0241

**Assessor - Principal**

508.487.7017 ext. 514

assessor@provincetown-ma.gov

**Assistant Town Manager**

508.487.7000 ext. 527

asstownmanager@provincetown-ma.gov

**Board of Selectmen**

508.487.7003

508.487.9560 fax

selectmen@provincetown-ma.gov

**Building Commissioner**

508.487.7020 ext. 515

buildingcom@provincetown-ma.gov

**Council on Aging Director**

508.487.7080

508.487.7082 fax

coadirector@provincetown-ma.gov

**Electrical Inspector**

508.487.7020 ext. 531

wireinspector@provincetown-ma.gov

**Department of Emergency Management**

508.487.7099

veteransaffairs@provincetown-ma.gov

**Fire Department**

508.487.7023

ptfire@provincetown-ma.gov

**Grant Administrator**

508.487.7087

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**Health Inspector**

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**HIV Program**

508.487.7086

hiv@provincetown-ma.gov

**Housing Authority Executive Director**

508.487.0434

pha@capecod.net

**Human Services Director**

508.487.7080

coadirector@provincetown-ma.gov

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**Library Director**508.487.7094  
508.487.7095 fax

libdirector@provincetown-ma.gov

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**Licensing Agent**

508.487.7020

licensingagent@provincetown-ma.gov

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**Manor, Cape End (Nursing Home)**508.487.7090  
508.487.7092 fax

cemadministrator@provincetown-ma.gov

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**Marine Superintendent**508.487.7030  
508.487.7005 fax

harbormaster@provincetown-ma.gov

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**MIS Coordinator**

508.487.7000 ext.538

mis@provincetown-ma.gov

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**Parking Administrator**508.487.7050  
508.487.4077 fax

parkingadm@provincetown-ma.gov

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**Permit Coordinator**

508.487.7020 ext. 533

permitcoordinator@provincetown-ma.gov

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**Police Chief**508.487.1212  
508.487.4077 fax

policechief@provincetown-ma.gov

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**Public Works Director**508.487.7060  
508.487.4675 fax

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**Recreation Director**

508.487.7097

recreationdir@provincetown-ma.gov

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**Tourism Director**

508.487.7000 ext. 536

tourismdirector@provincetown-ma.gov

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**Town Clerk**

508.487.7013 ext. 528

townclerk@provincetown-ma.gov

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**Town Manager**

508.487.7002

townmanager@provincetown-ma.gov

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**Treasurer**

508.487.7015

treasurer@provincetown-ma.gov

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**Veterans Agent**

508.487.7099

veteranaffairs@provincetown-ma.gov