

Provincetown

2009 Annual Town Report



In Memory of

Kenneth Atkins

Fire Department Volunteer

Eva K. Berg

Finance Committee
201 Facility Plan
Citizens Advisory Group

Elizabeth Costa

Cape End Manor Task Force

Warren E. Costa

Airport Commission
John Van Arsdale
Memorial Committee

Marguerite B. Cowing

Town Treasurer
Recreation Commission
Insurance Advisory Committee
Police Needs Study Committee

Thomas S. Dahill

Police Department Records Clerk

Alice Foley

Town Nurse
Finance Committee
Cable Advisory Commission
MacMillan Pier
Nominating Committee
Public Health Nursing
Advisory Committee
Emergency Medical Needs
Study Committee

Flora Mae Henrique

Seasonal Parking
Department Employee

Milton Isserlis

Cultural Council
Licensing Board
Planning Board

Michael Leger

Airport Commission
Recycling & Renewable
Energy Committee

Phillip A. Meads

Fish and Game Committee

Schuyler "Ted" Meyer

Chief of Police

Katherine O'Donnell

Cape End Manor Nurses Aide

Robert E. Palheiro Sr.

Public Works Employee

Alice Reis

Cape End Manor Administrator
Cape End Manor Head Nurse

Carl M. Sawyer

Water Commission
Fire Department Volunteer
Christmas Lighting Committee



**ANNUAL TOWN REPORT
YEAR 2009
TOWN OF PROVINCETOWN**

PROVINCETOWN, MASSACHUSETTS

Annual Reports of the Officers of the Town of Provincetown,
Massachusetts for the year ending December 31, 2009.
Financial Reports for the fiscal year ending June 30, 2009.

Cover:

An architectural rendering of Town Hall created by artist Peter Whitman from the architectural firm of McGinley Kalsow & Associates.

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Vince Guadagno: pages 10, 13

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Compiled and Edited by
Doug Johnstone, Town Clerk
www.provincetown-ma.gov

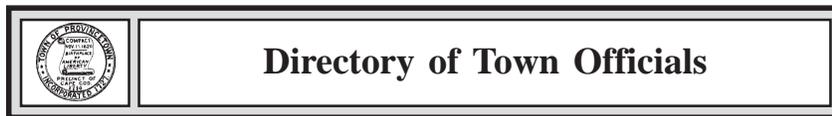
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Directory of Town Officials

Elected Officials

Elected by Voters

Town Moderator

Irene Rabinowitz 5/12

Board of Selectmen

David Bedard 5/12

Michele Couture, Chair 5/11

Elaine Anderson 5/11

Mary-Jo Avellar 5/10

Austin Knight 5/10

Board of Library Trustees

Tom Boland 5/12

Evelyn Kratz 5/12

Paul Benatti 5/11

Edward Mick Rudd 5/11

James Cole 5/10

Charter Enforcement

Commission

Astrid Berg 5/12

Mark Phillips 5/12

David McGlothlin 5/11

Todd Wagar 5/10

Vacant 5/11

Housing Authority

Molly Perdue 5/14

Cathy Reno Brouillet 5/13

Nancy Jacobsen (State Appointed) 7/11

Cheryl L. Andrews 5/10

Vacant 5/12

School Committee

Carrie Notaro 5/12

Shannon Patrick 5/12

Peter Grosso 5/11

Kerry Adams 5/10

Debra Trovato 5/10

Appointed Officials

Appointed by the Board of Selectmen

Town Manager

Sharon Lynn

Secretary to Bd of Selectmen

Vernon Porter

Appointed Officials

Appointed by the Town Manager

Assistant Town Manager

David Gardner

Grant Administrator

Michelle Jarusiewicz

Information Systems Director

Beau Jackett

Tourism Director

Robert Sanborn

Town Clerk

Douglas Johnstone

Town Counsel

Kopelman & Paige, P.C

Town Mgr. Sec./Emp. Benefits Mgr.

Pamela Hudson

Community Development

Building Commissioner

Russell Braun

Health Agent

Jane Evans

Health Inspector

Brian Carlson

Licensing Agent

Darlene Van Alstyne

Permit Coordinator

Maxine Notaro

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

Valerie Carrano

Library Director

Debra A. DeJonker-Berry (Resigned)

Jan Voogt

Recreation Director

Brandon Motta

Municipal Finance**Municipal finance Dir./Town Acct.**

Alexandra Heilala

Deputy Town Accountant

James Deniotolis

Treasurer

Linda O'Brien

Collector

Barry Stephen

Principial Assessor

Paul Gavin

Public Safety**Chief of Police**

Jeff Jaran

Police Staff Sergeant

Warren Tobias (Retired)

Harbormaster/Pier Manager

Rex McKinsey

Shellfish Constable

Tony Jackett

Public Works**Director of Public Works**

David Guertin

DPW Deputy Director

Sandra Turner

Appointed Town Boards*As of January 12, 2010**Appointed by the Board of Selectmen***Airport Commission**

Paul Gavin	12/12
Steve Tait	12/12
Heath Gatlin	12/11
Michael Valenti	12/11
Roger Lookingbill	12/10
Vacant Alt.	12/11

Animal Welfare Committee

Barbara Murphy	6/12
Carol MacDonald	6/11
Stephen Milkowicz	6/10
Candace Nagle	6/10
Vacant	6/11
Leslie Parsons, Alt.	6/12

Art Commission

James Bakker	12/11
Anton Haunstrup	12/11
Stephen Borkowski	12/10
Georgia Coxe	12/10
Erna Partoll	12/10
John Dowd, Alt.	12/10

Board of Assessors

Gregory Muse	12/12
Leslie Parsons	12/12
Patricia DeLuca	12/10
Robert Sanborn	12/10
Paul Gavin	Indefinite
Vacant Alt.	12/12

Beautification Committee

Mary Ann Powers	12/11
Paul Hall	12/11
Barbara Rushmore	12/11
Kristyn Samok	12/10
Vacant	12/12
Cecilia Hall, Alt.	12/12

Building Committee

All Five Seats Vacant 12/12

Cable Advisory Commission

Richard Kelley 6/12
 Marjorie Steinberg 6/12
 Richard Silver 6/10
 Mary Byrne 6/11
 Carol Pugliese 6/11
 Vacant Alt. 6/12

Cape Cod National Seashore**General Management Plan Implementation Advisory Committee**

Carole Carlson 6/12
 John Thomas 6/12
 Paul Tasha 6/11
 Kerry L. Adams 6/10
 Barbara Prato 6/10
 Priscilla Jackett, Alt. 6/10

Community Housing Council

Arturo Alon 6/12
 Cathy Reno Brouillet 6/12
 Molly Perdue 6/12
 Joe Carleo 6/11
 Vacant 6/10
 Vacant, Alt. 6/11

Community Preservation Comm.

Arturo Alon 6/10
 Nancy Jacobsen 6/10
 Stephen Borkowski 6/10
 Stephen Milkowicz 6/10
 Dennis Minsky 6/10
 Eric Dray 6/10
 Dorothy Palanza 6/10
 Thomas Roberts 6/10
 Vacant 6/10

Council on Aging

Florence Alexander 12/11
 Paul Mendes 12/11
 David Ketchum 12/10
 David Lynch 12/10
 Charlene Priolo 12/10
 Vacant, Alt. 12/12

Cultural Council

Grace Ryder-O'Malley 12/12
 Michael Wright 12/11
 Judith Cicero 12/10
 Mary Alice Johnston 12/10
 Frank Vasello 12/10
 Three Vacant 12/12
 Vacant 12/11

Economic Development Council

Stephen Melamed 6/12
 Laura Shabott 6/12
 Martin Huey 6/11
 Thanassi Kuliopulos 6/11
 Vacant 6/11
 Two Vacant 6/10
 Gregory Howe, Alt. 6/12
 Vacant, Alt. 6/12

Harbor Committee

Melville Cote 6/12
 Martin Huey 6/12
 Susan Avellar 6/11
 Gerard Irmer 6/11
 Philip Scholl 6/11
 Vacant, Alt. 6/12

Board of Health

John Livingstone 12/12
 Ken Janson 12/11
 Mark Phillips 12/11
 Duane Gregory 6/10
 Geraldine Anathan 12/10
 Vacant, Alt. 12/12

Historic District Commission

Marcene Marcoux 12/12
 David McGlothlin 12/12
 Polly Burnell 12/11
 John Dowd 12/11
 Carol Neal 6/10
 Nathan Butera, Alt. 12/11
 Vacant, Alt. 12/12

Provincetown		2009 Annual Town Report		7	
Human Services Committee			Recreation Commission		
Teri Nezbeth	6/12	Treg Kaeselau	12/11		
Gabriella Villegas	6/12	Cassandra Benson	12/10		
Diane Corbo	6/11	Susan Cook	12/10		
Kristin Hatch	6/11	Jill Macara	12/10		
James Pipilas	6/10	Carrie Notaro	12/12		
Al Proia	6/10	Vacant Alt.	12/12		
Cynthia Franco	6/10				
John Anderson Francis Family Scholarship Committee			Recycling & Renewable Energy Committee		
Olympia Ciliberto	12/12	Kelli Dahl	12/12		
Bill Schneider	12/12	Elizabeth Patrick	12/12		
Gail Browne	12/10	Three Vacant	12/12		
Mary Ann Cabral	12/10	Two Vacant, Alt.	12/12		
Eleanora Irving	12/10				
Vacant, Alt.	12/10	Reg. School District Planning Com.			
Licensing Board			Alex Brown	6/12	
Todd Wagar	12/12	Peter Grosso	6/12		
Teri Nezbeth	12/11	Barbara Rushmore	6/12		
Jim Sheehan	12/11	Board of Registrars of Voters			
Liz Angelino	12/10	Ronald Gamella	12/12		
George Stephen Young	12/10	Olive Ahmuty	12/11		
Vacant, Alt.	12/11	Bob McCandless	12/10		
Vacant, Alt.	12/11	Doug Johnstone	Indefinite		
Open Space Committee			Shellfish Committee		
Henry Janowsky	6/12	Paul Tasha	12/12		
Stephen Milkewicz	6/11	Alex Brown	6/10		
David Hale	6/10	John Baldwin	12/10		
Dennis Minsky	6/10	Melville Cote	12/10		
Elizabeth Patrick	6/10	Richard Macara	12/10		
Vacant, Alt.	6/11	Nancyann Meads, Alt.	12/10		
Planning Board			Visitor Services Board		
Peter Page	12/12	Mick Rudd	6/12		
Dorothy Palanza	12/11	Michael Peregon	6/11		
Howard Burchman	12/10	Rita Schwartz	6/11		
Marianne Clements	12/10	Rob Tosner	6/11		
Vacant	12/12	Jim Bakker	6/10		
Vacant, Alt.	12/12	Kathleen Fitzgerald	6/10		
Provincetown Public Pier Corp.			Michelle Haines Lohr	6/10	
Richard Wood	7/14	Water & Sewer Board			
Lee Ash	7/13	George Haunstrup	12/11		
Regina Binder	7/12	Mark Collins	12/12		
Kerry Adams	7/11	Sacha Richter	12/12		
George Hitchcock	7/10	Jonathan Sinaiko	12/12		
		Vacant	12/12		
		Kathleen Meads, Alt.	12/10		

Zoning Board of Appeals

Patrick Eeley	12/12
Anne Howard	12/12
Elisabeth Verde	12/12
Robert Littlefield	12/11
Amy Germain	12/10
Vacant, Alt.	12/12
Vacant, Alt.	12/10
Three Vacant, Alts.	12/11

Historical Commission

Stephen Milkowicz	12/12
Charlene Priolo	12/12
Stephen Borkowski	12/11
Polly Burnell	12/11
Eric Dray	12/11
Vacant, Alt.	12/12
Vacant, Alt.	12/11

Appointed Town Boards*As of January 12, 2010**Appointed by the Town Manager***Cemetery Commission**

Gregory Howe	12/12
Thomas Myers	12/12
Richard Olson	12/12
Mark Collins	12/11
Astrid Berg	12/10
M. Sebastian Araujo, Alt.	12/10

Conservation Commission

David Hale	12/12
Richard Silver	12/12
Lynne Martin	12/11
Jack McMahon	12/11
Dennis Minsky	12/11
Vacant, Alt.	12/11
Vacant, Alt.	12/10

Disability Commission

Michelle DeMarco	12/12
Jo Ann DiOrio	12/11
Jamia Kelly	12/11
Linda Loren	12/11
Richard Kapler	12/10
Vernon Porter	12/10
Vacant	12/12

Board of Fire Engineers

Warren Alexander	12/10
Gerard Menangas	12/10
John Reis	12/10
James Roderick	12/10
Michael Trovato	12/10
Ronald White	12/10
Russell Zawaduk	12/10

Appointed Town Boards*As of January 12, 2010**Appointed by Town Moderator***Finance Committee**

Gabrielle Hanna	4/12
Dan Hoort	4/12
Ann Maguire	4/12
David McChesney	4/12
Thomas Coen	4/11
Philip Gaudiano	4/11
Thomas Thurston	4/11
Frederic Biddle	4/10
Virginia Ross	4/10
Oliver Kamm, Alt.	4/12
Erik Yingling, Alt.	4/12

Personnel Board

Joseph Gilmartin	12/12
Andrew Aull	12/11
Scott Powell	12/10
Lisa Westervelt	12/10
Vacant	12/12
Vacant, Alt.	12/12



The beginning of January 2010 saw a continuation of the worst economic downturn in decades. The Selectmen, working with the Town Manager and the Finance Committee, continue the challenge of implementing sound fiscal policies in order to balance the budget and provide the transparency necessary for good government. Recommendations made by the Department Of Revenue the previous year have been acted on by staff which will bring added clarity and confidence in the fiscal management of the Town. Increases in health care continue to impact the budget. The need for increased revenue sources remains necessary. Without additional revenues to offset always increasing costs, the town will experience unsustainable deficits. It is hoped that the spring Town Meeting will vote for a local option tax for meals and rooms.

The Phase I Structural repairs for the restoration of Town Hall, which commenced in December of 2008, have been completed at the end of the summer of 2009. Financing for the second phase infrastructure repairs for Town Hall were obtained through a special summer Town Meeting, and are on schedule and within budget. Completion of the project is expected in the fall of 2010.

Securing financing at a Special Town Meeting held in September allowed the Town to apply for infrastructure repairs to our water system. In early January 2010 the Town received notice that 21.83 million dollars has been awarded through the Federal Stimulus Recovery Act Funds from USDA. Thanks are due to Congressman Delahunt and his staff, Town Manager Sharon Lynn, DPW Director David Guertin, Ron Koontz, USDA, and the participants of the special Town Meeting.

Another casualty of the economic downturn was a slow down in available funds for affordable housing. It is expected that by fall 2010 the 90 Shank Painter Road project will have commenced.

A system failure in the Town's sewer operation occurred the July 4th weekend. Repairs were made and corrections remain ongoing. Wastewater funds from the USDA grant will aid in future capitol expenses. The much anticipated bathrooms at Firehouse #2 are currently under construction and are expected to be operational by Memorial Day 2010.

The Board of Selectman remain committed to the goals of paving Commercial Street, maximizing Tourism, furthering economic development, and most importantly securing a redundant water source. The Selectman continue to work in partnership with Truro, Wellfleet and Eastham to identify opportunities for sharing resources and reducing redundancies within our municipalities.

Provincetown continues to move in a positive direction thanks to the leadership of Town Manager Sharon Lynn. Her oversight on critical projects ensure a successful outcome. The Town Manager accessibility and respect toward residents has helped in regaining confidence in this position. The dedication and competence of Town staff benefits residents and visitors alike. We thank Vernon Porter and Pamela Hudson, secretaries to the Board and Town Manager, for their professionalism and courtesy. A debt of gratitude is owed to the many volunteers who serve on Town Boards and committees. We congratulate Selectman David Bedard who was re-elected to a three year term in May 2009. In 2009 the Board of Selectmen held 81 meetings. Board attendance was as follows: Michele Couture 78, David Bedard 76, Mary-Jo Avellar 74, Elaine Anderson 76, Austin Knight 80.

*Respectfully
submitted,*

Michele Couture
Chair



Board of Selectmen, (from left to right.): David Bedard; Elaine Anderson; Mary-Jo Avellar; Michele Couture, Chair; Austin Knight;

Town Manager

I am pleased to submit the Town Manager's annual report for 2009 and to provide to you the following information regarding the status of some of the projects in Town as well as a brief overview of specific matters pertaining to the government.

Fiscal Management: Once again of primary importance is the continuing goal to provide transparency of all substantive activities relating to the finances of the Town. The Finance Department is making much progress in this area however it remains a process of determination, consistency and communication in following

the guidelines recommended by the Department of Revenue and outlined in their management review provided in 2008. Steps are being made by moving forward in cleaning up old articles while attempting to properly dissect the contents and flow of monies specified. The challenges are complicated, mainly attributable to unanswerable bookkeeping practices of the past; however, with the assistance of audited reports and diligence, proper accounting procedures are being followed in order to provide recovery and clarity into the future.

The current fiscal year's budget cycle was a daunting task for all involved. The Selectmen and the Finance Committee worked long and hard to bring to Town Meeting the most appropriate budget considering the poor economy with little opportunity for added revenue. All departments and all personnel found themselves working with much fewer resources, tired equipment leading to complications in fulfilling obligations yet daily tasks were accomplished. Special recognition goes to the teacher's union for sacrificing their negotiated salary increases.

The budget presented to the Selectmen and to the Finance Committee for fiscal year 2010 is a reflection of a continuing struggle in yet another stressed and bleak economic forecast. Most departmental budgets are without increased expenses even though some operating costs have risen. A capital improvement program is included in the budget so that projections for the future are indicated. As witnessed time after time it is crucial to make repairs to buildings and equipment when needed and to plan for maintenance on a regular basis. There are opportunities next fiscal year to capture additional revenues by instituting local option taxes that were not possible in the past. These will be discussed at future meetings and possibly presented to Town Meeting in the spring to provide some relief for future economic forecasting. It is so important for citizens to realize the constraints in which government leaders consistently operate under while fulfilling the role of proper leadership to the community.

Town Buildings and Infrastructure: At the top of the list and looming brightly into the near future is the long awaited completion of Provincetown's historic Town Hall. This stately and magnificent building will once again adorn the downtown scene along Commercial Street but with a renewed vitality, fresh, yet original colors, and a redesigned, reengineered interior space with workable systems to provide efficiency and sustainability well into the future. The Town Hall project is progressing on time and within the budgeted amounts. Currently the plan is for employees to move out of the temporary trailers and into the newly restored and renovated Town Hall sometime during the late fall of 2010.

Studies and communication continue around other neglected town-owned buildings including the police station, the community center and the highway garage. With a bit of foresight and planning the proper recommendations will be

brought to policy makers so that informed decisions can be made. This is an ongoing process, but an urgent and timely one, needing proper attention.

Provincetown is extremely fortunate to be the beneficiary of a significant portion of federal stimulus grant funding from the United States Rural Development Administration. A total of \$21.83 million in funds was approved for Provincetown's water and sewer infrastructure, an amount that represents 75% of total funding approved for all of Cape Cod and Martha's Vineyard. Most of the funding, or 75%, is a grant award with the remaining 25% provided in low interest loans to the town. This is unprecedented! The design for improvements is underway with most construction not commencing until 2011 or later. Water improvements include funding for the construction of a new water treatment facility at Knowles Crossing, the Mount Gilboa storage tanks will be upgraded and equalized while much needed improvements will be made to replace old service connections and water lines. Wastewater improvements continue to take shape in the ongoing expansion of the system. Additional grant funding from this same source will be sought should there be successful progress in negotiations with Truro and private property owners to secure land for a mandated redundant water supply.

Also ever-so mindful is the repaving of Commercial Street. This impacts daily life for all residents and of course visitors to town during the summer months and also in the off season. Grant funding and creativity is being sought for assistance with this project. It is yet another hugely significant expense but one which requires prudent forethought and planning.

Affordable Housing: The Community Builders, one of the development firms that bid on the 90 Shankpainter Road project and has since been awarded the contract by the Board of Selectmen, anticipates receiving funding assistance to proceed with construction in early fall of 2010. Although delayed due to yet another impact of the economic downturn, this project is planned to increase the affordable renting market in Provincetown by 50 units along the busy Shankpainter Road corridor. The combination of mixed rate housing will provide affordable rental space for those community members who still very sorely need it. Additional privately owned construction projects focused on affordable housing are slated for development this year as well.

Economic Development: Provincetown businesses and guest house owners were fortunate during the summer and shoulder seasons of 2009 to have a regular stream of visitors coming into town. Although retail sales may have been off in many cases most guest house owners reported steady business. June 2009 was one of the rainiest on record. However even with almost a month of dreariness the room tax revenue only dipped slightly. The motor coach tour business reported one of its best seasons with a record number of buses bringing thousands

of visitors on a regular and daily basis. We can only hope for the same consistency this coming summer!

Personnel: A long time fixture in town, Library Director Debra Dejonker-Berry, moved on and resigned her position in 2009. Although Deb's presence will be felt and honored for many years to come, Provincetown is fortunate to have Jan Voogd at the helm. Jan's past expertise, with the assistance from Mary Nicolini, also a relatively new employee, is already being felt at the library with the creation of new programs at the school and at the library. With the Town's new Tourism Director, Bob Sanborn, on board since April 2009 communication has increased throughout all Town departments and most importantly with the Town's business leaders. Long time, dedicated Town employee Val Carrano is retiring in February 2010 and a search for a new Council on Aging Director is underway. The School Committee completed its interviewing and appointed Dr. Beth Singer as School Superintendent and Kim Pike as Principal in July 2009. These two very professional, capable administrators have already made significant progress in defining the future of Provincetown's educational arena while developing new, innovative approaches to advancing and educating the children in our community. It was with deep sadness that we learned of the passing of the Town's electrical inspector, Ed Schneiderhan. At 90 years "young" Ed showed us all the meaning of professionalism, dedication, and a consistent hard-working ethic. His wise, meaningful conversations and instruction are missed on a daily basis.

Once again I thank all of the diligent, dedicated staff who work every day to make Town government and all its operations run effectively and smoothly. I am most proud to be working with each of them. There is not a finer group of individuals to be found anywhere! My sincerest appreciation goes to the Selectmen who have the confidence and support in me as I continue this journey to fulfill my career goals in Provincetown. I am humbly proud to be serving each of you in our wonderful community.

Respectfully submitted,

Sharon Lynn

Town Manager



*Town Manager
Sharon Lynn*

Grant Administrator

2009 was a year of progress with Community Housing, slow, but steady progress as detailed below. It is critical to note that the creation of affordable housing is a complicated and deliberate process in good times. Layer in a slow economy and many things come to a halt while at the same time, the need increases.

Community Housing Office: Currently, the Housing Office has one part-time staff person, Community Housing Specialist Michelle Jarusiewicz, who provides staff support to the Community Housing Council and the Community Preservation Committee. The Community Housing Specialist and the Assistant Town Manager worked with the Community Housing Council on updating the Housing Needs Assessment which is part of the annual growth management report. The assessment included gathering current data from the Provincetown Housing Authority and Community Housing Resource Inc. In both cases, there has been a 33 – 35% increase in the total number of LOCAL individuals/households seeking housing in the past 16 months.

The Housing Authority maintains a waiting list for their low and moderate income units. The wait list for elderly housing is 5 years; for family housing - 7 to 10 years. Generally speaking there is a very low turnover in available units. Since December 2003, typically 2 to 3 units per year for the elderly [with 56 people on the waiting list]; 2 units vacated for under 60 disabled for the entire six-year timeframe [with 60 people on the wait list]; and 3 units in that same six-year period for families [with 170 on the wait list]. In accordance with state regulations there are preferences for emergencies such as homelessness, for veterans, and for locals. In the past 16 months, the PHA wait list count has risen dramatically – the total count by over 46% and the total local count by over 33%.

Provincetown's community housing needs assessments have consistently identified the need for hundreds of new units, especially rental units, at various income levels.

- The 2005 Community Housing Report: identified at that time, the need for 144 units over 5 years – that is by 2010 – 96 rental and 48 ownership.
- The 2006 John Ryan Housing needs assessment identified the #1 housing priority need for 200- 250 rental units, plus 40 ownership units, plus 24 rental units for seniors for a total number of 264 – 314 units.

Since that time only 14 new ownership units have been completed. We look forward to the completion of the pending projects that will add close to 100 additional housing units.

Ongoing housing activities:

90 Shank Painter Road: The Community Builders, Inc. (TCB) proposes to develop a 50 unit, mixed income residential community consisting of six (6) newly

constructed, Cape Cod style buildings connected by private walkways and driveway on a vacant 2.5 acre site. The development project consists of 25 one-bedroom, 21 two-bedroom, and 4 three-bedroom units. The ZBA approved their Ch. 40B application for Comprehensive Permit with conditions on June 18, 2009. TCB submitted their application for low-income tax credits to the state immediately thereafter. While not funded in that round they are at the top of the list for the spring 2010 round which could result in a June 2010 award and fall 2010 construction start-up.

83 Shank Painter Road: The April 2009 Annual Town Meeting authorized \$150,000 in Community Preservation Act Funds for the renovation and conversion of an existing building from 10 SRO units and one 4-bedroom apartment to 13 independent efficiencies and 2 one-bedroom apartments increasing affordable units from 5 to 15 affordable units. A Ch. 40B comprehensive permit application was approved on June 18, 2009. CHR has been working with the state on finalizing the funding for the project and with the town on the building permit. Construction Loan Closing is anticipated in February 2010. Construction to begin in March 2010 and be completed by September 30, 2010.

Stable Path: The April 2009 Annual Town Meeting authorized \$800,000 in Community Preservation Act Funds for the redevelopment and construction of mixed-income rental properties – 37 units in 14 buildings— including 22 low/moderate, 10 median, and 5 market rate rentals in variety of sizes and styles. The Ch. 40B comprehensive permit application is expected in the near future.

Herring Cove Village: Originally purchased as Bissell's Tennis Club at 21 Bradford Street Extension, the property had 8 pre-existing dwelling units. Red Clay received approval to build an additional 9 units for a total of 17 units with the provision that 3 of the 9 [33%] be affordable. The owners divided the construction into 2 phases, and completed Phase I in 2009 including 11 units (8 market and 3 Affordable). Phase II will replace the tennis club house and build the additional 6 market units. The lottery for three one-bedroom home ownership units was conducted on June 17, 2009 at the Grace Gouveia building where three eligible local residents and workers were selected!

33 Court Street/PHA: The Community Housing Council approved a grant agreement for \$20,000 from the Affordable Housing Trust Fund for rehabilitation. Construction is well underway on this single family unit transferred from the Town to the Housing Authority in 1992 with the exterior work largely complete and the interior work underway. The unit is expected to be ready for occupancy in the spring of 2010.

40B Subsidized Housing Inventory: as of 9/29/09, the town is certified for 117 units at 5.7%. We were previously certified at 6.2% [128 units] on 9/8/08, this is a loss of 11 units that “count” through the expiration of deed restrictions during that time.

Mass. Community Development Block Grant: Water System Improvements: In the fall of 2009, the Town received a grant award for \$819,500 under the American Recovery and Reinvestment Act for water system improvements. This funding will be coordinated with additional funding from the USDA Rural Development program for larger scale system improvements.

Economic Development: As the recession rippled through the country and the town, *The New Economy* planning efforts became diverted and stalled. The Provincetown Economic Development Council continued to hold planning sessions in late winter/early spring with varied participation as business owners and managers needed to shift their time, energy, and focus to their own businesses. Short term recommendations from the consultant, New Commons, included developing a series of smaller economic engines including health assistance, the water, arts and culture, and knowledge economy. Also recommended was to strengthen tourism through Campus Provincetown, educating business owners to be more tourist-friendly, teaching seasonal businesses how to use the internet and the mail to keep their “doors open” year-round, and year-round commute to and from Boston. One success story has been the expansion of the trap sheds on MacMillan Pier including the “Art by the Sea” collaborative effort through Campus Provincetown.

The success of all of our endeavors is through the very hard work of so 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. Collaboration was a major theme in 2009 and will continue in 2010 along with creative and positive thinking!
Respectfully submitted,

Michelle Jarusiewicz

Grant Administrator/Community Housing Specialist



Meeting Called to Order. Town Moderator Irene Rabinowitz convened the Annual Town Meeting at 6:00 p.m. on Monday, April 6, 2009 in the in the Veterans Memorial Elementary School and hearing no objection decided to hold the Special Town Meeting first.

Town Moderator Irene Rabinowitz convened the Annual Town Meeting at 7:40 p.m. on Monday, April 6, 2009.

Preliminary motions:

Michelle Couture moved that the Town vote to waive the reading of the warrant. **Motion Passed.**

Michele Couture moved that the Town vote to grant permission to speak at the April 6, 2009 Annual Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Russell Braun, *Building Commissioner*; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., *Town Counsel*; Alexandra Heilala, *Finance Director*; Pam Hudson, *Secretary to the Town Manager, Employee Benefits Administrator*; Brandon Motta, *Recreation Director*; Beau Jackett, *Information Systems Director*; Michelle Jarusiewicz, *Housing Specialist/Grant Administrator*; Maxine Notaro, *Permit Coordinator*; Jane Evans, *Health Agent*; Wendall Kalsow, *Principal, McGinley Kalsow & Associates*; Mark Almeda, *Project Engineer, McGinley Kalsow & Associates*; Robert Sanborn, *Tourism Director*; Rob Adams, *Project Manager, Metcalf & Eddy*; Bill Meyers, *Project Superintendent, Kronenberger & Sons Restoration, Inc.* **Motion Passed.**

Michele Couture moved that on all matters to come before the April 6, 2009 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 Passed.**

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]

Michele Couture moved that the Town vote to hear the reports of the Town Officials and Committees and to act thereon. **Motion Passed.**

Article 2. FY 2010 Operating Budget. To see to if the Town will vote to raise and appropriate or transfer from available funds the sum of \$19,705,911 to fund operating budgets for the several Town departments for Fiscal Year 2010 in accordance with Chapter 9, section 1 of the Provincetown Charter, as follows:

Budget Divisions	FY 2009	FY 2010	% '09-'10
<i>I. General Government</i>	\$1,291,048	1,290,365	-0.10%
<i>II. Finance</i>	7,348,194	7,378,449	+0.41%
<i>III. Public Safety</i>	3,941,801	3,971,450	+0.75%
<i>IV. Public Works</i>	2,423,523	2,526,790	+4.26%
<i>V. Public Services*</i>	807,890	823,702	+1.96%
Sub-total, I-V	\$15,812,456	\$15,990,756	+1.13%
<i>VI. Public Schools</i>	3,790,935	3,556,648	-6.18%
Total, I-VI	\$19,603,391	\$19,547,404	-0.30%

or to take any other action relative thereto.

*A portion of the appropriation for public services may be contingent on a Proposition 2 ½ override.

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

Article 2. FY 2010 Municipal Operating Budget.

Division I. General Government.

BOARD OF SELECTMEN RECOMMENDS: 4-1-0

FINANCE COMMITTEE RECOMMENDS AS FOLLOWS:

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
<u>I. GENERAL GOVERNMENT</u>					
113 Elections & Town Meetings					
Expenses	\$12,347	\$12,544	\$10,721	\$10,721	-4.5%
122 Board of Selectmen					
Personal Services	48,317	48,317	48,317	48,317	
Expenses	<u>6,880</u>	<u>8,900</u>	<u>7,400</u>	<u>4,650</u>	
sub-total	55,197	57,217	55,717	52,967	-7.4%
123 Town Manager					
Personal Services	214,115	235,671	237,649	235,671	
Expenses	<u>8,736</u>	<u>12,508</u>	<u>10,507</u>	<u>10,507</u>	
sub-total	222,851	248,179	248,156	246,178	-0.8%
151 Legal Services					
Expenses	206,134	200,000	200,000	200,000	0.0%
156 Administration					
Expenses	51,507	54,727	81,470	62,270	13.8%
157 Land Bank					
Maintenance	374	10,002	10,716	10,716	
Affordable Hsg	38,337	33,341	35,719	35,719	
Debt Service	<u>249,738</u>	<u>304,013</u>	<u>291,013</u>	<u>291,013</u>	
sub-total	288,449	347,356	337,448	337,448	-2.9%
161 Town Clerk					
Personal Services	63,779	89,117	92,083	92,633	
Expenses	<u>6,347</u>	<u>8,375</u>	<u>6,895</u>	<u>3,395</u>	
sub-total	70,126	97,492	98,978	96,028	-1.5%

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
169 Licensing					
Personal Services	38,093	38,093	38,093	38,093	
Expenses	<u>883</u>	<u>600</u>	<u>0</u>	<u>0</u>	
sub-total	38,976	38,693	38,093	38,093	-1.6%
171 Conservation Commission					
Expenses	6,124	7,846	7,696	7,696	-1.9%
173 Community Housing Council					
Expenses	1,560	200	0	0	-100%
174 Housing Office					
Expenses	0	50,000	59,740	59,740	19.5%
175 Planning Board					
Expenses	1,299	2,110	1,510	1,510	-28.4%
176 Zoning Board of Appeals					
Expenses	2,291	3,550	2,750	2,750	-22.5%
179 Historical Commission					
Expenses	364	500	500	500	0.0%
180 Historic District Comm					
Expenses	2,155	2,500	2,500	2,500	0.0%
182 Economic Development Council					
Expenses	4,241	6,134	6,836	6,836	11.4%
482 Airport Commission					
Expenses	66,650	87,850	87,350	85,850	-2.3%
499 Cable Advisory Commission					
Expenses	<u>66,079</u>	<u>74,150</u>	<u>74,150</u>	<u>74,150</u>	0.0%
I. Gen'l Government	\$1,096,350	\$1,291,048	\$1,313,615	\$1,285,237	-0.5%

II. FINANCE**131 Finance Committee**

Expenses	\$6,721	\$5,615	\$5,615	\$5,615	
Reserve Fund	<u>19,814</u>	<u>50,000</u>	<u>50,000</u>	<u>42,000</u>	
sub-total	26,535	55,615	55,615	47,615	-14.4%

135 Town Accountant

Personal Services	154,723	148,003	147,366	147,366	
Expenses	<u>48,350</u>	<u>49,410</u>	<u>50,060</u>	<u>50,060</u>	
sub-total	203,073	197,413	197,426	197,426	0.0%

136 Information Systems Department

Personal Services	71,181	142,932	142,933	142,933	
Expenses	<u>76,195</u>	<u>110,342</u>	<u>128,135</u>	<u>123,935</u>	
sub-total	147,376	253,274	271,068	266,868	5.4%

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
141 Board of Assessors					
Personal Services	132,397	134,948	140,775	140,775	
Expenses	<u>80,101</u>	<u>68,743</u>	<u>50,348</u>	<u>50,348</u>	
sub-total	212,498	203,691	191,123	191,123	-6.2%
145 Treasurer/Collector					
Personal Services	142,464	142,464	146,793	142,464	
Expenses	<u>26,117</u>	<u>39,600</u>	<u>33,600</u>	<u>33,600</u>	
sub-total	168,581	182,064	180,393	176,064	-3.3%
710 Debt Service					
Expenses	1,665,603	1,944,317	1,613,271	1,613,270	-17.0%
820 Tax Title					
Expenses	29,000	24,000	24,000	24,000	0.0%
910 Retirement/Benefits/Insurance					
Expenses	<u>3,886,438</u>	<u>4,487,820</u>	<u>5,010,934</u>	<u>4,863,009</u>	8.4%
II. Finance	\$6,339,104	\$7,348,194	\$7,543,830	\$7,379,375	0.4%
<u>III. PUBLIC SAFETY</u>					
210 Police					
Personal Services	\$1,679,502	\$1,891,984	\$1,920,440	\$1,923,669	
Expenses	<u>116,545</u>	<u>134,280</u>	<u>134,020</u>	<u>129,850</u>	
sub-total	1,796,047	2,026,264	2,054,460	2,053,519	1.3%
211 Police Station					
Expenses	29,330	42,800	43,282	43,282	1.1%
220 Fire					
Personal Services	281,865	317,361	339,842	339,842	
Expenses	<u>154,130</u>	<u>173,749</u>	<u>177,749</u>	<u>174,749</u>	
sub-total	435,995	491,110	517,591	514,591	4.8%
231 Ambulance Service					
Expenses	405,300	535,057	551,109	551,109	3.0%
240 Inspections					
Personal Services	124,128	161,966	152,252	152,252	
Expenses	<u>32,842</u>	<u>7,900</u>	<u>6,060</u>	<u>6,060</u>	
sub-total	156,970	169,866	158,312	158,312	-6.8%
241 Community Development					
Personal Services	98,008	87,151	89,080	89,080	
Expenses	<u>3,641</u>	<u>8,910</u>	<u>4,830</u>	<u>4,830</u>	
sub-total	101,649	96,061	93,910	93,910	-2.2%

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
294 Harbor Committee					
Expenses	730	1,295	1,295	1,295	0.0%
295 Harbormaster					
Personal Services	0	0		0	
Expenses	<u>139,000</u>	<u>140,000</u>	<u>141,000</u>	<u>107,140</u>	
sub-total	139,000	140,000	141,000	107,140	-23.5%
296 Shellfish					
Personal Services	40,180	41,055	43,969	43,969	
Expenses	<u>6,249</u>	<u>7,320</u>	<u>7,350</u>	<u>7,350</u>	
sub-total	46,429	48,375	51,319	51,319	6.1%
299 Parking					
Personal Services	299,909	317,373	317,873	317,373	
Expenses	<u>72,117</u>	<u>79,600</u>	<u>76,600</u>	<u>72,100</u>	
sub-total	<u>372,026</u>	<u>396,973</u>	<u>394,473</u>	<u>389,473</u>	-1.9%
III. Public Safety	\$3,483,476	\$3,947,801	\$4,006,751	\$3,963,950	0.4%

IV. PUBLIC WORKS**192 Buildings & Grounds**

Personal Services	\$476,306	\$473,546	\$527,712	\$505,996	
Expenses	<u>304,039</u>	<u>282,400</u>	<u>311,950</u>	<u>304,669</u>	
sub-total	780,345	755,946	839,662	810,665	
	0	<u>67,250</u>	<u>43,250</u>	<u>43,250</u>	
		823,196	882,912	853,915	13.0%

421 Administration

Personal Services	166,654	186,184	188,167	159,192	
Expenses	<u>205,635</u>	<u>249,100</u>	<u>247,500</u>	<u>245,660</u>	
sub-total	372,289	435,284	435,667	404,852	-7.0%

422 Highway

Personal Services	359,144	324,040	365,437	348,040	
Expenses	<u>86,167</u>	<u>74,300</u>	<u>124,800</u>	<u>100,826</u>	
sub-total	445,311	398,340	490,237	448,866	12.7%

423 Snow & Ice

Personal Services	18,506	20,000	25,000	25,000	
Expenses	<u>42,830</u>	<u>39,400</u>	<u>118,500</u>	<u>110,400</u>	
sub-total	61,336	59,400	143,500	135,400	127.9%

431 Solid Waste/Recycling

Personal Services	360,348	367,403	392,410	377,053	
Expenses	<u>121,021</u>	<u>107,300</u>	<u>110,000</u>	<u>96,704</u>	
sub-total	481,369	474,703	502,410	473,757	-0.2%

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
439 Waste Disposal/Other					
Expenses	0	2,000	2,000	2,000	100%
439 Waste Disposal/Other					
Expenses	<u>167,788</u>	<u>230,600</u>	<u>208,000</u>	<u>208,000</u>	-9.8%
IV. Public Works	\$2,308,438	\$2,423,523	\$2,664,726	\$2,526,790	4.3%

V. PUBLIC SERVICES**511 Health Inspector/Agent**

Personal Services	\$107,773	\$103,044	\$106,505	\$99,868	
Expenses	<u>10,387</u>	<u>8,700</u>	<u>8,750</u>	<u>7,219</u>	
sub-total	118,160	111,744	115,255	107,087	-4.2%

512 Public Health/Nurse

Personal Services	12,987	13,625	18,347	18,347	
Expenses	<u>22,482</u>	<u>28,737</u>	<u>28,624</u>	<u>28,624</u>	
sub-total	35,469	42,362	46,971	46,971	10.9%

513 Board of Health

Expenses	909	1,760	1,135	1,135	-35.5%
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541 Council on Aging

Personal Services	168,157	179,296	181,957	181,957	
Expenses	<u>8,844</u>	<u>10,045</u>	<u>10,774</u>	<u>10,774</u>	
sub-total	177,001	189,341	192,731	192,731	1.8%

543 Veterans Services

Personal Services	0	0	0	0	
Expenses	<u>24,488</u>	<u>29,839</u>	<u>37,927</u>	<u>37,927</u>	
sub-total	24,488	29,839	37,927	37,927	27.1%

610 Library

Personal Services	218,477	225,349	231,808	231,808	
Expenses	<u>91,823</u>	<u>78,059</u>	<u>83,211</u>	<u>74,763</u>	
sub-total	310,300	303,408	315,019	306,571	1.0%

620 Administration

Expenses	38,061	2,500	0	0	-100%
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630 Recreation Department

Personal Services	124,637	90,916	99,919	99,919	
Expenses	<u>15,583</u>	<u>15,350</u>	<u>15,450</u>	<u>15,450</u>	
sub-total	140,220	106,266	115,369	115,369	8.6%

651 Beautification Cte

Budget	Actual FY 2008	Budget FY 2009	Selectmen FY 2010	FinCom FY 2010	% 09-'10
Expenses	8,500	4,000	4,000	4,000	0.0%
672 Art Commission					
Expenses	14,287	14,670	9,780	9,780	-33.3%
673 Cultural Council					
Expenses	<u>3,255</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>	0.0%
V. Public Services	\$870,650	\$807,890	\$840,187	\$823,571	1.9%

VI. PUBLIC SCHOOLS

300 Provincetown Public Schools

Direct Costs	\$3,652,340	\$3,637,905	\$3,637,905	\$3,556,648	-2.2%
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310 Cape Cod Regional Tech High

Expense	<u>202,326</u>	<u>153,030</u>	<u>88,072</u>	<u>88,072</u>	-42.4%
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VI. Public Schools	\$3,854,666	\$3,790,935	\$3,725,977	\$3,644,720	-3.9%
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OPERATING BUDGET SUMMARY

I. General Government	\$1,096,350	\$1,291,048	\$1,313,615	\$1,285,237	-0.5%
II. Finance	6,339,104	7,348,194	7,543,830	7,379,375	0.4%
III. Public Safety	3,483,476	3,947,801	4,006,751	3,963,950	0.4%
IV. Public Works	2,308,438	2,423,523	2,664,726	2,526,790	4.3%
V. Public Services	<u>870,650</u>	<u>807,890</u>	<u>840,187</u>	<u>823,571</u>	1.9%
<i>Subtotal, I-V</i>	<i>14,098,018</i>	<i>15,818,456</i>	<i>16,369,109</i>	<i>15,978,923</i>	<i>1.0%</i>
VI. Public Schools	<u>3,854,666</u>	<u>3,790,935</u>	<u>3,725,977</u>	<u>3,644,720</u>	-3.9%
Total, I-VI	17,952,684	19,609,391	20,095,086	19,623,643	0.1%

Michele Couture moved that the Town vote to raise and appropriate the sum of \$880,201, and transfer from the Land Bank fund the sum of \$337,448, from the Wetlands Protection Fund the sum of \$7,296 for a total of \$1,284,685, to fund operating budgets for the several Town departments for Fiscal Year 2010 under budget Division I, General Government, as requested by the Board of Selectmen and recommended by the Finance Committee. **Motion Passed.**

Article 2. FY 2010 Municipal Operating Budget.

Division II. Finance

BOARD OF SELECTMEN RECOMMENDS: 4-1-0

FINANCE COMMITTEE RECOMMENDS: 9-0-0

Michele Couture moved that the Town vote to raise and appropriate the sum of \$7,100,829, and transfer from Free Cash the sum of \$277,000, for a total of \$7,377,829 to fund operating budgets for the several Town departments for Fiscal Year 2010 under budget Division II, Finance, as requested by the Board of Selectmen and recommended by the Finance Committee. **Motion Passed.**

*Article 2. FY 2010 Municipal Operating Budget.
Division III. Public Safety*

BOARD OF SELECTMEN RECOMMENDS: 4-0-0**FINANCE COMMITTEE RECOMMENDS: 9-0-0**

Michele Couture moved that the Town vote to raise and appropriate the sum of \$3,795,450, and transfer from the Municipal Waterways Improvement and Maintenance Fund the sum of \$139,000, from Ferry Embarkation Fees Receipts Reserved \$30,000, for a total of \$3,964,450, to fund operating budgets for the several Town departments for Fiscal Year 2010 under budget Division III, Public Safety, as requested by the Board of Selectmen and recommended by the Finance Committee. **Motion Passed.**

*Article 2. FY 2010 Municipal Operating Budget.
Division IV. Public Works*

BOARD OF SELECTMEN RECOMMENDS: 4-1-0**FINANCE COMMITTEE RECOMMENDS: 9-0-0**

Michele Couture moved that the Town vote to raise and appropriate the sum of \$2,449,790, and transfer from the Tourism Fund \$77,000, for a total of \$2,526,790 to fund operating budgets for the several Town departments for Fiscal Year 2010 under budget Division IV, Public Works, as requested by the Board of Selectmen and recommended by the Finance Committee. **Motion Passed.**

*Article 2. FY 2010 Municipal Operating Budget.
Division V. Public Services*

BOARD OF SELECTMEN RECOMMENDS: 3-1-0**FINANCE COMMITTEE RECOMMENDS: 8-0-0**

Michele Couture moved the Town vote to raise and appropriate the sum of \$708,202 to fund operating budgets for the several Town departments for Fiscal Year 2010 under budget Division V, Public Services, as requested by the Board of Selectmen and recommended by the Finance Committee. **Motion Passed.**

Article 2. FY 2010 Municipal Operating Budget.**Division VI. Public Schools****SCHOOL COMMITTEE RECOMMENDS: 5-0-0****FINANCE COMMITTEE RECOMMENDS: 8-0-0**

Peter Grosso moved that the Town vote to raise and appropriate the sum of \$3,556,648 to fund the Provincetown Public School System Budget for Fiscal Year 2010. **Motion Passed.**

Article 3. Public Services/Recreation Department. To see if the Town will vote to raise and appropriate the sum of \$115,500 to fund the operating budget of the Town for FY 2010 as voted under Article 2 of the 2009 Annual Town Meeting by funding Budget Division No V by the amount of \$115,500; provided that this appropriation shall be contingent on the passage of a Proposition 2 ½ override vote in accordance with General Laws Ch. 59 Section 21C(m) provided further that the appropriation shall be used to fund a level service budget for fiscal year 2010; or to take any action relative thereto.

[Requested by the Board of Selectmen]

BOARD OF SELECTMEN RECOMMENDS: 4-0-1**FINANCE COMMITTEE RESERVES RECOMMENDS: 6-0-0**

Austin Knight moved that the Town vote to raise and appropriate the sum of \$115,500 to fund the Recreation Department for the Fiscal Year beginning July 1, 2009, provided that this appropriation shall be contingent on the passage of a Proposition 2 and ½ override by the voters of the Town in accordance with General Laws c.59 § 21C(m).

Motion Passed.

Article 4. FY 2010 Cape Cod Regional Technical High School Assessment. To see to if the Town will vote to raise and appropriate the sum of \$88,072 to fund the Town of Provincetown's assessment for the CCRTHS FY2010 operating budget, or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0**FINANCE COMMITTEE RECOMMENDS: 6-0-0**

Elaine Anderson moved that the Town vote to raise and appropriate the sum of \$88,072 for its assessment for Cape Cod Technical Regional High School for FY 2010.

Motion Passed.

Article 5. FY 2010 Enterprise Funds. To see 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 2010:

440 Wastewater Enterprise Fund	<i>FY 2009</i>	<i>FY 2010</i>	<i>09-10 %</i>
Enterprise Fund Costs	\$2,181,730	\$2,478,687	
General Fund Costs	<u>152,453</u>	<u>157,027</u>	
TOTAL COSTS	\$2,334,183	\$2,635,714	10.2%
450 Water Enterprise Fund	<i>FY 2009</i>	<i>FY 2010</i>	<i>09-10 %</i>
Enterprise Fund Costs	\$1,502,885	\$1,635,509	
General Fund Costs	<u>261,516</u>	<u>269,361</u>	
TOTAL COSTS	\$1,764,401	\$1,904,870	+7.90%

or to take any other action relative thereto.

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

Article 5. FY 2010 Enterprise Funds.

Motion 1. 440 Wastewater Enterprise Fund.

BOARD OF SELECTMEN RECOMMENDS: 4-1-0

FINANCE COMMITTEE RECOMMENDS: 9-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

David Bedard moved that the Town vote that \$2,635,714 be appropriated to operate the Wastewater Enterprise Fund, \$2,478,687 to come from Wastewater Enterprise Fund revenues and fund balance, and further, \$157,027 to be appropriated in the general fund and funded from Wastewater Enterprise revenues. **Motion Passed.**

Article 5. FY 2010 Enterprise Funds.

Motion 2. 450 Water Enterprise Fund.

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 8-1-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

David Bedard moved that the Town vote that \$1,904,870 be appropriated to operate the Water Enterprise Fund, for \$1,635,509 to come from Water Enterprise Fund revenues and fund balance, and further, \$269,361 to be appropriated in the general fund and funded from Water Enterprise revenues. **Motion Passed.**

Article 6. FY 2010 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 2010 Capital Improvements Program submitted in accordance with Chapter 9, section 2 of the

Provincetown Charter, provided that the appropriation shall be contingent on the passage of a Proposition 2 ½ capital outlay exclusion by the voters of the Town in accordance with General Laws Ch. 59, sec. 21C(m);as follows:

DPW Street Sidewalk Replacement: \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for maintenance and repair of streets and sidewalks, and costs related thereto;

or take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

Mary-Jo Avellar moved that the Town vote to raise and appropriate the sum of \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for maintenance of streets and sidewalks, and costs related thereto, provided that the appropriation shall be contingent on the passage of a Proposition 2 and ½ capital outlay exclusion by the voters of the Town in accordance with General Laws Ch. 59, §21C(m). **Motion Passed.**

Article 7. FY 2010 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 2010 Capital Improvements Program submitted in accordance with Chapter 9, section 2 of the Provincetown Charter, provided that the appropriation shall be contingent on the passage of a Proposition 2 ½ capital outlay exclusion by the voters of the Town in accordance with General Laws Ch. 59, sec. 21C(m);as follows:

DPW Drainage Maintenance: \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for maintenance and repair of Drainage Structures, and costs related thereto;

or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Michele Couture moved that the Town vote to raise and appropriate the sum of \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for maintenance and repair of Drainage Structures, and costs related thereto, provided that the appropriation shall be contingent on the passage of a Proposition 2 and ½ capital outlay exclusion

by the voters of the Town in accordance with General Laws Ch. 59, §21C(m).

Motion Passed.

Article 8. FY 2010 Revolving Accounts. To see if the Town will vote to continue for FY 2010 the following revolving accounts established pursuant to MGLC.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; or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

David Bedard moved that the Town vote to continue for FY 2010 the revolving accounts established pursuant to MGL C.44, §53E½ as printed in the warrant.

Motion Passed.

Barbara Rushmore moved to reconsider Annual Town Meeting Article 3 and submitted the signatures of 10 registered voters for consideration.

Motion to Reconsider Does Not Pass.

Article 9. Cape Cod Greenhead Fly Control District

Assessment. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$938.75 for Greenhead Fly Control as authorized by Section 24, Chapter 252 of the General Laws; and authorize the Town Treasurer to pay said appropriation into the State Treasury; or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Mary-Jo Avellar moved that the Town will vote to raise and appropriate the sum of \$938.75 for Greenhead Fly Control as authorized by Section 24, Chapter 252 of the

General Laws; and authorize the Town Treasurer to pay said appropriation into the State Treasury. **Motion Passed.**

Article 10. Community Preservation Budget for FY 2010. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2010 Community Preservation Budget, to appropriate or reserve from FY 2010 Community Preservation Fund annual revenues the following amounts totaling \$1,470,623, as recommended by the Community Preservation Committee, with each item considered a separate appropriation:

1. Reserves:

- A. \$0 for Open Space
- B. \$0 for Community Housing;
- C. \$57,153 for Historic Resources;

2. Appropriations:

- A. \$60,530 for open space debt service with \$57,153 from open space estimated funds and \$3,377 from open space reserves;
- B. \$243,200 for community housing debt service from community housing reserves;
- C. \$59,740 for the Provincetown Housing Office and Housing Specialist with \$57,153 from community housing estimated receipts, and \$2,587 from housing reserves;
- D. \$150,000 of Community Housing reserves to fund a grant for 15 community housing units at 83 Shankpainter Road, and to authorize the Board of Selectmen to accept an affordable housing restriction on said property;
- E. \$100,000 of undesignated fund balance for the open space purchase of land located at 608 Commercial Street; commonly known as Suzanne's Garden;
- F. \$800,000 of Community Housing reserves to fund a grant for 32 units of community housing at 35 Race Point Road, to be known as Stable Path, and to authorize the Board of Selectmen to accept an affordable housing restriction on 32 units on said property;

or to take any other action relative thereto.

[Requested by the Community Preservation Committee]

BOARD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 1: 5-0-0
FINANCE COMMITTEE RECOMMENDS ARTICLE 11, SECTION 1: 6-0-0
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0

Mary-Jo Avellar moved that the Town vote to set aside from Community Preservation Act estimated annual revenue for Fiscal Year 2010 the sum of \$57,153 for the historic resources reserve fund. **Motion Passed.**

BD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 2-A: 5-0-0
FINANCE COM. RECOMMENDS ARTICLE 11, SECTION 2-A: 6-0-0
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0

William Dougal moved that the Town vote to approve Article 10, Section 2A, the sum of \$60,530 to fund the debt service for Fiscal Year 2010, as printed in the Warrant.

Motion Passed.

BD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 2-B: 5-0-0
FINANCE COMMITTEE RECOMMENDS ARTICLE 11, SECTION 2-B: 6-0-0
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0
HOUSING AUTHORITY RECOMMENDS ARTICLE 11, SECTION 2-B: 5-0-0

William Dougal moved that the Town vote to approve Article 10, Section 2B, the sum of \$243,200 to fund the debt service for Fiscal Year 2010, as printed in the Warrant.

Motion Passed.

BD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 2-C: 5-0-0
FINANCE COMMITTEE RECOMMENDS ARTICLE 11, SECTION 2-C: 6-0-0
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0
HOUSING AUTHORITY RECOMMENDS ARTICLE 11, SECTION 2-C: 5-0-0

Brian Green moved that the Town vote to approve Article 10, Section 2C, the sum of \$59,740 to fund the Provincetown Housing Office Specialist, as printed in the Warrant.

Motion Passed.

BD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 2-D: 4-0-1
FINANCE COMMITTEE RECOMMENDS ARTICLE 11, SECTION 2-D: 6-0-0
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0
HOUSING AUTH. RECOMMENDS ARTICLE 11, SECTION 2-D: 5-0-0

William Dougal moved that the Town vote to approve Article 10, Section 2D, the sum of \$150,000 to fund a grant for 15 community housing units at 83 Shankpainter Road, and to authorize the Board of Selectmen to accept an affordable housing restriction on said property, as printed in the Warrant.

Motion Passed.

10:15 p.m Motion to adjourn Annual Town Meeting until tomorrow, April 7, 2009 at 6 p.m.

Motion Passed.

Town Moderator Irene Rabinowitz called the meeting to order at 6:00 p.m. on Tuesday, April 7, 2009.

BD OF SELECTMEN RECOMMENDS INDEF. POSTPONEMENT OF ART. 11, SEC. 2-E: 5-0-0

FINANCE COMMITTEE RECOMMENDS ARTICLE 11, SECTION 2-E: 7-0-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 6-0-0

CONSERVATION COMMISSION RECOMMENDS: 3-0-1

HISTORICAL COM. RECOMMENDS ARTICLE 11, SECTION 2-E: 4-0-0

Arturo Alon moved that the Town vote to approve Article 11, Section 2E, the sum of \$100, 000 for the open space purchase of land located at 608 Commercial Street, commonly known as Suzanne's Garden.

Austin Knight moved that the Town vote to indefinitely postpone action on Article 10-2-E. **Motion to Indefinitely Postpone Does Not Pass.**
Motion Passed (191 Yes 43 No).

BD OF SELECTMEN RECOMMENDS ARTICLE 11, SECTION 2-F: 4-1-0

FIN. COM. DOES NOT RECOMMEND ARTICLE 11, SECTION 2-F: 7-0-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 7-0-0

HOUSING AUTHORITY RESERVES RECOMMENDATION: 3-2-0

COMMUNITY HOUSING COUNCIL RECOMMENDS: 4-0-0

Dorothy Palanza moved that the Town vote to approve Article 10, Sections 2-F, the sum of \$800,000 to fund a grant for 32 units of community housing at 35 Race Point Road, to be known as Stable Path, and to authorize the Board of Selectmen to accept an affordable housing restriction on 32 units of said property, as printed in the warrant.

Astrid Berg moved to request a secret ballot vote Article 10-2F, Annual Town Meeting April 7, 2009.

Motion for Secret Ballot Does Not Pass.

Motion Passed (Yes 161, No 88).

Article 11. Town Hall Project. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$2,000,000 more or less under the Community Preservation Act program for historic preservation, rehabilitation, and restoration, for the comprehensive restoration and renovation of town hall, including all costs incidental and related thereto and to authorize the Board of Selectmen to apply for and accept any grant funds that may be available for said project, and to authorize the Board of Selectmen to convey an historic preservation restriction for the town hall building as may be necessary or appropriate under the Community

Preservation Act and/or any grant program, and to further authorize the Board of Selectmen to take all other actions necessary to carry out the project; or to take any action relative thereto.

[Requested by the Community Preservation Committee]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDS: 7-0-0

HISTORICAL COMMISSION RECOMMENDS: 5-0-0

VISITOR SERVICES BOARD RECOMMENDS: 5-0-0

Eric Dray moved that the Town appropriate the sum of \$2,000,000 under the Community Preservation Act program for historic preservation, rehabilitation, and restoration, for the comprehensive restoration and renovation of Town Hall, including all costs incidental and related thereto; that to meet this appropriation, the treasurer, with the approval of the Board of Selectmen is authorized to borrow said sum, pursuant to M.G.L. ch. 44B, or any other enabling authority, and to issue bonds or notes of the Town therefor, and to authorize the Board of Selectmen to apply for and accept any grant funds that may be available for said project, and to authorize the Board of Selectmen to convey an historic preservation restriction for the Town Hall building as may be necessary or appropriate under the Community Preservation Act and/or any grant program, and to further authorize the Board of Selectmen to take all other actions necessary to carry out the project.

Motion Passed. (2/3rd's Vote Declared)

Article 12. Town Hall Historic Preservation Restriction To see if the Town will vote to transfer the care, custody, management and control of the Town Hall land, located at 260 Commercial Street, Provincetown, and having an assessors parcel identification number of 11-3-81-0-E, from the Board of Selectmen for the purpose of a town hall, to the Board of Selectmen for the purpose of a town hall and for the purpose of conveying a perpetual historic preservation restriction therein, and to authorize the Board of Selectmen to convey a perpetual historic preservation restriction encumbering said Town Hall land and building to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission, on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate, or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION.

Austin Knight moved that the Town vote to approve Article 12 as printed in the warrant. **Motion Passed. (2/3rd's Vote Declared).**

Article 13. 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, effective July 1, 2009, as follows:

	Actual FY 2009		Proposed FY 2010		
Gr	Min	Max.	Min.	Max.	Position Title
21	91,006	106,517	91,006	106,517	Town Manager [<i>exempt – MGL C.41, §108N</i>]
20	77,124	92,417	77,124	92,417	Chief of Police [<i>exempt – MGL C.41, §108O</i>] Director of Public Works
19	73,105	87,601	73,105	87,601	<i>no positions assigned</i>
18	69,293	83,034	69,293	83,034	<i>no positions assigned</i>
17	65,680	76,118	65,680	76,118	Director of Municipal Finance Police Staff Lieutenant*
16	62,256	74,602	62,256	74,602	<i>no positions assigned</i>
15	59,009	68,388	59,009	68,388	Assistant Town Manager Building Commissioner Deputy Director of Public Works
14	55,670	66,710	55,670	66,710	Health Agent Health and Environmental Affairs Manager**
13	52,520	60,866	52,520	60,866	<i>no positions assigned</i>
12	49,547	59,372	49,547	59,372	Human Services/Council on Aging Director Information Services Director Library Director Principal Assessor Town Accountant
11	47,187	56,543	47,187	56,543	Collector Treasurer
10	44,940	53,852	44,940	53,852	DPW Finance Coordinator Recreation Director
9	42,800	51,287	42,800	51,287	Local Building Inspector Parking Administrator Administrative Director of Tourism Town Clerk
8	40,377	48,384	40,377	48,384	COA Outreach Coordinator Library Operations Director Permit Coordinator Town Manager's Secretary/ Emp.Ben. Coord.
7	38,093	45,646	38,093	45,646	Electrical/Deputy Building Inspector Licensing Agent Payroll Coordinator/Asst Town Acct.*
6	37,013	44,354	37,013	44,354	Secretary to the Board of Selectmen Secretary to the Chief of Police Administrative Assistant Accounting*

Actual FY 2008		Proposed FY 2009		Position Title
Gr	Min. Max.	Min.	Max.	

*Change in title only. No change in salary grade or job duties.
 ** Change in title and salary grade. No change in job duties.

2. **Schedule B:** to amend Schedule B, "Fire Department Positions," effective July 1, 2009, as requested by the Board of Fire Engineers, as follows:

Position	Current	Proposed
Deputy Fire Chief	\$6,600	\$6,600
District Fire Chief/Engineer	2,200	2,200
Firefighter	715	750
Fire Auxiliary	360	375
Fire Captain (additional stipend)	500	500
Fire Lieutenant (additional stipend)	305	305
House Steward (additional stipend)	880	880
House Steward (additional stipend)	1,100	1,100
Ladder Steward (additional stipend)	1,300	1,300
Main Station Steward (additional stipend)	4,800LCA	
Oil Inspector	1,747	
Rescue Captain (additional stipend)	1,100	1,450
Rescue Lieutenant (additional stipend)	880	880
Rescue Steward (additional stipend)	2,640	3,000
Rescue Training Officer(addit. stipd)	1,650	1,650
Radio Officer (additional stipend)	550	550
Air Officer (additional stipend)	880	1000
Annual Salary		
<u>Position</u>		
Fire Chief	\$25,000	25,000
Non-Firefighter Positions		
<u>Position</u>		
First Responders	\$12.00 per call	
EMT-Basic	18.50/hour	21.30
EMT-Intermediate	21.00	20.65
EMT-Paramedic	23.00	23.70
Stand-by	17.00	18.00
Safety Inspections	14.03	
Rescue Squad participation	\$250.00 per quarter	

[Requested by the Personnel Board and the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION

PERSONNEL BOARD RECOMMENDS AS AMENDED: 3-0-0

Elaine Anderson moved that the Town vote to approve Article 13 as printed in the warrant with the following amendment: Schedule A, Grade 7, add MIS Technicians to the *Position Title*. **Motion Passed.**

Article 14. Expenditures from the Tourism Fund. To see if the Town will vote to transfer from the Tourism Fund the sum of \$423,136 to be expended under the direction of the Board of Selectmen and the Visitor Services Board to fund the following expenditures which market, beautify or enhance tourism in Provincetown pursuant to Chapter 178 of the Acts of 1996:

1. \$79,000 for coordination/support of the Visitor Service Board and the Tourism Department; and costs related thereto;
2. \$206,016 for marketing, and costs related thereto;
3. \$34,120 for municipal projects, and costs related thereto; and
4. \$100,000 for tourism grants, and costs related thereto;
5. \$4,000 for Beautification Committee

or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Visitor Services Board]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 5-0-0

VISITOR SERVICES BOARD RECOMMENDS: 5-0-0

Mary-Jo Avellar moved that the Town vote to approve Article 14 as printed in the warrant. **Motion Passed.**

Town Moderator Irene Rabinowitz recused herself and relinquished the role of moderator to Town Clerk Doug Johnstone.

Article 15. FY 2010 Human Services Grant Program. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$53,799 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:

AIDS Support Group of Cape Cod	\$7,000
Cape Cod Children’s Place	3,500
Consumer Assistance Council	250
Gosnold	13,000
Helping Our Women	6,000
Independence House.	3,800
Interfaith Council for the Homeless	2,649
Lower Cape Outreach Council, Inc.	4,000
Mass Appeal	400

Outer Cape Health Services	5,500
Sight Loss Services, Inc.	400
Soup Kitchen in Provincetown	3,000
South Coast Counties Legal Services	<u>4,300</u>
<i>Total</i>	\$53,799

or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 5-0-0

HUMAN SERVICES COMMITTEE RECOMMENDS: 4-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Michele Couture moved that the Town vote to raise and appropriate the sum of \$53,799 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 Passed.

Town Moderator Irene Rabinowitz returned to the meeting.

Article 16. Adoption of MGL Ch. 32B, Section 18 Medicare.

To see whether the Town will vote to adopt M.G.L. c.32B, § 18 requiring that all retirees and their spouses and dependents who are enrolled in Medicare Part A at no cost to the retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to the retiree, their spouse or dependents, be required to enroll in a Medicare health benefits supplement plan offered by the Town; or to take any other action relative thereto.

[Requested by the Finance Committee and the Town Manager]

BD OF SEL. RECOMMENDS INDEFINITE POSTPONEMENT: 4-1-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

INSURANCE ADV. BD RECOMMENDS INDEF. POSTPONEMENT: 5-0-0

David Bedard moved that the Town vote to indefinitely postpone Article 16.

Motion Passed.

Article 17. Land Bank – Acquisition of land for Community Agriculture, Conservation, and Open Space – 6R, 10R, and 14 R, Browne Street. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise the fee interest in a

certain three parcels of real estate **6R, 10R, and 14 R, Browne Street** in common ownership by, **E. Richard Davis** together containing **2.29 acres**, more or less, shown as assessors map **07-1-0032; 07-1-0033; and 07-1-0034**, a copy of which is on file in the Office of the Town Clerk, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Selectmen may determine; and to appropriate and borrow the sum of Two Hundred Thousand and 00/100 (\$200,000.00) for such acquisition and all expenses incidental and related thereto, pursuant to Chapter 293 of the Acts of 1998 entitled, "An Act Relative to the Establishment of the Cape Cod Open Space Land Acquisition Program" (the so-called "Land Bank"); provided that said land is to be conveyed to the Town of Provincetown consistent with the provisions of Massachusetts General Laws, Chapter 40, Section 8C and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, and as it may be hereafter amended, and other Massachusetts statutes relating to non-commercial agriculture, conservation, open space, and passive recreation, to be managed and controlled by the Provincetown Conservation Commission, and, to the extent that any federal, state or other funds are or become available for the purposes outlined in this Article, to authorize the Board of Selectmen or other applicable boards or commissions to apply for and accept such funds, including but not limited to funding under the Self Help Act, G.L. c.132 A, Sec. 11 (now, so-called LAND grants); and further provided that the Board of Selectmen and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect said acquisition or purchase or grants, or to take any other action relative thereto; and further, to authorize the Board of Selectmen and the Conservation Commission to convey to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction on said land as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, allowing non-commercial community agricultural, conservation and open space passive recreation uses described in Massachusetts General Laws, Chapter 40, Section 8C; or take any other action relative thereto.

[Requested by the Conservation Commission and Open Space Committee]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 8-0-0

CONSERVATION COMMISSION RECOMMENDS: 4-0-0

Dennis Minsky moved to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise the fee interest in a certain three parcels of real estate 6R, 10R, and 14 R, Browne Street in common ownership by, E. Richard Davis, **Nancy A. Richardson, and Richard E. Davis**, together containing 2.29 acres, more or less, shown as assessors map 07-1-0032; 07-1-

0033; and 07-1-0034, a copy of which is on file in the Office of the Town Clerk, **and easements over other land for access to a public way**, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Selectmen may determine, pursuant to Chapter 293 of the Acts of 1998 entitled, “An Act Relative to the Establishment of the Cape Cod Open Space Land Acquisition Program” (the so-called “Land Bank”); provided that said land is to be conveyed to the Town of Provincetown consistent with the provisions of Massachusetts General Laws, Chapter 40, Section 8C and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, and as it may be hereafter amended, and other Massachusetts statutes relating to non-commercial agriculture, conservation, open space, and passive recreation; and to appropriate the sum of One Hundred Eighty Thousand and 00/100 (\$180,000.00) for such acquisition including all expenses incidental and related thereto: that to meet said appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow \$180,000 pursuant to Massachusetts General Laws Chapter 44, Sections 7 and 8, or any other enabling authority, and to issue bonds and notes therefor; that to the extent that any federal, state or other funds are or become available for the purposes set forth in this vote, to authorize the Board of Selectmen or other applicable boards or commissions to apply for and accept such funds, including but not limited to funding under the Self Help Act, G.L. Ch. 132 A, Sec. 11 (now, so-called LAND grants); and further provided that the Board of Selectmen and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect said acquisition or purchase or grants, or to take any other action relative thereto; and further, to authorize the Board of Selectmen and the Conservation Commission to convey to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction on said land as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, allowing non-commercial community agricultural, conservation and open space passive recreation uses described in Massachusetts General Laws, Chapter 40, Section 8C.

Motion Passed. (2/3rd's Vote Declared)

Article 18. Land Bank – Acquisition for Community Garden, Conservation, and Open Space of a portion of 608 Commercial St. Map 15-3-061. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise the fee interest in a certain portion of the parcel of real estate at 608 Commercial Street held in ownership by Jonathan Sinaiko, 5,620 ± sq. ft., more or less, shown as assessors map 15-3-061, a copy of which is on file in the Office of the Town Clerk, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Selectmen may determine; and to

appropriate and borrow the total sum of \$250,000 with \$150,000 of Land Bank funds to be used for such acquisition and all expenses incidental and related thereto, pursuant to Chapter 293 of the Acts of 1998 entitled, "An Act Relative to the Establishment of the Cape Cod Open Space Land Acquisition Program" (the so-called "Land Bank"); provided that said land is to be conveyed to the Town of Provincetown under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may be hereafter amended, and other Massachusetts statutes relating to conservation and passive recreation, to be managed and controlled by the Provincetown Conservation Commission, and, to the extent that any federal, state or other funds are or become available for the purposes outlined in this Article, to authorize the Board of Selectmen or other applicable boards or commissions to apply for and accept such funds; and further provided that the Board of Selectmen and the Open Space Committee be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect said acquisition or purchase or grants, or to take any other action relative thereto; and further, to authorize the Board of Selectmen and the Open Space Committee to convey to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction on said land as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, allowing community agricultural, conservation and passive recreation uses described in Massachusetts General Laws, Chapter 40, Section 8C; or take any other action relative thereto.

[Requested by the Open Space Committee]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RESERVES RECOMMENDATION: 7-0-0

CONSERVATION COMMISSION RECOMMENDS: 3-0-1

OPEN SPACE COMMITTEE RECOMMENDS: 3-0-0

Mary-Jo Avellar moved to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise the fee interest in a certain portion of the parcel of real estate at 608 Commercial Street held in ownership by Jonathan Sinaiko, 5,620 ± sq. ft., more or less, shown as assessors map 15-3-061, a copy of which is on file in the Office of the Town Clerk, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Selectmen may determine, pursuant to Chapter 293 of the Acts of 1998 entitled, "An Act Relative to the Establishment of the Cape Cod Open Space Land Acquisition Program" (the so-called "Land Bank"); provided that said land is to be conveyed to the Town of Provincetown under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may be hereafter amended, and other Massachusetts statutes relating to conservation and passive recreation, to be managed and controlled by the Provincetown Conservation Commission; and to appropriate the sum of

\$150,000 for said acquisition including all costs incidental and related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow \$150,000 pursuant to Massachusetts General laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes therefor, and, to the extent that any federal, state or other funds are or become available for the purposes set forth in this vote, to authorize the Board of Selectmen or other applicable boards or commissions to apply for and accept such funds; and further provided that the Board of Selectmen and the Open Space Committee be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect said acquisition or purchase or grants, or to take any other action relative thereto; and further, to authorize the Board of Selectmen and the Open Space Committee to convey to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction on said land as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, allowing community agricultural, conservation and passive recreation uses described in Massachusetts General Laws, Chapter 40, Section 8C.

Motion Passed. (2/3rd's Vote Declared)

Article 19. General By-law Amendment: Non-Criminal

Disposition of Pier Corporation Regulations. To see if the Town will vote to amend the Provincetown General By-laws by amending §2-3-1-1 to read as follows:

Article 2-3-1-1. Any rule or regulation of the Provincetown Public Pier Corporation duly enacted as of ~~April 7, 2008~~ **April 6, 2009** shall be deemed a regulation of the Board of Selectmen. Violation of such rules or regulations may be enforced by any available means in law or equity, including but not limited to non-criminal disposition pursuant to G.L. c.40, §21D, and Sections 2-3-1 through 2-3-3 of the General By-laws. For the purposes of this by-law, the following officials shall be enforcing persons: the Harbormaster and his designees and any police officer of the Town of Provincetown.

2-3-2-1. Violations of the Provincetown Public Pier Corporation Regulations in Effect on ~~April 7, 2008~~ **April 6, 2009** (attached as Appendix 1 to Schedule A): 1st offense, \$100.00; 2nd offense, \$200.00; 3rd and subsequent offenses, \$300.00

Or to take any other action relative thereto.

[Requested by Provincetown Public Pier Corporation]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION

PROVINCETOWN PUBLIC PIER CORPORATION RECOMMENDS: 3-0-0

Kerry Adams moved that the Town vote to approve Article 19 as printed in the warrant.

Motion Passed.

Article 20. Marijuana Policy. To see whether the Town will vote to add the following Section to the General By-laws:

Section 13-2-8-3.

**PUBLIC CONSUMPTION OF MARIJUANA OR
TETRAHYDROCANNABINOL PROHIBITED:**

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by noncriminal disposition pursuant to G.L. c. 40, § 21D,* by the Board of Selectmen, the Town Manager, or their duly authorized agents, or any police officer. The fine for violation of this by-law shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under M.G.L. c. 94C, § 32L; or to take any other action relative thereto.

[Requested by the Police Chief]

**BOARD OF SELECTMEN DOES NOT RECOMMEND: 4-1-0
FINANCE COMMITTEE HAS NO RECOMMENDATION**

Jeff Jaran moved that the Town vote to approve Article 20 as printed in the warrant.

Motion Does Not Pass.

Article 21. Historic District By-Law. To see if the Town will vote to amend Chapter 15. Local Historic District. Section 11. Appendices. Appendix 1. Provincetown Historic District Guidelines. 9 of the Town's General By-laws by deleting and substituting the following:

9. ROOF DECKS, DECKS AND PORCHES.

Roof decks ~~are~~ **may be** permitted under the following criteria:

- a. The size and location of the roof deck should not dominate the roof.
- b. ~~Where possible,~~ **R**oof decks should be located to be minimally visible from a public way, ~~or and~~ detailed to reflect an historic roof walk, **if appropriate to the building and site.**

c. Railing design should consist of wooden railings with captured balusters. Decks and porches extending beyond the façade plane of a building **are may be** permitted provided the deck supports do not obscure significant architectural detail. New decks should be detailed in a manner appropriate to the building; or to take any other action relative thereto.

[Requested by the Historic District Commission]

BOARD OF SELECTMEN RECOMMENDS: 4-1-0

FINANCE COMMITTEE RESERVES RECOMMENDATION: 9-0-0

Elaine Anderson moved that the Town vote to approve Article 21 as printed in the warrant. **Motion Passed.**

Article 22. Delete By-law Section 9-5: Habitations for Rent.

To see if the Town will vote to amend the Provincetown General By-laws by deleting its entirety Section 9-5 Habitations for Rent; or to take any other action relative thereto.

[Requested by the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RESERVES RECOMMENDATION: 9-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Michele Couture moved that the Town vote to approve the amendment of the Provincetown General By-Laws by deleting its entirety Section 9-5 Habitations for Rent. **Motion Passed.**

Article 23. Licensing and vaccination of dogs. To see if the

Town will vote to amend the General By-laws by amending Article 13-2-7-5. Licensing by adding the following to the end of the section: Any owner that fails to license and/or vaccinate a dog by order of an enforcement official within two business days of receipt of a notice to license shall be subject to a fine of \$25.00. Any owner that fails to license and /or vaccinate a dog by order of an enforcement official within the next two business days shall be subject to a fine of \$50.00. Any owner that fails to license and/or vaccinate a dog by order of an enforcement official for more than four days shall be subject to a fine of \$75.00. Each day thereafter that a violation of the Town by-law continues shall be deemed to be a separate offense, or to take any other action relative thereto.

[Requested by the Animal Welfare Committee and the Chief of Police]

BOARD OF SELECTMEN RECOMMENDS: 4-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION.

ANIMAL WELFARE COMMITTEE RECOMMENDS: 3-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Barbara Murphy moved that the Town vote to approve Article 23 as printed in the warrant. **Motion Passed.**

Article 24. Safe Transportation of Animals. To see if the Town will vote to amend the General Bylaws by inserting a new section 13-2-7.2, Safe Transportation of Animals, to read as follows: No person shall transport an animal in the back of a motor vehicle in a space intended for a load on the vehicle on a public way unless such space is enclosed or has side and tail racks to a height of at least 46 inches extending vertically from the floor, the animal is cross tethered to the vehicle, the animal is protected by a secured container or cage or the animal is otherwise protected in a manner which will prevent the animal from being thrown or from falling or jumping from the vehicle. A non-criminal disposition penalty will be assessed in the amount of \$50.00 (fifty dollars) to the owner for the first offense; \$75.00 (seventy five dollars) to the owner for the second offense; and \$100.00 (one hundred dollars) for the third and subsequent offenses; or to take any other action relative thereto.

[Requested by the Animal Welfare Committee and the Chief of Police]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION

ANIMAL WELFARE COMMITTEE RECOMMENDS: 3-0-0

BOARD OF HEALTH RECOMMENDS: 5-0-0

Carol MacDonald moved that the Town vote to approve Article 24 as printed in the warrant. **Motion Passed.**

Article 25. Control of dogs. To see if the Town will vote to amend the General By-laws by amending Article 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): 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 \$25.00 (twenty-five dollars) to the owner for the first offense; \$50.00 (fifty dollars) for the second offense; \$75.00 (seventy-five dollars) for the third offense and subsequent offenses. Each violation of this by-law shall be deemed to be a separate offense;** or take any other action relative thereto.

[Requested by the Animal Welfare Committee and the Chief of Police]

BOARD OF SELECTMEN RECOMMENDS: 3-2-0
FINANCE COMMITTEE HAS NO RECOMMENDATION
ANIMAL WELFARE COMMITTEE RECOMMENDS: 3-0-0
BOARD OF HEALTH RECOMMENDS: 5-0-0
CONSERVATION COMMISSION RECOMMENDS: 3-0-1

Candace Nagle moved that the Town vote to approve Article 25 as printed in the warrant with the following change: To further delete from the By-law the reference to Shank Painter Pond Uplands.

Christopher Snow moved to amend the motion in Article 25 to add the word “owned” after the word Town where it appears in the article in “Town beaches”.

Motion to Amend Passed.

Motion As Amended Passed.

Article 26. Zoning By-law Amendment: Article 6 Growth Management By-Law, Section 6200 Applicability. To see if the Town will vote to amend the Provincetown Zoning By-laws, as follows, with changed text shown in underlined and deleted text shown as ~~strike through~~.

Section 6200 Applicability

1. Except as provided below this Growth Management By-law shall apply to all new construction, including new structures and enlargement, alteration or renovation of existing structures, to all new uses, and to all expansions, changes, or alterations of existing uses, which will result in an increase, no change, or a decrease in Title 5 Design Flow (pursuant to 310 C.M.R. 15.203 (2) through (6), and Board of Health Regulations Part 7 Local Title V Supplements) as determined by the ~~Health Agent~~ Community Development Department (“Department”).
2. No building permit shall be issued for a new structure or for the enlargement, reduction, renovation or alteration of an existing structure and no occupancy permit shall be issued for any new use or any reduction, expansion, change or alteration of an existing use for which no building permit is required; until and unless:

-
- (a) The ~~Health Agent Department~~ determines the amount, if any, by which Title 5 Design Flow will increase or decrease as a result of the proposed structure or use. In making determinations of Title 5 Design Flow, the ~~Health Agent Department~~ shall apply the definitions of Fixed Standing and Seats as defined in Article 1, where applicable; and
- (b) In the event the ~~Health Agent Department~~ determines the amount of Title 5 Design Flow will increase, the property owner obtains a Growth Management Allocation Permit sufficient to allow the increase.
3. If the ~~Health Agent Department~~ determines under Section 6200-2a that a decreased Title 5 Design Flow will result, then during a two-year period following the issuance of the building permit or occupancy permit, whichever is earlier, for such structure or use, no Growth Management Allocation Permit will be required for any subsequent change in such structure or use that increases its Title 5 Design Flow up to and including the Title 5 Design Flow amount so determined by the ~~Health Agent Department~~ prior to the decrease in Title 5 Design Flow, unless the owner has abandoned the prior use or intensity of use. Such abandonment shall occur by wholly changing such use to a different principal use, or by issuing a written statement or covenant to the Town expressly abandoning the prior use or intensity of use.
4. This Growth Management Zoning By-law shall not apply to:
- a. Municipal Uses;
 - b. approved Laundromats;
- ~~5. Notwithstanding any other provisions of this By-law to the contrary, any building permit issued for construction authorized by a special permit granted prior to December 31, 2000 shall continue to be governed by the applicable provisions of the Growth Management By-law in effect on the date the special permit was granted, provided that:~~
- ~~(1.) the building permit application for such construction was submitted to the Department within six months of the date of the grant of the authorizing special permit, and~~
 - ~~(2.) any delay in issuance of the building permit beyond the six month period following the grant of the special permit was due solely to the annual building permit limitations contained in the Growth Management By-law in effect on the date the special permit was granted.~~
- ~~6. This Growth Management Zoning By-law shall not apply to:~~
- ~~a. the demolition, reconstruction and/or remodeling of dilapidated and/or condemned structures deemed by the Inspector of Buildings on or before March 1, 2000 to be a public safety hazard subject, however, to all other provisions of these By-laws governing maintenance;~~

~~extension, alteration or change to pre-existing structures and/or uses.~~

~~b. c.~~ construction of a single-family dwelling, one per lot, upon a vacant lot by the record ~~of~~ owner(s) thereof appearing at the Barnstable County Registry of Deeds as of March 1, 2000 which is intended to be occupied and is subsequently occupied for a continuous period of at least two (2) years by said owner(s) as his/her/their permanent principal residence. An Affidavit of Intention setting forth the owner(s) certification of intended commitment to compliance with the requirements of this subsection and signed and notarized under the pains and penalties of perjury by said record owner(s) shall be filed with the Inspector of Buildings with any building permit application filed pursuant to this exception. No property utilizing this exception shall be eligible to receive an additional Growth Management Allocation Permit for a period of five (5) years from the date of issuance of the original Growth Management Allocation Permit nor may a qualifying person or persons under this exception ever re-qualify for a further exception under this subparagraph ~~b. c.~~:

~~e. d.~~ single family dwellings where the owners are the resident and have a private well suitable for drinking. Said lot shall not be permitted to connect to the Town's water system.;

7. ~~e.~~ ~~This Growth Management By-law shall not apply to~~ health care related uses in the Health Care Overlay District.

Section 6300 Procedure

1. Application for a Growth Management Allocation Permit may be made in writing to the ~~Permit Coordinator Department~~ only after having first ~~applied for received~~ all other permits, (except building and occupancy permits), licenses, special permits, variances, determinations and/or orders of conditions for the proposed construction and/or use as deemed necessary by the ~~Permit Coordinator Department~~ including, if applicable, Affordable Housing and/or Community Housing Permits awarded by the ~~PLHP Provincetown Community Housing Council (PCHC)~~ or Economic Development Permits awarded by the Board of Selectmen. For purposes of such application, statutory appeal periods relative to said permits, variances, special permits, determinations and/or orders of conditions, need not have expired without appeals ~~having been taken in order~~ for the ~~Permit Coordinator Department~~ to determine that an application for a Growth Management Allocation Permit is completed.

2. In order to be considered complete, a Growth Management Allocation Permit application must be accompanied by the application for any building permit required for the proposed construction or, if no building permit is required, the application for an occupancy permit.

3. Growth Management Allocation Permits shall be issued, after completion of the annual growth management review by the Board of Selectmen, in the order that the completed applications have been received, ~~based upon the allowed Growth Limitation Goal allocation for each category at the beginning of each calendar year in the order that Completed Applications have been received in the Department of Regulatory Management~~ and after the Department of ~~Regulatory Management~~ has had 30 days to review the completed application.

4. Affordable Housing Permits and/or Community Housing Permits will be authorized on a priority basis as established by the PCHC, using criteria including but not limited to housing quality standards, quality of design, degree of affordability in terms of cost, and financial feasibility of the proposal. No Affordable Housing Permit and/or Community Housing Permit shall be issued without prior authorization of the PCHC. Each property in which 100% of the dwelling units are Affordable Housing and/or Community Housing, and for which an Affordable Housing Permit or a Community Housing Permit is granted, shall be deemed a public service use under Section 3 of Chapter 157 of the Acts of 2000.”

5. Discontinued and Abandoned Uses.

- a. Discontinued. The ~~Health Agent Department~~ shall, two years after a determination of decreased Title 5 Design Flow pursuant to section 6200.2(a), ~~and~~ provided that such Title 5 Design Flow has not increased during the two year period, ~~or two years after actual discontinuance of use pursuant to a growth management allocation permit~~, assign the difference in gallonage between the prior, higher Title 5 Design Flow and the current Title 5 Design Flow to a ~~“Surplus Gallonage Pool.”~~ back to the corresponding General Use Category.
- b. Abandoned. In the event a property owner abandons the prior use or intensity of use pursuant to Section 6200-3, the ~~Health Agent Department~~ shall immediately assign the difference in gallonage between the prior, higher Title 5 Design Flow and the new Title 5 Design Flow to a ~~“Surplus Gallonage Pool.”~~ back to the corresponding General Use Category.

Section 6500 Table of Use Categories and Priorities

GENERAL USE CATEGORY 1

- 1a. Affordable Housing Units
 1b. ~~Medium~~ Median Income Community Housing Units
 1c. Middle Income Community Housing Units

GENERAL USE CATEGORY 2

The non-affordable housing components of project consisting of:

- 2a1 Multi-family dwellings projects that consist of 50%-99% affordable housing and/or community housing
- 2a2 Two-family dwellings projects that consist of 50%-99% affordable housing and/or community housing
- 2a3 Single-family dwelling projects that consist of 50%-99% affordable housing and/or community housing
- 2b1 Multi-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing
- 2b2 Two-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing
- 2b3 Single-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing

GENERAL USE CATEGORY 3

- 3a. Expansions or alterations to existing residential structures or uses that result in increased Title 5 flow, not to exceed the Title 5 Design Flow pursuant to 310 CMR 15.203(2) for one bedroom per year per applicant not to exceed a total of 330 gallons per year.²²
- 3b. Single-family dwelling, one per lot; two family dwelling, one per lot.
- 3c. All other market rate residential projects without affordable housing components that result in increased Title 5 flow.

GENERAL USE CATEGORY 4

- 4a ~~Office, Artists' Studio, For-profit Nursing home, For-profit Outpatient Rehabilitation Facility~~ Projects that receive an Economic Development Permit
- 4b ~~Boarding, Lodging or Tourist Homes~~ Non-Profit or Community Service Uses which meet a critical community need as determined by the Board of Selectmen
- 4c ~~Boarding, Lodging or Tourist Homes~~, Hotel, Motel, Inn, Camp, Cabin, Dormitory Housing
- 4d ~~Restaurant and Bar~~
- 4e 4d All other non-residential uses, expansions or alterations to existing structures or uses and any change in use or increase in posted occupant load that results in increased Title 5 Design Flow.

GENERAL USE CATEGORY 5

5a Economic Development pursuant to an Economic Development Permit.

Section 6600 Growth Limitation Goal Allocations

Initially, 13,200 gpd shall be allotted for assignment for Use Category 1a.

Thereafter,

unassigned gallonage allotment shall be as follows in the order listed:

1. Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1650 gpd to General Use Category 1, provided that the

Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

The Selectmen shall have the flexibility with the General Use Category 1 to distribute the 1650 gallons amongst the Use Categories 1a, 1b, and 1c, based on the recommendation of the PCHC within the Annual Growth Management Report.

All unassigned gallonage remaining at the end of each calendar year for General Use Category 1a, 1b and 1c shall remain available ~~be allotted~~ for assignment in the next calendar year for those same categories, respectively Use Category 1a, 1b, and 1c.

~~2. Unassigned gallonage remaining at the end of each calendar year for General Use Categories 1b and 1c shall be allotted for assignment in the next calendar year for those same categories, respectively (1b to 1b and 1c to 1c).~~

~~3. One quarter of the unassigned gallonage remaining at the end of each calendar year for General Use Categories 3 and 4 shall be allotted for assignment in the next calendar year for Use Category 1a; two quarters of said remaining unassigned gallonage shall be so allotted for Use Category 1b; and one quarter of said remaining unassigned gallonage shall be so allotted for Use Category 1c.~~

~~4. One half of the 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 and one half of said remaining unassigned gallonage shall be so allotted for Use Category 3. On the effective date of this zoning by-law amendment and on the anniversary thereof in 2005, 2006, 2007 and 2008, 550 gallons per day shall be added to the allotment for Use Category 1a, provided that prior to each such anniversary, the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto:~~

~~1a. On the effective date of this zoning by-law amendment and on the anniversary thereof in 2005, 2006, 2007 and 2008, 1,100 gallons per day shall annually be added to the allotment for Use Category 1b, provided that prior to each such anniversary, the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto:~~

~~1b. On the effective date of this zoning by-law amendment and on the anniversary thereof in 2005, 2006, 2007 and 2008, 550 gallons per day shall annually be added to the allotment for Use Category 1c, provided that prior to each such anniversary, the Board of Selectmen shall have made a finding that~~

the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

~~1c. On the effective date of this zoning by-law amendment and on the anniversary thereof in 2007 and 2008, 990 gallons shall be allocated for assignment to Use Category 3a for projects where Completed Applications were filed prior to March 31, 2005.~~

2. The Growth Limitation Goal shall be allocated for categories 2, 3 and 4 each year as follows:

~~(a.) 1,870 gpd shall be allocated for assignment under General Use Category 2.~~

(a) Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1,100 gpd to General Use Category 2, provided that the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

All unassigned gallonage remaining at the end of each calendar year for General Use Category 2 shall remain available for assignment in the next calendar year for General Use Category 2.

~~(b.) 1,100 gpd shall be allocated for assignment under General use Category 3.~~

(b) Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1,870 gpd to General Use Category 3, provided that the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

All unassigned gallonage remaining at the end of each calendar year for General Use Category 3 shall remain available for assignment in the next calendar year for General Use Category 3.

~~(c.) 700 gpd shall be allocated for assignment under General Use Category 4.~~

(c) Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1,250 gpd to General Use Category 4, provided that the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

All unassigned gallonage remaining at the end of each calendar year for General Use Category 4 shall remain available for assignment in the next calendar year for General Use Category 4.

~~3. Initially, 5,000 gpd shall be allotted for assignment for General Use Category 5. Gallonage in the Surplus Gallonage Pool shall be allocated to General Use Category 5 as such gallonage accrues.~~

~~4.3. Growth Management Review. Annually, by November 15, January 15, the Town Manager, in consultation with the DPW Director, Water Superintendent, Permit Coordinator, Planning Board, Board of Health, Water & Sewer Board, and Provincetown Community Housing Council (PCHC) and the Local Comprehensive Plan Implementation Committee shall evaluate the effects of growth on our resources over the past year, including but not limited to potable water supply, solid waste disposal, and wastewater disposal, and the inventory of affordable housing and issue an Annual Growth Management Report to the Board of Selectmen on those impacts and their recommendations therefore. The Board of Selectmen shall hold a Public Hearing on the Report in December of each year within 30 days, and make a determination as to the amount of the Growth Limitation Goal Allocations, not to exceed the assigned allocations in Section 6600 for the upcoming year.~~

[Requested by the Planning Board]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0
FINANCE COMMITTEE HAS NO RECOMMENDATION
PLANNING BOARD RECOMMENDS AS AMENDED: 4-0-0

Michele Couture moved that the Town vote to approve Article 26 as printed in the warrant, with the following change: remove all proposed change references to the “Community Development Department” and thereafter “Department” and keep original language “Health Agent” and “Permit Coordinator” as it exists in the current by-law.

Clarence Walker moved to indefinitely postpone Article 26.

Motion to Indefinitely Postpone Does Not Pass.

Motion Passed. (2/3rd's Vote Declared)

Article 27. Zoning By-law Amendment: Section 2330 Floodplain District Boundaries and Base Flood Elevation Data. To see if the Town will vote to amend the Provincetown Zoning By-laws, as follows, with changed text shown in ***underlined, bold, italics*** and deleted text shown as ~~strikethrough~~.

Provincetown Zoning Bylaws

Section 2330 Floodplain District Boundaries and Base Flood Elevation Data

~~2330 Class “A, V and A-O” Flood Area Overlay Districts Provisions:~~

~~Permits for new construction, alteration of structures, or other development (any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations) at or below the Base Flood Elevation (10' above mean high sea level) as specified within Zones A1-A30, V2-V4 and AO on Federal Emergency Management Agency Flood Insurance Rate Maps, effective July 15, 1992, such maps hereby incorporated as part of this By-Law~~

~~and on file with the Town Clerk, the Planning Board and the Inspector of Buildings, shall be approved only subject to the following:~~

2330 Floodplain District Boundaries and Base Flood Elevation Data

~~The Floodplain District (“District”) is herein established as an overlay district. The District shall include all special flood hazard areas designed on the Town of Provincetown Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP) dated July 15, 1992 as Zone A, AE, AH, AO, A1-30, A99, V, V1-30, VE. The FIRM designates the parameters of the 100-year base floodplain. The boundaries of the District shall be coincident with the 100-year base flood elevations as shown on the FIRM, Floodway Maps and Flood Insurance Study booklet, all of which are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.~~

2331 Elevation. ~~New construction or substantial improvement (which shall be defined for purposes of this section as any repair, construction or alteration costing 50% or more of the market value of the structure before improvements; or if damaged, before damage occurred) of residential structures shall have the lowest floor (including basement) elevated to not less than Base Flood Elevations. (Substantial improvement is deemed to have occurred when the first alteration of any structural part of the building commences).~~

~~New construction or any substantial improvement of nNon-residential structures shall either be similarly elevated or, together with attendant utility and sanitary facilities shall be flood proof (i.e. watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy to or above that level) to not less than the Base Flood Elevations. However, structures such as boathouses that would be functionally impaired by such measures, which because it requires coastal a water level locations, and is which are not continuously used for human occupancy, may be exempted from this requirement, upon the issuance of a Special Permits from the Zoning Board of Appeals.~~

~~2332 Mechanical and Utility Equipment. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~2333 Start of Construction. [for other than new construction or substantial improvements under Coastal Barrier Resources Act (pub. L.97-348)], includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvements was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the~~

construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure.

~~2334~~ **Enclosures Below A Structure's Lowest Floor.** For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

~~2335~~ **2332 Code References.** Any new construction or substantial improvements to be undertaken within said district shall be in accordance with the Massachusetts Uniform Building Code.

~~2336~~ **2333 Use of Available Flood Data.** The Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or any other source, as a criteria for requiring that new construction, substantial improvements, or other development in Zone A meet all requirements set forth in Section 60.3 (c) (2), (3), (5), and (6) and (d) (3) of the National Flood Insurance Program; Final Rule dated August 25, 1986.

~~2337~~ **2334 "V" Zones.**

No land within areas designated as V (velocity) Zones on the F.I.A. Flood Hazard Rate Maps shall be developed unless such development:

- a. is demonstrated by the applicant to be located landward of the reach of the mean high tide through issuance of a special permit by the Zoning Board of Appeals, and;
- b. is elevated at or above base flood elevation and adequately anchored to piles as specified in the Commonwealth of Massachusetts State Building Code and as specified in Section 60.3(c)(4) of NFIP. Any man-made alteration of sand dunes within said designated V Zones which might increase the potential for flood damage shall be prohibited.

2335 Other Use Regulations

- 1) Within Zones AH and AO on the FIRM, adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
- 2) All subdivision proposals shall be designed, based upon pre-construction and post-construction drainage calculations provided by a professional engineer, to assure that:
 - a. Such proposals minimize flood damage;
 - b. All public utilities and facilities shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.

2338 Manufactured Homes:

All manufactured homes to be placed or substantially improved within Zones A1-30, AH and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions specified in Section 60.3 (b) (8) of the Criteria for Land Management and Use of the National Flood Insurance Program unless being used as temporary housing following a natural holocaust provided by Section 3, Ch. 40A, M.G.L.

All manufactured homes to be placed or substantially improved in Zones V, VE, and V1-30 must meet the same standards as conventional housing (e.g. meet the provisions at Section 60.3 (e) (3), (4), (5), and (6) of NFIP criteria):

2339 ~~2336~~ Variances.

Any variance from the requirements of this section shall be considered a use variance and no use variance shall be issued from this section by the Zoning Board of Appeals. Only the Massachusetts State Building Code Commission may grant a variance from the building code requirements in the floodplain.

A. The Zoning Board of Appeals may grant a variance from these requirements in the case of new structures to be erected on a lot of 1/2 acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the Base Flood Elevation, providing the following are met:

1. A showing of good and sufficient cause;
2. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
3. A determination that the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or any conflict with requirements in accordance with Chapter 40A, of the Massachusetts General Laws, and;
4. The Zoning Board of Appeals has notified the applicant for the variance, in writing, that the actuarial rates will increase as the first floor elevation decreases, and that such construction below the Base Flood Elevation Level increases risks to life and property.

B. Upon the granting of such variance, the Zoning Board of Appeals shall require that the Town of Provincetown shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual report to the Flood Insurance Administrator in accordance with the Department of Housing and Urban Development guidelines.

C. The Zoning Board of Appeals may authorize use variances within the flood area, in accordance with Section 5222 as in any other Zoning district within the Town of Provincetown.

D. The Zoning Board of Appeals may grant a variance for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in Section 3351.

~~2340-2337~~ **Other Laws.**

Where these flood area provisions impose greater or lesser restrictions or requirements than those of other applicable by-laws or regulations, the more restrictive **provisions** shall apply.

[Requested by the Planning Board]

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

FINANCE COMMITTEE HAS NO RECOMMENDATION

PLANNING BOARD RECOMMENDS AS AMENDED: 4-0-0

CONSERVATION COMMISSION RECOMENDS: 3-0-0

Joseph DiMartino moved that the Town vote to approve Article 27 as printed in the warrant with the following change; ADD Section 2336 Variances to read: "Any variance from the requirements of this section shall be considered a use variance and no use variance shall be issued from this section by the Zoning Board of Appeals. Only the Massachusetts State Building Code Commission may grant a variance from the building code requirements in the floodplain." The printed warrant for Section 2336 was inadvertently both crossed out and underlined. This change is intended to **add** the language above to the by-law.
Motion Passed. (2/3rd's Vote Declared)

*Article 28. Home Rule Petition/Charter Amendment/
Eliminate Term Limits.* To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows:

SECTION 1. Section 3-4-4 of 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 repealed.

SECTION 2. This act shall take effect upon its passage.
The General Court may make clerical or editorial changes of form only 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 Barbara Rushmore and others]

BOARD OF SELECTMEN HAS NO RECOMMENDATION
FINANCE COMMITTEE HAS NO RECOMMENDATION
CHARTER ENFORCEMENT COM. DOES NOT RECOMMEND: 3-0-0

Barbara Rushmore moved that the Town vote to approve Article 28 as printed in the warrant. **Motion Does Not Pass.**

Article 29. Naming a Street After Original Tribe Shawnee Indians. To see if the Town will vote to rename an existing street or name an upcoming street after the Shawnee Indian Tribe that existed here before the Pilgrims arrived and as are shown on a map in 1620; or to take any other action relative thereto.

[Requested by Barbara Stevens and others]

BOARD OF SELECTMEN RESERVES RECOMMENDATION: 5-0-0
FINANCE COMMITTEE HAS NO RECOMMENDATION
HISTORICAL COMMISSION RECOMMENDS: 3-0-0

Barbara Stevens moved Article 29 as printed in the warrant with the following change: to remove the word Shawnee and replace with the word Meeshawn. **Motion Passed.**

Article 30. Smoke Cessation Class. To see if the Town will vote to raise and appropriate \$1,500.00 to run a Smoke Cessation Class for six weeks next fall in a public building, each class to be 1½ hours long; or to take any other action relative thereto.

[Requested by Barbara Rushmore and others]

BOARD OF SELECTMEN RESERVES RECOMMENDATION: 5-0-0
FINANCE COMMITTEE DOES NOT RECOMMEND: 7-0-0

Barbara Rushmore moved that the Town vote to approve Article 30 as printed in the warrant. **Motion Does Not Pass.**

Article 31. Home Rule Petition – Real Estate Transfer Fee. To see if the Town will vote as follows:

Section 1: To instruct its Senator and Representative in the General court to file a Home Rule Petition for a Real Estate Sale Transfer Fee equal to 1%, paid

for by the Seller on the sale of all property and payable to the Town of Provincetown General Fund, providing that:

- A. All primary residences be allowed to first exempt from the fee the amount equal to the median price of a home sold in Barnstable County for the previous calendar year, about \$350,000.

Section 2: The following transfers shall be exempt from the Real Estate Transfer Fee:

- A. Transfers to the Government of the United States, the Commonwealth, the Town of Provincetown and any of their instrumentalities, agencies or subdivisions, such as the Provincetown Housing Authority.
- B. Transfers without additional consideration to confirm, correct, modify or supplement a transfer previously made.
- C. Transfers of convenience with consideration under \$100 which include name change, into trusts, out of trusts, etc.
- D. 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, providing that the real property interests so transferred will be held by the charitable or religious organization solely for its public charitable or religious purpose.

Section 3:

- A. The fee imposed shall be due at the time of the transfer of the real property interest and shall be paid to the Town of Provincetown General Fund.
- B. The Seller shall pay interest on any unpaid amount of the fee at the rate of 14% per annum.
- C. The Town shall notify a Seller by Registered or Certified Mail of any failure to discharge the amount in full the amount of fee due.
- D. All fees and interest required to be paid under this act shall constitute a personal debt of the Seller and may be recovered in an action of contract.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approve 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 Barbara Rushmore and others]*

BOARD OF SELECTMEN DOES NOT RECOMMEND: 3-2-0

FINANCE COMMITTEE DOES NOT RECOMMEND: 7-0-0

Barbara Rushmore moved to indefinitely postpone Article 31.

Motion Passed.

Article 32. Waterways Capital Reserve Fund. To see if the Town will vote to allow the Provincetown Public Pier Corporation to keep all mooring fees that now belong exclusively to the Town and that such mooring fees in their entirety must continue to be kept in the Waterways Improvement and Maintenance Fund and expended only with a majority vote of the Town Meeting for the purposes outlined in *M.G.L. Chapter 40, Section 5G; Municipal waterways improvement and maintenance funds*. The Waterways Fund shall be the only capital reserve for the extraordinary and large capital expenditures by the Provincetown Public Pier Corporation and, therefore, the corporation shall no longer have to add \$50,000 a year into a separate capital reserve fund as now required. All the funds now in the corporation's capital reserve shall be deposited into the Waterways Fund. Because the anticipated mooring fees this year will total about \$92,000 and because the corporation will no longer have to deposit \$50,000 a year into a separate capital reserve fund, the Town shall no longer be required after June 30, 2010 to pay an annual management fee to the corporation, which amounts to \$141,000 this year, for collecting mooring fees and other harbormaster services, or take any other action relative thereto.

[Requested by Duane A. Steele and others]

BOARD OF SELECTMEN DOES NOT RECOMMEND: 4-1-0
FINANCE COMMITTEE DOES NOT RECOMMEND: 0-0-0

Duane Steele moved to indefinitely postpone Article 32.
Motion Passed.

Town Moderator Irene Rabinowitz motioned to dissolve the Annual Town Meeting at 10:20 p.m.
Motion Passed.

Annual Town Meeting dissolved at 10:20 p.m.

Special Town Meeting - Monday, April 6, 2009

Meeting Called to Order. Town Moderator Irene Rabinowitz convened the Annual Town Meeting at 6:00 p.m. on Monday, April 6, 2009 in the Veterans Memorial Elementary School

Preliminary Motions:

Michele Couture moved that the Town vote to waive the reading of the warrant.

Motion Passed.

Michele Couture moved that the Town vote to grant permission to speak at the April 6, 2009 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Russell Braun, *Building Commissioner*; Jane Evans, *Health Agent*; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., *Town Counsel*; Alexandra Heilala, *Town Accountant*; Pamela Hudson, *Secretary to the Town Manager*; Beau Jackett, *Information Systems Director*; Michelle Jarusiewicz, *Grant Administrator/ Housing Specialist*; Maxine Notaro, *Permit Coordinator*; Domenic Rosati, *Parking Lot Manager*; Robert Sanborn, *Tourism Director*
Motion Passed.

Michele Couture moved that on all matters to come before the April 6, 2009 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion Passed.**

Article 1. FY 2009 Budget Adjustments. To see what amendments the Town will vote to make to the Fiscal Year 2009 operating budgets and enterprise funds established under Articles 2 and 5 of the April 7, 2008 Annual Town Meeting and what sums the Town will vote to raise and appropriate or transfer from available funds therefor; or take any other action relative thereto.
[Requested by the Board of Selectmen and the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0
FINANCE COMMITTEE RESERVES RECOMMENDATION: 8-0-0

Sharon Lynn moved that the Town vote to transfer the sum of \$16,105.00 from the following Fiscal Year 2009 budgets established under Article 2 of the April 7, 2008, Annual Town Meeting and other available funds, as follows:
from:

135-A Town Accountant Salaries	1,000
190-A Buildings & Grounds Salaries	14,000
541-A COA Salaries	1,105
	\$ 16,105

to transfer to:

161-A Town Clerk Salaries	100
136-A MIS Salaries	400
145-A Treasurer Salary	200
241-A Regulatory Salaries	300

60	Town Meeting and Elections	Town of
	423-A Snow & Ice Salaries	6,350
	423-B Snow & Ice Expense	7,650
	512-A Nurse Salaries	1,105
	subtotal:	16,105

Motion Passed.

Article 2. Wastewater Optimization and Expansion – Borrowing Authorization. To see if the Town will vote to appropriate and borrow the sum of \$3,300,000, to be expended under the direction of the Town Manager and the Board of Selectmen for the development of plans and specifications for optimization and expansion to the Town’s sewerage systems, 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 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 take any other action relative thereto.

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

- BOARD OF SELECTMEN RECOMMENDS: 4-1-0**
- FINANCE COMMITTEE RECOMMENDS: 6-0-0**
- BOARD OF HEALTH RECOMMENDS: 5-0-0**
- CONSERVATION COMMISSION RECOMMENDS: 4-0-0**

Borrowing Authorization - 2/3’s vote required

Michele Couture moved that the Town vote to approve Article 2 as printed in the warrant. **Motion Passed. (2/3rd’s Vote Declared)**

Article 3. Replace Ladder Truck. To see if the Town will vote to appropriate the sum of \$650,000 for the purchase of a new Aerial Ladder Truck for the Fire Department, to be expended under the direction of the Town Manager and the Board of Fire Engineers; that to meet this appropriation the sum of \$350,000 be transferred from the Insurance Proceeds Account, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$300,000 pursuant to M. G.L. c. 44, sections 7 and 8, or any other enabling authority, provided that the authorization to borrow shall be contingent on the passage of a Proposition 2 ½ debt exclusion ballot question

in accordance with the provisions of M.G.L. c. 59, sec. 21C(m); or to take any other action relative thereto.

[Requested by the Board of Fire Engineers and the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

Borrowing Authorization - 2/3's vote required

Mary-Jo Avellar moved that the Town vote to appropriate the sum of \$650,000 for the purchase of a new aerial ladder truck for use in the Fire Department; and that to meet this appropriation, to transfer from the Insurance Proceeds Fund the sum of \$350,000, and further, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$300,000.00 pursuant to M.G.L. c. 44, §7(9), or any other enabling authority, and to issue bonds or notes of the Town therefor, said borrowing authority to be contingent upon approval by the voters of a Proposition 2 ½ debt exclusion ballot question, in accordance with the provisions of M.G.L. c. 59, §21C(m).

Motion Passed. (2/3rd's Vote Declared)

Article 4. ***Create Regional School District Planning Committee.*** To see if the Town will vote, pursuant to Chapter 71, Section 14 of MGL, to create a special unpaid committee to be known as the Regional School District Planning Committee, to consist of three members, including one member of the Provincetown School Committee, to be appointed by the Town Moderator, to study the advisability of establishing a regional school district; or take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

Austin Knight moved that the Town vote to approve Article 4 as printed in the warrant. **Motion Passed.**

Article 5. ***Street Sweeper.*** To see if the Town will vote to appropriate and borrow the sum of \$182,162, more or less, for the purchase of a new Street Sweeper, to be expended under the direction of the Town Manager and DPW Director; provided that this appropriation shall be contingent on the passage of a Proposition 2 ½ override vote in accordance with General Laws Ch. 59 Section 21C(m); or to take any action relative thereto.

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

Debt Exclusion - 2/3's vote required

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

David Bedard moved that the Town vote to appropriate and borrow the sum of \$182,162, for the purchase of a new Street Sweeper, to be expended under the direction of the Town Manager and DPW Director; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$182,162, pursuant to M.G.L. c. 44, §7(9), or any other enabling authority, and to issue bonds or notes of the Town therefor, said borrowing authority to be contingent upon approval by the voters of a Proposition 2½ debt exclusion ballot question, in accordance with the provisions of M.G.L. ch.59, §21C(m).

Motion Passed. (2/3rd's Vote Declared)

Article 6. Use of Parking Funds to Purchase Automated Pay Stations. To see if the Town will vote to expend \$100,000 from the Parking Fund for the purchase of seven (7) automated pay station kiosks which will accept coins, paper currency, tokens and credit cards to be installed at various locations including the Municipal Parking Lot, the Grace Hall Lot, and the West End Parking Lot; or to take any other action thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 6-0-0

Elaine Anderson moved that the Town vote to approve Article 6 as printed in the warrant.

Motion Does Not Pass.

Article 7. Local Option Hotel Tax. To see if the Town will vote to accept a local option statute, if it is approved by the General Court prior to April 6, 2009, or to support the passage of any bill filed with the General Court, that would allow the Town to increase the tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, motel or condominium located in the Town of Provincetown; or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 4-0-2

Austin Knight moved that the Town vote to support the passage of any bill by the General Court that would allow the Town to increase the tax upon the transfer of occupancy of any room or rooms in a bed and breakfast

establishment, hotel, lodging house, motel or condominium located in the Town of Provincetown.

Astrid Berg motioned to indefinitely postpone Article 7 of the Special Town Meeting. **Motion to Indefinitely Postpone Passed.**

Article 8. Local Option Meals Tax. To see if the Town will vote to accept a local option statute, if it is approved by the General Court prior to April 6, 2009, or to support the passage of any bill filed with the General Court, that would allow cities and towns by local option to impose a tax on the sale of meals by a restaurant; or to take any action relative thereto. [*Requested by the Board of Selectmen and the Town Manager*]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 4-0-2

Austin Knight moved to indefinitely postpone Special Town Meeting Article 8. **Motion to Indefinitely Postpone Passed.**

Christopher Snow moved to dissolve Special Town Meeting and open the Annual Town Meeting. **Motion Passed.**

Special Town Meeting dissolved at 7:40 p.m. on April 6, 2009.

Special Town Meeting - Monday, June 22, 2009

Meeting Called to Order. Town Moderator Irene Rabinowitz convened the Special Town Meeting at 6:00 p.m. on Monday, June 22, 2009 in the Veterans Memorial Elementary School.

Preliminary motions:

Michele Couture moved that the Town vote to waive the reading of the warrant.

Motion Passed.

Michele Couture moved that the Town vote to grant permission to speak at the June 22, 2009 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Russell Braun, *Building Commissioner*; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., *Town Counsel*; Alexandra Heilala, *Finance Director*; Brandon Motta, *Recreation Director*; Beau Jackett, *Information Systems Director*; Michelle Jarusiewicz, *Housing Specialist/Grant Administrator*; Maxine Notaro, *Permit Coordinator*; Jane Evans, *Health Agent*; Wendall

Kalsow, *Principal, McGinley Kalsow & Associates*; Mark Almeda, *Project Engineer, McGinley Kalsow & Associates*; Rob Adams, *Project Manager, Metcalf & Eddy*; Bill Meyers, *Project Superintendent, Kronenberger & Sons Restoration, Inc.*; Radu Luca, *Tourism Department Intern*; Domenic Rosati, *Parking Lot Manager*; Clarence Whatmough, W.W. Reich, Inc., *Clerk of the Works*. **Motion Passed.**

Michele Couture moved that on all matters to come before the June 22, 2009 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion Passed.**

Article 1. Town Hall Renovations

To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow a sum of money for Phase II construction costs for the comprehensive restoration and renovation of Town Hall consisting of the replacement of the mechanical, electrical, plumbing, fire protection systems, and including all costs incidental and related thereto, with said borrowing authority contingent upon approval by the voters of a Proposition 2 ½ debt exclusion ballot question in accordance with the provisions of M.G.L. c. 59, §21C(m); or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

Borrowing Authorization - 2/3's vote required

Sharon Lynn moved that the Town appropriate the sum of 2.9 million for Phase II construction costs for the comprehensive restoration and renovation of Town Hall consisting of the replacement of the mechanical, electrical, plumbing and fire protection systems, and to update the accessibility of the building to comply with current building code requirements and including all costs incidental and related thereto; that to meet this the appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum pursuant to M.G.L. ch. 44, §7(3A), or any other enabling authority, and to issue bonds or notes of the Town therefor, said borrowing authority to be contingent upon approval by the voters of a Proposition 2 ½ debt exclusion ballot question, in accordance with the provisions of M.G.L. ch.59, §21C(m).

Motion Passed. (2/3rd's Vote Declared)

Article 2. Fund Step 10 Retroactive Pay

To see if the Town will transfer \$15,245 from ATM 2007 Article 10, By-law increases, to fund the AFSCME Step 10 retroactive pay for 16 union employees that was not included in the FY2010 budget, or take any action relative thereto.

[Requested by the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

David Bedard moved that the Town vote to transfer \$15,245 from ATM 2007 Article 10 to fund the AFSCME Step 10 retroactive pay for 16 union employees. **Motion Passed.**

Article 3. Community Preservation Act: Acceptance of Administrative Expenses Permissible Under the Act

To see if the Town will vote to appropriate from Fiscal Year 2010 Community Preservation Fund estimated annual revenue a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2010; or to take any action relative thereto. *[Requested by the Community Preservation Committee]*

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

William Dougal moved that the Town vote to appropriate from Fiscal Year 2010 Community Preservation Fund estimated annual revenue the sum of \$15,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2010. **Motion Passed.**

Article 4. Home Rule Petition: Equitable Distribution of Revenue

To see if the Town will instruct its Representatives in the General Court to file and support legislation that would return to the Town on a dollar for dollar basis the revenue collected on local option taxes, including meals and room tax, that is collected in the Town of Provincetown, rather than distributing said revenue in accordance with the Lottery aid formula; or take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

Mary-Jo Avellar that the Town vote to indefinitely postpone Article 4. **Motion Passed.**

Article 5. Use of Parking Funds to Purchase Automated Pay Stations

To see if the Town will vote to expend \$17,000 from the Parking Fund for the purchase of one (1) automated pay station kiosk which will accept coins, paper currency, tokens and credit cards to be installed at the Ryder Street Parking Lot; or to take any other action thereto. *[Requested by the Town Manager]*

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

Michele Couture that the Town vote to expend \$17,000 from the Parking Fund for the purchase of one (1) automated pay station to be installed at the Ryder Street Parking Lot.

Motion Passed.

Article 6. AMENDMENT to 04-06-09 ATM Article 17: Land Bank – Acquisition of Land for Community Agriculture, Conservation, and Open Space – 6R, 10R and 14R Browne Street

To see if the Town will vote to revise the vote taken under Article 17 of the April 6, 2009, Annual Town Meeting by changing the funding source for the acquisition of the Browne Street Parcel from borrowing to a transfer from Land Bank Funds, and further to reduce the amount of funds to be transferred from the Land Bank by the amount of any grants received for this acquisition; or to take any action relative thereto.

[Requested by the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

OPEN SPACE COMMITTEE RECOMMENDS: 4-0-0

Austin Knight moved that the Town vote to approve Article 6 as printed in the warrant.

Motion Passed.

Article 7. PARC Land Grant – Suzanne’s Garden

To see if the Town will vote to supplement the vote taken under Article 18 of the April 6, 2009 Annual Town Meeting, which vote authorized the Board of Selectmen to acquire the fee interest in a certain portion of the parcel of real estate at 608 Commercial Street and authorized the Board of Selectmen or other applicable boards or commissions to apply for federal, state or other funds, to specifically authorize the Board of Selectmen and/or the Open Space Committee and/or other boards or commissions to apply for and accept funding under the PARC grant program (formerly, Urban Self-Help) (G.L. c. 132A, Section 11) and enter into all agreements and execute any and all

instruments as may be necessary on behalf of the Town of Provincetown to effect said acquisition and grant; or take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

OPEN SPACE COMMITTEE RECOMMENDS: 4-0-0

Mary-Jo Avellar moved that the Town vote to approve Article 7 as printed in the warrant.

Motion Passed.

Article 8. Add Alternate Member to Animal Welfare Committee

To see if the Town vote to amend Article 27 of the 2005 Annual Town Meeting, to include one (1) alternate member on the Animal Welfare Committee, to be appointed by the Board of Selectmen, to a three year term; or to take any action relative thereto.

[Requested by the Animal Welfare Committee]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE HAS NO RECOMMENDATION

Candace Nagle moved that the Town vote to approve Article 8 as printed in the warrant.

Motion Passed.

Article 9. Waterways Capital Reserve Fund

To see if the Town will vote to give the Provincetown Public Pier Corporation all the mooring fees that now belong exclusively to the Town, and that such mooring fees in their entirety must continue to be deposited in the Waterways Improvement and Maintenance Fund and shall be expended only with a majority vote of the Town Meeting for harbor and pier-related expenses as outlined in *M.G.L. Chapter 40, Section 5G; Municipal waterways improvement and maintenance funds*; the Waterways Fund shall be used exclusively as a capital reserve for extraordinary and large capital expenditures for waterways improvements and maintenance. The Provincetown Public Pier Corporation shall continue to fund a maintenance reserve of \$50,000 a year, as required by the Special Act (Chapter 13 of the Acts of 2000) under which it was established. Because all the funds in the Waterways Fund shall be used exclusively for the Pier Corporation's maintenance and improvement projects, the Town shall no longer be required after June 30, 2009 to subsidize the Pier Corporation for collecting mooring fees and for other harbormaster services; or to take any action relative thereto.

[Requested by Duane A. Steele and others]

BOARD OF SELECTMEN DOES NOT RECOMMEND: 4-0-1

FINANCE COMMITTEE DOES NOT RECOMMEND: 7-0-0

Duane Steele moved that the Town vote to approve Article 9 as printed in the warrant.

Motion Does Not Pass.

Article 10. Home Rule Petition: ½ % Real Estate Transfer Fee

Whereas: Provincetown is a unique community with a summer population ten times the year-round population, requiring us to provide water, garbage disposal, police, ambulance, health and building inspections, etc. for 40,000 to 50,000 people rather than 4,000 to 5,000.

Whereas: Since Provincetown has had overrides in 2007 and 2008, we have reached our 2½% limit. Now we need more revenue to repair our Town Hall, meet contractual obligations to Town employees and keep up maintenance of our buildings and grounds and streets.

Whereas: Real Estate Transfer Fees are widely used and are common across the nation. They are used in states from Alabama to Vermont. They are used by counties and cities. In New York State, the fee is 1% over a million dollar value. Nantucket assesses a 2% Real Estate Transfer Fee.

Therefore: Section 1: I move to see if the Town will vote to instruct its Senator and Representative in the General Court to file a Home Rule Petition for a Real Estate Transfer Fee equal to 0.5% paid for by the purchaser (s) on the sale of all real property, payable to the Town of Provincetown Capital Project Stabilization Fund, up to \$250,000 per year, with the remainder going to the Provincetown General Fund.

Section II: The following transfers shall be exempt from the Real Estate Transfer Fee:

A: Transfers to the Government of the United States, the Commonwealth, the Town of Provincetown and any of their instrumentalities, agencies or subdivisions, such as the Provincetown Housing Authority.

B: 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, either within or without Barnstable County: 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 Commission 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.”

C. Transfers without additional consideration to confirm, correct, modify or supplement a transfer previously made.

D. Transfers of convenience with consideration under \$100.00 which include name change, into trusts, out of trusts, etc.

E. 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, providing that the real property interests so transferred will be held by the charitable or religious organization solely for its public charitable or religious purpose.

F. Transfers between family members, marriage partners, parents and children, step-parents and step-children, brothers and sisters.

Section III: A: The fee imposed shall be due at the time of transfer of real property interest at the Barnstable County Registry of Deeds.

B: The Purchaser shall pay interest on any unpaid amount of the fee at the rate of 14% per annum.

C: The Town shall notify a Purchaser by Registered or Certified Mail of any failure to discharge the amount in full of fee due.

D: All fees and interest required to be paid under this act shall constitute a personal debt of the Purchaser and may be recovered in an Action of Contract. The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approve 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 action relative thereto. *[Requested by Barbara Rushmore and others]*

BOARD OF SELECTMEN DOES NOT RECOMMEND: 3-2-0

FINANCE COMMITTEE RESERVES RECOMMENDATION: 5-0-1

Barbara Rushmore moved that the Town vote approve Article 10 as printed in the warrant.

Motion Does Not Pass.

Town Moderator Irene Rabinowitz motioned to dissolve the June 22, 2009 Special Town Meeting at 7:54 p.m.

Motion Passed.

June 22, 2009 Special Town Meeting dissolved at 7:54 p.m.

Special Town Meeting - Monday, Sept. 14, 2009

Meeting Called to Order. Town Moderator Irene Rabinowitz convened the Special Town Meeting at 6:00 p.m. on Monday, September 14, 2009 in the Veterans Memorial Elementary School.

Preliminary motions:

Michele Couture moved that the Town vote to waive the reading of the warrant. **Motion Passed.**

Michele Couture moved that the Town vote to grant permission to speak at the September 14, 2009 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Russell Braun, *Building Commissioner*; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., *Town Counsel*; Mark White, *Environmental Partners Group, Inc.*; Alexandra Heilala, *Finance Director*; Brandon Motta, *Recreation Director*; Beau Jackett, *Information Systems Director*; Michelle Jarusiewicz, *Housing Specialist/Grant Administrator*; Maxine Notaro, *Permit Coordinator*; Jane Evans, *Health Agent*; Radu Luca, *Tourism Department Intern*; Domenic Rosati, *Parking Lot Manager*; Pam Hudson, *Secretary to the Town Manager/Employee Benefits Administrator*; Beth Singer, *School Superintendent*. **Motion Passed.**

Michele Couture moved that on all matters to come before the September 14, 2009 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion Passed.**

Article 1. Water System Capital Improvements – Borrowing Authorization. To see if the Town will vote to appropriate and borrow the sum of \$2,700,000, to be expended under the direction of the Town Manager and the Board of Selectmen for the design and construction of required water-quality improvements, storage tank rehabilitation, and including without limitation all costs defined under C. 29C, §1 of the General Laws and other costs incidental and related thereto; and that to meet said appropriation the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said sum of money under and pursuant to C.44, §§7 and 8 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; or take any other action relative thereto. *[Requested by the Bd of Selectmen and TM]*
BOARD OF SELECTMEN RECOMMENDS: 5-0-0
FINANCE COMMITTEE RECOMMENDS: 8-0-0

VISITOR SERVICES BOARD RECOMMENDS: 5-0-0**BOARD OF HEALTH RECOMMENDS: 4-0-0*****Borrowing Authorization - 2/3's vote required***

Michele Couture moved that the Town vote to approve Article 1 as printed in the warrant. **Motion Passed. (2/3rd's Vote Declared)**

Article 2. Prior Year Bills. To see what sum the Town will vote to raise and appropriate or transfer from available funds the for the purpose of paying prior year unpaid bills; or take any other action relative thereto.

[Requested by the Town Manager]

9/10th vote required

BOARD OF SELECTMEN RECOMMENDS: 5-0-0**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

Michele Couture moved that the Town vote to transfer from ATM06 Article 11 (Cape End Manor Transition Costs) the sum of \$7,119.14 and from STM08 Art 7 (Prior Year Bills) the sum of \$143.50 and further to raise and appropriate the sum of \$4,193.75 for the purpose of paying the following prior year bills:

<u>Vendor Invoice</u>	<u>Date</u>	<u>Amount</u>
Cape Cod Paper	6/5/2009	767.60
Republic Electric	6/30/2009	571.50
Nstar/Streetlights	May	7,745.62
Verizon - past due		756.02
B&H Photo		129.00
Cape Discount fuel	12/13/08	620.22
Airgas	8/31/2009	269.06
ATT Mobility		209.97
Intercity Alarms	6/1/2009	387.40

Motion Passed Unanimously.

Town Moderator Irene Rabinowitz motioned to dissolve the September 14, 2009 Special Town Meeting at 6:30 p.m. **Motion Passed.**

September 14, 2009 Special Town Meeting dissolved at 6:30 p.m.

Special Town Meeting - Monday, Dec. 7, 2009
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Meeting Called to Order. Town Moderator Irene Rabinowitz convened the Special Town Meeting at 6:00 p.m. on Monday, December 7, 2009 in the Veterans Memorial Elementary School.

Preliminary motions:

Michele Couture moved that the Town vote to waive the reading of the warrant.

Motion Passed.

Michele Couture moved that the Town vote to grant permission to speak at the December 7, 2009 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown: Officer Michael Carr, *President, Provincetown Police Labor Federation*; Sergeant Carrie Lopes, *Superior Officers Union*; John W. Giorgio, Esq., and other attorneys of the firm of Kopelman & Paige, P.C., *Town Counsel*; Alexandra Heilala, *Finance Director*; Russell Braun, *Building Commissioner*; Jane Evans, *Health Agent*; Pam Hudson, *Secretary to the Town Manager/Employee Benefits Administrator*; Beau Jackett, *Information Systems Director*; Michelle Jarusiewicz, *Housing Specialist/Grant Administrator*; Brandon Motta, *Recreation Director*; Maxine Notaro, *Permit Coordinator*; Justin Post, *Building Inspector*. **Motion Passed.**

Michele Couture moved that on all matters to come before the December 7, 2009 Special Town Meeting, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters. **Motion Passed.**

Article 1. Home Rule Petition/Exempting New Police Department Members from Civil Service. To see if the Town will vote to authorize the Board of Selectmen instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

“An Act Exempting All Positions in the Provincetown Police Department from the Civil Service Law.

SECTION 1. Notwithstanding any general or special law to the contrary, 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 approve 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 the petition; and provided further that the Board of Selectmen is not authorized to file this Home Rule Petition until the Town and the affected police unions have reached an agreement on the impact of this change; or to take any other action relative thereto.

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

BOARD OF SELECTMEN RECOMMENDS: 3-1-1

FINANCE COMMITTEE RECOMMENDS: 9-0-0

Mary-Jo Avellar moved that the Town vote to approve Article 1 as printed in the warrant. **Motion Passed. (For 108 Against 19)**

Article 2: FY 2010 Budget Adjustments. To see what amendments the Town will vote to make to the Fiscal Year 2010 operating budgets established under Article 2 of the April 6, 2009 Annual Town Meeting and what sums the Town will vote to raise and appropriate or transfer from available funds therefor; or to take any other action relative thereto.

[Requested by the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0**FINANCE COMMITTEE RECOMMENDS: 7-0-0**

Elaine Anderson moved that the Town vote to make the following adjustments to the sources of funding established under Article 2 of the April 6, 2009 Annual Town Meeting so that the sources of funding read as follows:

Division II, Finance: “to raise and appropriate the sum of \$6,950,018.72, transfer from Free Cash the sum of \$397,000 and transfer the sum of \$154.41 from the Municipal Incentive Facility Grant and \$30,655.87 from the Title V Betterment Loan Program Revolving Account for a total of \$7,377,829 to fund operating budgets for the several Town departments for Fiscal Year 2010 under Division II, Finance...”;

Division IV, Public Works: “to raise and appropriate the sum \$2,322,302, transfer from the tourism fund \$77,000, transfer from the Harbor Storm water Grant \$9,248, transfer from the Recycling Grant \$4,240 and transfer from the Dept of Interior Grant \$37,000; for a total of \$2,526,790 to fund operating budgets for several Town departments for FY10 under budget division IV, Public Works...”

Division V, Public Services: “to raise and appropriate the sum of \$706,179.68 and transfer \$2,022.32 from the Mellon Fund Grant for a total of \$708,202 to fund operating budgets for several Town departments under budget Division VI, Public Services...”

Motion Passed.

Article 3: Cemetery Improvements. To see if the Town will vote to appropriate and transfer from available funds a sum of money for services related to expansion of the Provincetown Cemetery and purchase of equipment; or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Cemetery Commission]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 7-0-0

Gregory Howe moved that the Town vote to transfer \$12,000.00 from the Sale of Cemetery Lots Special Revenue Fund to pay for the following expenses: \$7,000 to fund the civil engineering and land surveying work to be completed to expand the area of Town owned land at 24 Cemetery Road; \$2,500 for a biologist to study the proposed area of the endangered species habitat mandated by the Massachusetts Endangered Species Act; \$2,200 to pay for the purchase of a lowering device used for burial; and \$300 to pay for incidental costs related thereto.

Motion Passed.

Article 4: *Municipal Parking Lot/Grace Hall Parking Lot*

Exemptions. To see if the Town will vote as follows: to make exempt, both of the following parking lots: the Municipal Parking lot off Commercial Street (aka MPL) and Grace Hall Parking Lots (aka Prince Street Parking), be free from coin operated meters and/or automated paystations, to be manned by a body of persons, employed thru the aforesaid Township of Provincetown, or take any other action relative thereto.

[Requested by the Katherine M. Perry and others]

BOARD OF SELECTMEN DOES NOT RECOMMEND: 4-0-1

FINANCE COMMITTEE DOES NOT RECOMMEND: 9-0-0

Katherine M. Perry moved that the Town vote to approve Article 4 as printed in the warrant.

Motion Does Not Pass.

Town Moderator Irene Rabinowitz motioned to dissolve the December 7, 2009 Special Town Meeting at 7:11 p.m.

Motion Passed.

December 7, 2009 Special Town Meeting dissolved at 7:11 p.m.

Annual Town Election - May 5, 2009

Total Registered Voters = 2,830 Total Ballots Cast = 590

Town Moderator (3yr)		Housing Authority (5 yr) <i>Vote for One</i>	
Irene Rabinowitz	512	Blank	558
Blank	71	Write-In (Molly Perdue)	23
Write-In	7	Write-In (Other)	9
Total	590	Total	590

Board of Selectmen (3 yr) <i>Vote for One</i>		Ballot Ques. 1 - Recreation	
David C. Bedard	392	Yes	414
Blank	133	No	174
Write-In (Therese Nelson)	60	Blank	2
Write-In (Other)	5	Total	590
Total	590		

School Committee (3 yr) <i>Vote for Two</i>		Ballot Ques. 2 - Sidewalk	
Shannon L. Patrick	383	Yes	383
Carrie M. Notaro	408	No	197
Blank	385	Blank	10
Write-In	4	Total	590
Total	1,180		

Charter Enforcement (3 yr) <i>Vote for Two</i>		Ballot Ques. 3 - Drainage	
Mark Lee Phillips	405	Yes	377
Blank	754	No	199
Write-In (Astrid Berg)	17	Blank	14
Write-In (Other)	4	Total	590
Total	1180		

Charter Enforcement (2 yr) <i>Vote for One</i>		Ballot Ques. 4 - Fire Truck	
Blank	565	Yes	413
Write-In (Astrid Berg)	17	No	173
Write-In (Dana Berry)	6	Blank	4
Write-In (Other)	2	Total	590
Total	590		

Charter Enforcement (1 yr) <i>Vote for One</i>		Ballot Ques. 5 - Street	
Todd M. Wagar	389	Yes	357
Blank	196	No	220
Write-In	5	Blank	13
Total	590	Total	590

Board of Library Trustees (3 yr)	
<i>Vote for Two</i>	
Evelyn M. Katz	446
Blank	696
Write-In (Tom Boland)	36
Write-In (Other)	2
Total	1180

**Special Town Election
June 23, 2009**

**Total Registered Voters = 2,846
Ballots Cast = 272**

Question 1 - Prop. 2&1/2 Override Town Hall Renovations	
Yes	216
No	55
Blank	1
Total	272

Special State Primary Election - Dec. 8, 2009

Democratic Party		Libertarian Party	
Senator in Congress		Senator in Congress	
Michael C. Capuano	191	Blank	0
Martha Coakley	419	Write-In	0
Alan A. Khazai	81	Total	0
Stephen G. Pagliuca	43		
Blank	1		
Write-In	0		
Total	735		
Republican Party			
Senator in Congress			
Scott P. Brown	15		
Jack E. Robinson	2		
Blank	0		
Write-In	0		
Total	17		



General Government

Town Clerk

Five years after the Goodridge Decision, legalizing marriage in Massachusetts for same sex couples, marriage continued to significantly impact the Town Clerk's Office in 2009. 2009 was the second busiest year for marriage filings, with a total of 528 marriage intentions filed in 2009, 492 of those filings by same sex couples – the highest total of marriage filings since the advent of same sex marriage in 2004, which saw a total of 899 marriage filings in that year. Primarily to facilitate marriage filings, the Clerk's Office remained open on Fridays from mid-May through December in 2009.

In addition to the Annual Town Election held on May 5, 2009, a Special Town Election was also held on June 22, 2009, and a Special State Primary on December 8, 2009 to fill the Senate vacancy due to the death of Ted Kennedy in August 2009.

In addition to the Special and Annual Town Meetings held on April 6, 2009, three additional Special Town Meeting were also held on June 22, 2009, September 14, 2009, and December 7, 2009.

The History Preservation Project, created in the summer of 2006 with the goal of preserving, protecting and providing greater access to documents concerning

the history of Provincetown through digitization, continued to increase the amount of material available to the public via the History Project's website www.provincetownhistoryproject.com, adding several new collections and collaborating with the Pilgrim Monument and Provincetown Museum, to digitize selections from their significant holdings and making them available on the History Project's website. The work of the Project continues with scanning, converting images and metadata entry, and adding new material to the website. Thanks to the generosity of the community, the History Project continues to exist solely through private donations and available grants.

Special thanks to Assistant Town Clerk Susan Fults, for her invaluable support, to the Election registrars and ballot counters for the three elections held in 2009, and to the wonderful senior volunteers who have worked in the Clerk's Office in 2009.

Respectfully submitted,

Doug Johnstone

Town Clerk

Vital Statistics

Births 2009

In accordance with a request from the Massachusetts Department of Public Health and in respect to the privacy rights of children, individual names of births recorded in Provincetown are not listed.

Total births recorded in 2009: 13

Male – 9, Female - 4

Marriages 2009

Date	Name	Name	Residence
8-Jan-09	James Wesley Ellis	Gary Vernon Williams	Richmond, VA
10-Jan-09	Marleen Szymanski	Gretchen E. Stewart	Kittery Point, ME
15-Jan-09	Sharon Anne Smith	Patricia Anne Pilon	Chittenango, NY
14-Feb-09	Sharon Joan Arnold	Marian Rae Todd	Omaha, NE
17-Feb-09	Deborah Ann Ryan	Edward W. Holland	Yonkers, NY
21-Feb-09	Judith Ann D'Apolito	Alexandra Lea Vuolo	Florida, NY
24-Feb-09	Angelyn Loch	Jennifer J. Newcomb	Tooele, UT
26-Feb-09	Marshall Bernard Cross	Horace E. Stowman	Provincetown, MA
27-Feb-09	Deena Natasha Evans	Kawana Nicole James	Fort Worth, TX
10-Mar-09	Susan Beebe Daley	Patricia L. Hassler	Walden, NY

12-Mar-09	Rosemary L. Prentice	Cathy Ann White	Kennebunk, ME
12-Mar-09	Erica Joy Segal	Devin Mie Otagaki	Los Angeles, CA
14-Mar-09	Terese Ann Palese	Linda Ann Clarke	Nottingham, MD
19-Mar-09	Yvette Karyl Sebelist	Linda Ann Latter	Nashville, TN
19-Mar-09	Lisa Anne Kavanaugh	Rachael Ann Michael	Provincetown, MA
26-Mar-09	LeTrecia L. Hendrix	Chianna C. Brown	Columbia, MD
26-Mar-09	Martin E. Doyle	Marija Kovacevic	Cambridge, MA
30-Mar-09	Russell Ian Swan	Warren Smith	Richmond, AUST
5-Apr-09	Louis W. Pompanio	Matthew H. Welborn	Glen Burnie, MD
8-Apr-09	Angela Kay Geurin	Lisa Joy Bailey	Canton, GA
8-Apr-09	Della A. Casper	Karen Kay Koschalk	Toledo, OH
10-Apr-09	David S. McMullen	Gregory P. Matwey	Washington, D.C.
16-Apr-09	Karla Jean LeHoty	Deborah Anne Balch	Strongsville, OH
16-Apr-09	Caroline Mae Loomis	Kevin D. McCumber	Norwich, NY
16-Apr-09	Linda J. Reese	Beverly A. Hulse	Rensselaer, NY
16-Apr-09	Joshua C. Dutton	Mark Frank de Beer	Milwaukee, WI
16-Apr-09	Carol S. Dineen	Charlotte A. Schof	Matamoras, PA
17-Apr-09	Jessica Jan Gonzales	Melissa Jean Miller	Ithaca, NY
17-Apr-09	William P. Hall, Jr	Robert E. McBride	Bear, DE
18-Apr-09	James R. McGarrah	Vincent L. Naccarato	Avon, CT
18-Apr-09	Daniel R. Baptista	Scott F. Presbrey	South Dartmouth, MA
20-Apr-09	Jack Kirtley Brown	Jere B. Ford	Washington, D.C.
26-Apr-09	Ruth H. Brown	Debbie Anne Vigneri	Schnectady, NY
1-May-09	Nancy Jean Black	Carol Martha Fogg	Cananadaigua, NY
5-May-09	Florence H. Joguet	Brenda C. Nelson	Durham, NC
7-May-09	Jason Michael Brant	Shane Glaister	Aurora, CO
7-May-09	Kathleen M. O'Farrell	Jeanna M. Jacobsen	Portland, OR
7-May-09	Adam Johnson	Steven E. Willich	Aurora, CO
7-May-09	Grace Eva Gross	Deborah Di. Graeff	Carlisle, PA
9-May-09	Michelle D. Guerette	Kerri Anne Chatten	Taunton, MA
9-May-09	Heidi C. Hammel	Kimberly A. Courtney	Catonsville, MD
12-May-09	William Patrick Bryan	Samuel Fata	Wilton Manors, FL
14-May-09	John F. Gosselin	Michael C. Dameron	Spotsylvania, VA
14-May-09	Margaret D. Legarreta	Nicole C. Rintamaki	Chubbuck, ID
14-May-09	Vincent Rey Paiz	Gregory A. Kulicke	Taylorville, UT
14-May-09	Armando A. DeMarco, Jr.	Benjamin A. Dowell	Queensbury, NY
15-May-09	Michael R. Raleigh	Madeline Jo Dennis	Bridgeport, CT
15-May-09	Wendy Sue George	Crystal L. Pritchard	Blossvale, NY
16-May-09	Lori Ann Welker	Julia Ann Streib	Aurora, OH
16-May-09	Adrian Manuel Peters	Barbara A. Russell	Provincetown, MA
18-May-09	Peter Donald Cossette	William John Wilson	Sarasota, FL

21-May-09	Ramona A. Roth-Nichols	Elaine Roth-Nichols	Castalian Springs, TN
21-May-09	Sharon Lynn Willits	Helen K. Stickney	Conway Springs, KS
21-May-09	Desiree Rachel Mulkey	Shannon D. DeLoach	McHenry, IL
21-May-09	Heith W. Martinez	James R. Vincent	Santa Fe, NM
27-May-09	Jaye Louise Martin	Karen F. MacDonald	Stockton Springs, ME
28-May-09	Lana M. Ambrose	Marianna Blackwell	Tulsa, OK
29-May-09	Morgan Lane Ford	Sandra Lynn Luther	Goodlettsville, TN
29-May-09	David Alan Richbourg	Elvin Norman Ricks	Pensacola, FL
30-May-09	Brandy Dawn Leo	Kimberly L. Cruise	Jacksonville, FL
2-Jun-09	Daniele M. Freaner	Julie E. Rhodes	Austin, TX
4-Jun-09	Joylene M. Gartland	Donna K. Myhill	Rochester, NY
4-Jun-09	Steven T. Davidson	Johnny R. Harrison	Nashville, TN
4-Jun-09	Melissa Ann Votaw	Melinda Newell	Cincinnati, OH
4-Jun-09	James J. Pickering	Robert C. Hardin	Cincinnati, OH
5-Jun-09	Helen M. Wurz	Mary R. MacMillan	Royal Oak, MI
5-Jun-09	Geraldine M. Parker	Tanya Joan Waddell	New York, NY
5-Jun-09	Justin Chad Schultz	Donald Griffin Lee	Indianapolis, IN
5-Jun-09	Marisa Dawn Lemos	George W. Felton	Provincetown, MA
6-Jun-09	James Allen Brace	Douglas A. Wirth	Astoria, NY
6-Jun-09	Teresa Ann Brown	Regina J. Meadows	Nashville, IN
6-Jun-09	Joseph G. Philippi	Charles L. McKee	St. Louis, MO
6-Jun-09	Andrea Adam	James J. Moore, Jr.	New York, NY
7-Jun-09	David Israel Gellman	Frederic W. Banks V	Seattle, WA
8-Jun-09	Linda S. Ross	Donna L. Hedrick	Newark, DE
8-Jun-09	Kelly Marie Cloud	Nancy F. Gonzalez	Elkton, MD
8-Jun-09	Cheryl Ann Lambert	Mary Rose Collins	Inverness, FL
9-Jun-09	Donna Marie Taylor	Kathleen M. Rehm	Staten Island, WA
10-Jun-09	James M. Wilkerson	Todd Jason Bobzien	Louisville, KY
11-Jun-09	Traci Joy Kalian	Shawna Laws	Salt Lake City, UT
11-Jun-09	Allison Dennison	Elizabeth Cole	Sandy, UT
11-Jun-09	Eddie Ray Tews	Stephen K. McKeon	Savannah, GA
11-Jun-09	Lynn M. Dombek	Donna Lynn Lawlor	Brooklyn, NY
11-Jun-09	Judith Anne Bailey	Daryl Lyn Patterson	Depew, NY
11-Jun-09	Felice P. Rizzo	Carol A. Hopper	Whitehouse Stat., NJ
11-Jun-09	Sandra Lee Griffin	Lisa Anne DeGori	Lyons, IL
11-Jun-09	Romulo A. Aromin, Jr.	Lawrence Ira Safran	West Orange, NJ
11-Jun-09	Mark Allen Phillips	Richard F. Salmon	Atlanta, GA
12-Jun-09	Kenneth Fred Howey	Thomas R. Maner	Charlotte, NC
12-Jun-09	Gary John Kirkegaard	Tony Patrick Britt	Garner, NC
12-Jun-09	Kenneth W. Foreman	Scott N. Burns	Willow Springs, NC
12-Jun-09	Steven Lee Goldberg	JD Brooks	St. Louis, MO

13-Jun-09	Lee Ed Terrell	John Richard Graham	Charlotte, NC
13-Jun-09	Alfred E. Dansereau	Jeffrey J. McConnell	Buffalo, NY
13-Jun-09	LoEtta Faye Vaughn	Carol Randolph Wald	Waxahachie, TX
14-Jun-09	Miranda Parrish Hay	Hilary Rachelle Blue	North Bethesda, MD
15-Jun-09	Cheryl Jean McCoy	Bonnie L. Cail	Kettering, OH
15-Jun-09	James Ciro Grosso	David William Ebling	Provincetown, MA
15-Jun-09	Jennifer L. Briggs	Alissa M. Curry	Atlanta, GA
15-Jun-09	Jo Ellen Paine	Carol A. Nefzger	Lake Worth, FL
18-Jun-09	Lisa Lyn Persinger	Joey Dan'elle Larson	Tuscon, AZ
18-Jun-09	Jennifer Lee Harrison	Barbara Joyce Mayer	Athens, TN
18-Jun-09	Melissa J. Schumacher	Deanna Lynn Brewer	St. Louis, MO
18-Jun-09	Bettie Eldridge Barret	Marta M. Prieto	West Palm Bch, FL
18-Jun-09	Lisa Annette Barth	Susan Diane McClain	Colorado Springs, CO
18-Jun-09	Kelly Lee Stattelman	Molly Marie Clemen	Mounds View, MN
19-Jun-09	Thomas M. Butenhoff	Robert M. Butenhoff	Oil City, LA
19-Jun-09	Robert Earl Winsor	David B. Rottman	Lanexa, VA
19-Jun-09	James David Myers	Anthony W. Vaughn	Cincinnati, OH
20-Jun-09	Cynthia A. Chadwick	Elenna T. Rybicki	Weaverville, NC
20-Jun-09	Donald R. Desrosiers	William P. Dewey, Jr.	Jamestown, RI
20-Jun-09	Dennis W. Sullivan	Christopher P. Scales	Provincetown, MA
20-Jun-09	Courtney B. Rohler	Sean Joseph Sullivan	Brooklyn, NY
22-Jun-09	Kenneth Lee Gilman	Cedric Ashley Brown	Miami, FL
22-Jun-09	Jessica Ann Chapin	Laurie R. Eiserloh	Austin, TX
23-Jun-09	Jaba Kusum Shah	Leigh A. Mumford	Philiadelphia, PA
25-Jun-09	Carolyn Jane Minerly	Stephanie M. Feldman	Bayside, NY
25-Jun-09	Linda Joy Bishop	Bonnie Jean Bishop	Cincinnati, OH
25-Jun-09	Janet Jacob	Cynthia Powell	Prt Jefferson Stat., NY
25-Jun-09	Michele Anne Joyce	Ellen Irene Searl	Charlton, MA
25-Jun-09	Ted M. Richardson	Jack L. Coffman	Lexington, KY
25-Jun-09	Debra S. Dziekonski	Patricia M. Pace	Whitesboro, NY
25-Jun-09	Jeanne M. Dillon	Aimee N. Williams	Manassas, VA
25-Jun-09	Anne Marie Viola	Christine N. Krause	Portland, OR
25-Jun-09	Van C. Hartenstein	Michael J. Smithers	Birmingham, AL
25-Jun-09	Ronnie Crumbley	Steven Reynolds-Crumbley	Birmingham, AL
25-Jun-09	Sandra M. Grassman	Kelly Colleen Connors	Chardon, OH
25-Jun-09	Michelle L. Melsby	Lori M. Van Himbergen	Cottage Grove, WI
26-Jun-09	Gerald W. Kowalski, Jr.	Mark Tuchow	Boca Raton, FL
27-Jun-09	Matthew Allen Bennett	Bradley Daniel Sorrell	Richmond, VA
27-Jun-09	Kathleen Anne Welch	Shelley Ann Hearne	Washington, D.C.
28-Jun-09	Catherine Tracy Hatch	Kevin Grant Brewer	Berkeley, CA
29-Jun-09	Katherine R. Morton	Trish Ann Leidy	Dickinson, TX

29-Jun-09	John Robert Falzone	David Sutton Spotts	Wayzata, MN
29-Jun-09	Timothy J. Borggreen, Jr.	John E. Johnson, Jr.	Laurel, MD
30-Jun-09	Christopher J. Cormier	Jonathan Alan Jay	Stratford, CT
1-Jul-09	Levi Joseph Brockel	Colin Patrick Healy	Northglen, CO
2-Jul-09	Barry Joel Kivo	Pierre Michaud	Utica, NY
2-Jul-09	Edith B. Wirtshafter	Kellie Lynn Layman	Kalamazoo, MI
2-Jul-09	Paula Ma. Estornell	Jennifer M. Melnyk	Narberth, PA
2-Jul-09	Denise A. Donnelly	Cheryl Ann Finke	Goode, VA
2-Jul-09	Brenda C. Kriegel	Cathy June Sieber	Arlington, VA
2-Jul-09	Dorothy Cirelli	Myrna Ann Kelley	Rehoboth Beach, DE
2-Jul-09	Alison Marie Kocis	Leif K. Westgate	Allentown, PA
3-Jul-09	Stefanie Lynn Roberts	Amy Jo Tierney	Avon, IN
4-Jul-09	Ryan Robert Lindsay	John Ross Palmer	Houston, TX
4-Jul-09	Jo-Ann Puoci	Robin M. Reichard	Kennett Square, PA
4-Jul-09	Diane Eliopoulos	Patricia Ali Neyra	Laud. By The Sea, FL
4-Jul-09	Lillian D. Tamayo	Eileen Iris Diamond	West Palm Bch, FL
6-Jul-09	Jill Ellen Schurtz	Beth Ellen Ford	Sleepy Hollow, NY
7-Jul-09	Alan Howard Tulin	Carlos Alberto B. Luis	Jersey City, NJ
8-Jul-09	Ori Elis	Megan K. McDevitt	Berkeley, CA
8-Jul-09	Joseph Peter Tully	Benjamin F. Fink, Jr.	New York, NY
8-Jul-09	Susan Longueira	Stacy Lynn Unneberg	Shirley, NY
9-Jul-09	Richard Joseph Luisi	Erik Michael Wilson	Austin, TX
9-Jul-09	Allyson R. Branscum	Annie M. Soboleski	Tulsa, OK
10-Jul-09	Voris E. Johnson, Jr.	James P. Gambrell	Washington, D.C.
10-Jul-09	Keith A. Zabel	Randall A. Shemaitis	Chicago, IL
10-Jul-09	R. Keith Gill	Timothy G. Wightton	Bryn Mawr, PA
11-Jul-09	Carmen Teresa Castro	Wind Vogel	Woodside, NY
12-Jul-09	Nilufer Satic	Jaye Weisman	New York, NY
16-Jul-09	Chris L. Schiffelbein	Jack Seiffert Travis	Central Islip, NY
16-Jul-09	Debra Renee Sentner	Stacey Marie Parker	Toledo, OH
16-Jul-09	Lewis M. Curtis	Kenneth R. Whiddon, Jr.	Decatur, GA
16-Jul-09	Timothy Edward Kroh	Mark R. G. Christie	Philadelphia, PA
16-Jul-09	Jeanne Marie Haddad	Rhonda K. Youngblood	Sacramento, CA
16-Jul-09	Jose Enrique Estrada	John Michael Boles	New York, NY
16-Jul-09	Steven Douglas Blair	David M. Woerner	New Orleans, LA
16-Jul-09	James Edward Allen	Gene M. Delgado	Washington, D.C.
16-Jul-09	Rod Allen Rogers	Gary Edward Shields	Wynantskill, NY
16-Jul-09	Andrew W. Snyder	Adam L. Trypus, Jr.	Jessup, MD
17-Jul-09	Patricia Faye Cannon	Joanna Lee Cannon	Saint Louis, MO
17-Jul-09	Brian W. Garrison	Cory Monroe Smith	Dallas, TX
17-Jul-09	Jodi Lee Maddren	Victoria Ann Everett	Ithaca, NY

17-Jul-09	Ted James Broussard	John M. Wiesman	Vancouver, WA
17-Jul-09	Colleen M.L. Freedman	Lindley Preston Hord	Philiadelphia, PA
17-Jul-09	Alan Edwin Olson	Bradley Paul Seybert	Titusville, PA
18-Jul-09	Michael N. Dunaj III	Glenn D. Blonshine	Norwich, CT
18-Jul-09	Ray Eriks Goodwin	Klaus Adolf Pfister	Richmond, VA
19-Jul-09	Cynthia K. Phillips	Mary Ellen Stretch	Seattle, WA
19-Jul-09	Michael John Stretch	Jesse W. Ruff, Jr.	St. Louis, MO
20-Jul-09	Linda Melissa Suters	Phyllis Law Buckner	Thaxton, VA
20-Jul-09	Marilyn B. Cubberley	Dorothy M. Nearen	N. Truro, MA
20-Jul-09	Gary Lee Carney	Oleksandr Artamonov	Key West, FL
21-Jul-09	Steven D. Wilkinson	Gerard Ralph Ilaria	Liberty, NY
23-Jul-09	Lydia Beth Bailey	Dawn Marie Grotke	Niagara Falls, NY
23-Jul-09	Kathy Jean Stowell	Deena R. Disharoon	Havre de Grace, MD
23-Jul-09	Lynsey Eryn Coleman	Taunya C.Thillemann	Dallas, TX
23-Jul-09	Melanie M. Adams	Amy Beth Mason	Greensboro, NC
23-Jul-09	Stephen G. Charing	Robert F. Ford, Jr.	Clarksville, MD
23-Jul-09	Amy Lisa Gonzales	Catherine J. Taylor	Ithaca, NY
23-Jul-09	Gail Gingras Mitchell	Duff MacC. Bramley	W. Palm Beach, FL
23-Jul-09	Mary E. English	Ellen N. Wildman	Chicago, IL
23-Jul-09	Patricia Jane Hanavan	Stacy Ann Michalski	Tonawanda, NY
23-Jul-09	Alice M. Rodriguez	Sonia Santiago	Bronx, NY
23-Jul-09	Carol Ann Doherty	Tara McDermott	Alachua, FL
23-Jul-09	Joseph F. Teti	Alan B. Horne	Pine Bush, NY
23-Jul-09	Gabin Beth Rubin	Samantha N. Chinn	New York, NY
24-Jul-09	Susan Diane Lantz	Tara S. Pauliny	Brooklyn, NY
24-Jul-09	Sarah Anne McKinney	Suzette M. Sturges	Austell, GA
25-Jul-09	Margo L. Dichtelmiller	Nancy Sue Katz	Plymouth, MI
25-Jul-09	Anne Kayser	Ronnie Rubin	Smithtown, NY
25-Jul-09	Pamela Ann Mooney	Leslie C. Murphy	Stewartstown, PA
26-Jul-09	Desiree Cancila	Janet Lynn Stewart	Westampton, NJ
26-Jul-09	Trevor Leigh Coyne	Joseph P. Piergrossi, Jr.	Portland, ME
26-Jul-09	Judith Collea	Amy Jo Silsbe	Grand Rapids, MI
26-Jul-09	Terry Lianne Mardis	Elizabeth Lee Rohlfs	Cave Creek, AZ
27-Jul-09	Wendy P. LaGrant	Megan K. Richardson	Baltimore, MD
27-Jul-09	Kimberly E. Christensen	Brian Glick	New Rochelle, NY
27-Jul-09	M. Christine Appell	Aimee M. O'Donnell	Loves Park, IL
27-Jul-09	Stacey A. Falkenham	Laurianne M. Goodwin	Halifax, Nova Scotia
27-Jul-09	John Elliot Powell	Chris Lai-Kit Yuen	Niagara Falls, NY
28-Jul-09	Karen Cahill	Kathleen Ann Carey	Manorville, NY
28-Jul-09	Charles R. Gravitz	John Albert Borstel	Silver Spring, MD
30-Jul-09	Mary J. Walsh	Beverly Sue Nance	St. Louis, MO

30-Jul-09	Pamela M. McDaniel	Rebecca M. McDaniel	Maineville, OH
30-Jul-09	Russell C. Leciejewski	Kenneth L. Wittenauer	Charlotte, NC
30-Jul-09	Dianne Marie Parrish	JoAnn Bailey	New Valley, NY
30-Jul-09	Ramon Perez-Goizueta	Charles V. Chesson II	Chevy Chase, MD
31-Jul-09	Lisa Anne Meteyer	Leslie G. Hardesty	Baltimore, MD
31-Jul-09	Jane Ann Story	Sheri Marie Edwards	Pikesville, MD
31-Jul-09	Rhonda Sue Fishel	Michaela Anne Barron	Owings Mills, MD
31-Jul-09	Shawn Michael Sellers	Benjamin Trumbull	Columbus, OH
31-Jul-09	John D. Osterhout	Ronald W. Newman	Norfolk, VA
31-Jul-09	Robert Alan Boothe	G. C. Willoughby III	Canadensis, PA
31-Jul-09	James C. Young	Anthony J. Giruzzi III	Exton, PA
1-Aug-09	Joan Van Ness	Lorraine H. Michels	Ft. Lauderdale, FL
1-Aug-09	Jennifer M. Hamilton	Phoebe C. Butler	Foxboro, MA
1-Aug-09	Alnisha F. Head	Donna C. Marzo	Washington, D.C.
1-Aug-09	Alison Kerry Quilty	Richard Joseph Ashe	East Syracuse, NY
1-Aug-09	Julie Michelle Mathis	Amy Marie Wessels	Austin, TX
2-Aug-09	Michael Angel Crespo	Henry A. Skarzynski	New Hope, PA
3-Aug-09	Albert A. Carucci	Jeffrey Sosnick	New York, NY
3-Aug-09	Randy Ellen Rabney	Francine . Lichtman	Maplewood, NJ
4-Aug-09	David M. Hendricks	Robert H. Remien	New York, NY
5-Aug-09	Maria V. Paternoster	Staci L. DeNicolais	Plantation, FL
5-Aug-09	Steven Edward Fellen	Benjamin Shifrin	Baltimore, MD
6-Aug-09	Frances A. DeBenedictis	Krista Jo Merget	Lindenhurst, NY
6-Aug-09	Jeannine Louise Melly	Jane Rita Campbell	New York, NY
6-Aug-09	James Edward Keough	Maria I. Fitzpatrick	Brooklyn, NY
6-Aug-09	Michael David Robins	Valerie Faith Pell	Chicago, IL
6-Aug-09	Martha Jane Baker	Karen Ann Terhaar	Amherst, NY
6-Aug-09	Robert Bryan Shade	Jon Joseph Rania	Rehoboth Beach, DE
6-Aug-09	Peter Alan Tupitza	Michael E. McHugh	Wilmington, DE
6-Aug-09	Christina B. Dugger	Rikki Leigh Ades	New York, NY
6-Aug-09	Jo Lee Clark	Frances A. Woodward	Haddonfield, NJ
6-Aug-09	Kelly Diane Loepp	Gabrielle S. Roberts	Knoxville, TN
6-Aug-09	Mary E. Brittingham	Billie Lee Mitchell	Denton, MD
7-Aug-09	Alexander H. Young	Shawn R. Williams	St. Louis, MO
7-Aug-09	Harriet Dale Worsham	Peggy D. Campbell	Florence, SC
7-Aug-09	Kelli Anne Connell	Elizabeth Ruth Odom	Chicago, IL
7-Aug-09	Robin Ann Kane	Melissa Ann Lavinson	Washington, D.C.
7-Aug-09	Gary S. Apruzzese	Geoffrey R. Perry	New York, NY
7-Aug-09	Philip Benjamin Terry	Justin Brooks Smith	Laurel, MD
7-Aug-09	Sandra Lenore Hines	Catherine M. Donovan	Rio Rancho, NM
8-Aug-09	Kathleen M. Moynagh	Rebecca Lynn Ashe	Sturbridge, MA

8-Aug-09	Lorie Joyce Cutting	Lizbeth M. Edelman	Naples, FL
8-Aug-09	Darla Ida Himeles	Betsy Joyce Reese	Bryn Mawr, PA
8-Aug-09	Anthony L. Solorzano	Robert Peter Keller	Forest Hills NY
8-Aug-09	Michelle L. Dewey	Shonda L. Masterson	Osceola, IN
9-Aug-09	Michael T. Pontarelli	Marshall R. Caccavaro	Key West, FL
9-Aug-09	Patricia A. Harnett	Babrara H. Kase	Narberth, PA
9-Aug-09	Harry Frank Anapa	Brian F. Lawless	Baltimore, MD
10-Aug-09	Virginia Ellen Kucek	Cindy Ann Russo	Rehoboth Beach, DE
10-Aug-09	Shelley A. O'Grady	Jennifer L. Weiss	Austin, TX
10-Aug-09	Faustino Martinez	John C. Perrucci	Jersey City, NJ
11-Aug-09	Anita Adell Rentz	Carol Ann Klein	Bethel, MN
11-Aug-09	Alan Norcross White	Donna Marie Imre	Boothwyn, PA
11-Aug-09	John C. Tiffany	Eric John Hartford	Asheville, NC
12-Aug-09	Alessandra Olcese	Maria-Francesca Biral	Milano, Italy
12-Aug-09	Michael R. Patrick	Matthew Uriel Reid	New Rochelle, NY
13-Aug-09	Anthony Paul Geraci	Reynold Chui	New York, NY
13-Aug-09	Robert G. Meyer	Vincent John Rossi	Rexford, NY
13-Aug-09	Marion G. McGrath	Susan E. Borke	Washington, D.C.
13-Aug-09	Robert Do. Speiser	Anthony M. Brackett	New York, NY
13-Aug-09	Bart Albert Fleming	Glenda A. Calabrese	Port Henry, NY
13-Aug-09	Michelle S. Carter	Ildiko Torontali	Decatur, GA
13-Aug-09	Mary Ellen Mangino	Maria DiTullio	Syracuse, NY
14-Aug-09	Susan M. Lucarelli	Virginia M. Casasco	Hudson, NY
14-Aug-09	Marsha Lee Bailey	Beverly A. Meremonte	Independence, MO
14-Aug-09	Cynthia Ann Elder	Michele M. Sutcliffe	Meriden, CT
14-Aug-09	Michael J. Lindley	Christian G. A. Laval	Paris, FR
14-Aug-09	Marion H. White, Jr.	Yariv S. Rabani	New York, NY
14-Aug-09	Luis A. Gomez	Matthew E. Rhoades	Washington, D.C.
14-Aug-09	Carl Ballard	Douglas E. Miller	Washington, D.C.
14-Aug-09	Barbara E. Haskell	Lisa Lynn Winkler	Blue Hill, ME
14-Aug-09	Kristin W. Slater-Huff	Katherine L. Slater-Huff	Santa Fe, NM
15-Aug-09	Yvette A. Schops	Billie Billing	Brooklyn, NY
15-Aug-09	Chystal Lynn Young	Antionette M. Miraglia	Peekskill, NY
17-Aug-09	Jana Kay Morrison	Charlene A. Peachey	Kenosha, WII
17-Aug-09	Deborah Anne Allen	Andrea Cara Sabaroff	Rolsindale, MA
17-Aug-09	Wanda Frankel	Cindy Molk	Brooklyn, NY
18-Aug-09	Frederick LaValley	John N. Whitenight	Philiadelphia, PA
18-Aug-09	Donald Hatfield	San Joseph Stidham	Dallas, TX
19-Aug-09	Raymond J. L'Heureux	Eli Danikow, Jr.	Sarasota, FL
20-Aug-09	Larry L. Biermann	Russell D. Driskill	Cedar Rapids, IA
20-Aug-09	Eric Joseph Wolff	Robert Sewell	Burlington, NJ

20-Aug-09	Sarah Marie Ellis	Danielle C. Nickolas	Austintown, OH
20-Aug-09	Robert Krupa	Ronald H. Moore II	St. Petersburg, FL
20-Aug-09	Deborah Rae Fisher	Kathryn L. Bernish	Columbus, OH
20-Aug-09	Weldon B. Cartwright	Mario W. Pinardi III	Columbus, OH
20-Aug-09	Joan M. Grzybowski	Betsy Le Kirkbride	Conshohocken, PA
20-Aug-09	Steve Michael Martin	Randall Mark Foster	South Boston, MA
20-Aug-09	Kenn Agata	William Gene Frank	Bayside, NY
21-Aug-09	Terry J. Hancock	James P. Broderick	St. Louis, MO
21-Aug-09	Anne Frances Jansen	Paul Louise Lizotte	Quispamsis, Canada
21-Aug-09	Catherine L. Cullen	Diedre Lorea Buckley	Madison, WI
21-Aug-09	Gwendlyn J. Armitage	Norma Mae Snyder	Allentown, PA
21-Aug-09	Heimer J. Alfonso	Reinaldo Gordillo	Las Vegas, NV
21-Aug-09	Jay Colin Anderson	Jay Anthon Redman	N. York, Ontario, CA
21-Aug-09	Robert Evan McGuire	Everett C. Stone III	San Francisco, CA
21-Aug-09	Michael D. O'Connor	Mark S. Lessinger	Boston, MA
21-Aug-09	Kari Tyler Morrissey	Martina Kitzmueller	Albuquerque, NM
21-Aug-09	Thomas Patrick Tabor	Ross Elliot Guedry	Ft.Lauderdale, FL
21-Aug-09	Marie Annette Tatro	Meghan Faux	Brooklyn, NY
21-Aug-09	Donald Lee Judy	Daniel Hazen Fulton	St. Petersburg, FL
21-Aug-09	Martha Lynn Talley	Jane Marie Muehl	Central Square, NY
21-Aug-09	Rosemary DiSavino	Carol Ann Mascari	North Haledon, NJ
21-Aug-09	Janice Marie Hylton	Gail Elaine Smallridge	Millerton, NY
22-Aug-09	Michael A. Claypoole	James Ray Whitt	Alexandria, VA
22-Aug-09	Daniel J. McNamara	Steven John Pereira	Ottawa, Canada
23-Aug-09	Juliette Slater	Karen Patricia Carroll	Wilton Manors, FL
24-Aug-09	Mark William Rupp	Charles Joseph Butler	Takoma Park, MD
25-Aug-09	Jan Jones	Dianna Sanchez	Broomfield, CO
25-Aug-09	Dawn M. Crosby	Virginia M. Aveiro	Mattapoisett, MA
25-Aug-09	Christine E. Zamenick	Hilary Gale Gold	Shokan, NY
25-Aug-09	Deborah Rae Fisher	Kathryn L. Bernish	Columbus, OH
27-Aug-09	Michael Lee Beidler	Kelly Wade Williams	Washington, D.C.
27-Aug-09	Susan C. Gorski	Tammy M. Beckman	Gasport, NY
27-Aug-09	Matthew J. DeGennaro	Christian A. Larsen	New York, NY
27-Aug-09	Joy E. Carlock	Janine Marie Ermilio	Highland, NY
27-Aug-09	Rachel Hood	Sharon Ann Terlep	Royal Oak, MI
27-Aug-09	Anthony J. Zaccaro	Douglas Paul Kaplan	Coconut Creek, FL
28-Aug-09	Dennis T. Cashen	Christopher L. Panos	Baltimore, MD
28-Aug-09	Connie French	Karen Leslie Daniele	Boston, MA
28-Aug-09	Patricia Anne Barlow	Mary M. McMillan	Fort Collins, CO
28-Aug-09	Marc A. Israel	Satoru Kuzugami	Sherman Oaks, CA
28-Aug-09	James Thomas Scott	William J. Herring	Maplewood, NJ

28-Aug-09	Victoria Kirkpatrick	Stephanie Jane Jones	Middletown, DE
28-Aug-09	Kristin Lee Cardin	Katherine Elaine Shea	Attleboro, MA
29-Aug-09	Rachel Anne Madrid	Kerstin Sondermann	Silver Spring, MD
29-Aug-09	James L. Shutzer	Jennifer L. Morgan	Washington, D.C.
29-Aug-09	Darlene Melo	Ann Panarello	E. Stroudsburg, PA
29-Aug-09	Stephen N. DelGizzo	Glen A. Dombrow	Windsor, CT
29-Aug-09	Karen A. Boylan	Meghan T. Bradley	Chelsea, MA
30-Aug-09	Kenn Agata	William Gene Frank	Bayside, NY
30-Aug-09	Edward Baskiewicz	Michael J. Vaughn	Brooklyn, NY
30-Aug-09	Lisa M. Stanley	Claudia Ann Shroyer	Bryn Mawr, PA
30-Aug-09	Alice Ann Heinritz	Beverly Ann Wilder	Dallas, GA
1-Sep-09	Kristin Lee Cardin	Katherine E. Shea	Attleboro, MA
1-Sep-09	Cale W. Peake	Richard H. Koski	Columbia, SC
1-Sep-09	Lisa A. Russo	Lisa S. Goldman	Congers, NY
1-Sep-09	Matthew Scott Baker	Chris L. Bradford	Huntington Woods, MI
2-Sep-09	Valerie Kay Aldrich	Tiffany S. Kusmierek	Rimrock, AZ
3-Sep-09	Donna M. Grilli	Roseanne P. Pace	Plymouth, PA
3-Sep-09	Veronica F. Gibbons	Dale A. Mysiuk	East Stroudsburg, PA
3-Sep-09	Chet F. Lesniak	Thomas S. Turner III	Westfield, MA
3-Sep-09	Shannon Lee Hartigan	Pamela Lynn Ellison	Wailea, HI
3-Sep-09	Heather P. Bosworth	Kristi Joyce Warren	Lexington, KY
4-Sep-09	Grady Warren Keith	Domenico Schipani	Bolongna, Italy
4-Sep-09	Julie Roger	Solange Gutierrez	Quebec, Canada
5-Sep-09	Robert W. Grubbs, Jr	Sean J. Robshaw	Washington, D.C.
6-Sep-09	Marie A. Palumbo	Donna A. Greco	Lindenhurst, NY
6-Sep-09	Caroline Ramsdell	Susan Lynn Collins	Valpariso, IN
6-Sep-09	John William Dean III	Ivelina N. Jurkowski	Middletown, CT
6-Sep-09	Nancy Ann White	Kim M. Lanzillotta	Natick, MA
8-Sep-09	David S. Vanlandingham	Joseph A. Blaty	Wilton Manors, FL
9-Sep-09	Randall Keigan Barry	David Terry Barnet	Arlington, VA
9-Sep-09	Alycyn M. Britton	Tracey Lee McCoy	Portland, OR
9-Sep-09	Derry John Jacob	Ray. J. Cozad-Bolte	Bentonville, AR
9-Sep-09	Monica Lee Koors	Beverly J. Roland	Carmel, IN
9-Sep-09	Elisabeth K. Salen	Jason L. Weisman	Wellfleet, MA
10-Sep-09	Katarzyna L. Kopec	Jozef Galdun	Wroclaw, Poland
10-Sep-09	Cory Marie Martinelli	Terri Ann Mello	Uxbridge, MA
11-Sep-09	Anthony DePoala	David E. Kurz	Port Washington, NY
11-Sep-09	Suzanne L. Arnold	Joanne C. Siebers	Chicago, IL
11-Sep-09	Suzanne H. Dreyfus	Mary S. Fimmen	Phoenix, AZ
11-Sep-09	Andre C. Castaing	Michael W. Magursky	Atlanta, GA
11-Sep-09	Rob Bauer	Peter K. Subers	Salem, NY

12-Sep-09	David Marshall King	John J. Frishkopf	Boston, MA
12-Sep-09	Robert Scott Mower	Philip St. John Hayes	New York, NY
12-Sep-09	Robert J. Kannegieser	Robert L. Reed	Shermans Dale, PA
12-Sep-09	Michael F. O'Hagan	Mark T. Gallant	Boston, MA
12-Sep-09	Richard Nash Moonblatt	James Quintin Peterson	Silver Spring, MD
12-Sep-09	Aaron M. Sciandra	Garry Nolan Hannon	Brooklyn, NY
12-Sep-09	Carol Sanders	Alan David Horwitz	Branford, CT
12-Sep-09	Gary David Fisher	Brooke Amy Harris	Sherman Oaks, CA
12-Sep-09	Ralph Lewis Smith, Jr.	Robert D. Mancuso	Boston, MA
14-Sep-09	Scottie Lynn Gee	Chris. D. Copeland	Little Rock, AK
15-Sep-09	Christopher J. Budd	W. Thomas Lavash	Washington, D.C.
17-Sep-09	David J. Cichanowicz	Christopher W. Hunt	Washington, D.C.
17-Sep-09	Margaret Anne Flores	Karen Ann Harrison	San Antonio, TX
17-Sep-09	Elizabeth A. Cleveland	Deborah A. Csakvary	Cantonsville, MD
17-Sep-09	C.E. Lautzenheiser, Jr.	David Bryant Smith	San Antonio, TX
17-Sep-09	Daniel Lawrence Flora	Devin Joel Dardanes	Denver, CO
17-Sep-09	Beverly A. Hall	Janet D. Allan	Baltimore, MD
17-Sep-09	Lawrence E. Rogowsky	Andrew V. Geraci	Bronx, NY
18-Sep-09	Steven Erick Kettelle	Michael R. Terwilliger	Pine City, NY
18-Sep-09	Mark K. Goheen	Patricia K. Dowding	Battle Creek, MI
18-Sep-09	Mary Jane Oldham	Melissa Ann Kedo	Battle Creek, MI
18-Sep-09	Cecelia Marie Cipic	Dawn M. Robinson	Battle Creek, MI
19-Sep-09	Adrian Brian Summers	David C. Loxley	Providence, RI
19-Sep-09	Denise M. Zawilinski	Genevieve Ann Bass	Waterford, CT
19-Sep-09	Roy Ronald Bass	Brian J. McCarthy	Sarasota, FL
19-Sep-09	James Slusher III	Thomas Hugh Morris	Rehoboth Beach, DE
19-Sep-09	Neal Thomas Friske	Arthur P. Nazro III	Dallas, TX
19-Sep-09	Karla L. Briceno Palacio	Tara M. Stevens Palmer	Miami, FL
20-Sep-09	Pamela Lee Parmakian	Eliz. A. Bridgewater	Wellfleet, MA
20-Sep-09	Donald Lewis Coill	Eti Zohar	Provincetown, MA
21-Sep-09	Alix Lucile Law Ritchie	Martha R. Davis	Ft.Lauderdale, FL
21-Sep-09	Deborah Ann Bourque	Toni M. Dulitz	Jacksonville, FL
22-Sep-09	Jennifer Carroll Rogers	Kari Jane Willey	Bennett, CO
22-Sep-09	Jefferson A. Brechbuhl	Bruce Robert Barnes	Takoma Park, MD
23-Sep-09	Rickie Allen Smith	Julian V. Gary, Jr.	Richmond, VA
24-Sep-09	Connie Y. Johnson	Pennie D. Maples	Forth Worth, TX
24-Sep-09	Michael Alan Roberts	Charls Joseph Gott	Sarasota, FL
25-Sep-09	Andrew Raub Dobos	Brian A. Sandoval	Arlington, VA
25-Sep-09	Eric Joseph Jensen	Adrian DeJesus	Spencerport, NY
26-Sep-09	Ricardo Philip Melara	Leif Nils Osgood	New York, NY
26-Sep-09	Paula Jill Johnson	Ellen Cox Call	Louisville, KY

26-Sep-09	Sandra Ann Learned	Lisa Kay Boeving	Valrico, FL
26-Sep-09	Parivez Rana Hosseini	Chris. M. Sullivan	Jersey City, NJ
26-Sep-09	Richard F. Bradley	Eric Steven Tucker	Dallas, TX
26-Sep-09	John Kennedy Shirley	Francis A. Zampielo	Philiadelphia, PA
1-Oct-09	Bruce Duane Shipman	Gary Alan Jones	Tuscon, AZ
1-Oct-09	Gary Alan Sachau	W. L. Robertson, Jr.	Baltimore, MD
3-Oct-09	Noah Harlow Cutting	Christina M. Howard	Stamford, CT
3-Oct-09	Christine P. Donahue	Heidi A. Erlacher	Brighton, MA
3-Oct-09	Donna Marie Dimke	May Thet Aung	Silver Spring, MD
3-Oct-09	Merle C. McCann	Jared R. Christopher	Baltimore, MD
4-Oct-09	Stephen M. Gouthro	Andrew G. Smith III	Bridgewater, MA
4-Oct-09	Linda Ann Ersoy	Deborah Ann Saracco	Truro, MA
4-Oct-09	Mary-Ann Pascucci	Sherri D. Cassino	North Providence, RI
5-Oct-09	Michael John Gula	Eric John Siebert	Nurnberg, Germany
8-Oct-09	Richard Louis Stevens	Neal H. Sherman	Ridgewood, NJ
8-Oct-09	Barbara Jean Steele	Elizabeth Ann Reis	Seattle, WA
9-Oct-09	Ronda Reardon	Lila F. Culberson	Rome, GA
9-Oct-09	Rain Raven Perlik	Stacy Gwen Leger	Beaumont, TX
10-Oct-09	Carol Elizabeth Jinks	Staci Fay Mayes	Alpharetta, GA
10-Oct-09	Steven C. Holmes	Howard N. Christ III	Loudonville, NY
10-Oct-09	Karen Lenore Brooke	Mary Lexie Bopp	Ypsilanti, MI
10-Oct-09	Kyle Douglas Rose	Steven Carl Schuller	Colleyville, TX
10-Oct-09	Patricia A. Harrington	Marcia Ann Mitchell	Mattapoissett, MA
11-Oct-09	Kristine Lynn Ohler	Amy R. Mattingly	Mechanicsville, MD
11-Oct-09	Cynthia L. Tyler	Christine Harkness-Sparks	Portland, CT
14-Oct-09	Tracey L. Alexander	Adrian Joyce Novak	Jeffersonville, IN
15-Oct-09	Mary Antoinette Hart	Pamela Sue Heggen	Tulsa, OK
15-Oct-09	Amy Lyn Nelson	Laurie Lee Poole	Oklahoma City, OK
16-Oct-09	Dawn Rene Sewalt	Lee Ann Shontere	Chesapeake Bch, MD
16-Oct-09	Dawn Karen Dowling	Veronica Huston	Landenberg, PA
16-Oct-09	Jennifer Anne Evers	Mary Frances Jones	Richmond, VA
16-Oct-09	Linda Eleanor Chaney	Irene C. Lawlor	Rehoboth Beach, DE
16-Oct-09	Dena Marie Scavellil	Jennifer L. Warfield	Canton, OH
16-Oct-09	Sharon E. Clark	Paula Marie Harvey	Baltimore, MD
16-Oct-09	Rosemary U. Ariondo	Sheri Lynne Ellisor	Cowpens, SC
16-Oct-09	Jefferson C. Moulds	Brent Ray Anderson	Washington, D.C.
16-Oct-09	Kimberly Susan Ames	Catherine M. Brennan	Fenton, MO
16-Oct-09	Joy Michelle Vought	Susan E. Williams	Normal, IL
17-Oct-09	Robert Earl Payson	John Wayne Linsley	Provincetown, MA
17-Oct-09	Debra Lee Arnold	Tanya Carol Groves	Coventry, CT
17-Oct-09	Geraldine Orlando	Christine Wagner	Mastic Beach, NY

17-Oct-09	Jamie Kristen Harris	Carla R. McDonald	Tallahassee, FL
19-Oct-09	Elaine Loreta Brown	Doris A. Nickerson	Castle Creek, NY
20-Oct-09	Pamela Lynn Michaels	Delena Gay Foster	Columbia, MD
22-Oct-09	Susan Joy Close	Janice C. Williams	Tonawanda, NY
24-Oct-09	Michael J. Nix-Tipton	James Reed Tipton	Austin, TX
26-Oct-09	Steven A. Frank	Edward D. Knight	Rockville, MD
27-Oct-09	Michael S. McGregor	Robert Chaeatham	Nashville, TN
29-Oct-09	Michael B. Wohlfeiler	Albert A. Eldridge	Miami, FL
29-Oct-09	James M. McKenna	Joseph DePiro	Miami, FL
29-Oct-09	Linda Kathleen Hoge	Sharon M. Litwin	Ballwin, MO
30-Oct-09	Jean Elizabeth Strella	Carol A. Fitzgerald	Congers, NY
1-Nov-09	Brian Douglas Noon	Randall R. Bowers	Winter Garden, FL
4-Nov-09	Alberto Angel Ovalle	Janet L. Jorgulesco	Provincetown, MA
7-Nov-09	Kathleen M. Mitchell	Nicole Eleanor Baird	Langhorne, PA
7-Nov-09	Jefrey Ross Hall-Flavin	Daniel K. Hall-Flavin	Provincetown, MA
19-Nov-09	Julie Michelle Schohn	Mary E. Glantz	Arlington, VA
28-Nov-09	Elizabeth Ann Felton	Joseph J. Carreiro	Provincetown, MA
3-Dec-09	Nancy Rae Smith	Deborah Anne Szajna	Monroeville, PA
4-Dec-09	Arturo Amado Alon	W. R. McKinsey II	Provincetown, MA
7-Dec-09	Vincent Scott Browne	Charles P. Prestano	Honolulu, HI
8-Dec-09	Michael Alexandrov	William Kenneth Fry	Rotterdam Junc, NY
17-Dec-09	Michael C. Dippenaar	Jonathan H. Moore	Richmond, VA
30-Dec-09	Anne Elizabeth Gilson	Judith Anne Davis	Harwich, MA

Deaths 2009

Date	Name	Age
10-Jan-09	Alice L. Reis	91
11-Jan-09	Lester H. Heller	89
14-Jan-09	Gerald E. Carreiro	64
17-Jan-09	Guenter Karl Schmidt	83
21-Jan-09	Roselyn Schwartz	91
25-Jan-09	Richard A. Stewart	76
28-Jan-09	Malik Akil Rance	4 ^{mths}
1-Feb-09	Margaret Adelaide Mayo	100
10-Feb-09	Phillip Alexander Meads	85
10-Feb-09	Iris Parker	81
15-Feb-09	Ronald Ray Henderson	56
15-Feb-09	Katherine Agatha O'Donnell	96
26-Feb-09	Particia Larby	81
2-Mar-09	Ann Leidel	84
11-Mar-09	Hilda Fries Tilton	99

12-Mar-09	Mary Kass	78
19-Mar-09	James Griffith Hoover	53
22-Mar-09	Neil A. Toelle	64
3-Apr-09	Milton Isserlis	86
17-Apr-09	Rosemarie Ferreira	93
17-Apr-09	Diane Mary St. Hilaire	64
17-Apr-09	John Joseph Sheehan	69
18-Apr-09	Kenneth Weed Atkins	73
19-Apr-09	Alice Mary Foley	64
21-Apr-09	Raymond R. Rizk	81
25-Apr-09	Raymond Leon Peloquin	70
1-May-09	Marguerite Cowing	84
11-May-09	Leona L. Mendes	91
18-May-09	Mary P. Roderick	103
27-May-09	Linda A. Ortiz	54
1-Jun-09	Deborah E. Estevez	58
4-Jun-09	Horace Kilbourne Watson	91
14-Jun-09	Frances Raymond	104
17-Jun-09	Anne Johnson	98
19-Jun-09	Pauline Leonard	94
30-Jun-09	Thomas Stephen Dahill	55
5-Jul-09	Elizabeth V. Costa	77
8-Jul-09	Stephen R. Mitchell	64
8-Jul-09	Jack Papetsas	79
13-Jul-09	Florence Richman	89
19-Jul-09	Annie Oliver	97
28-Jul-09	Warren E. Costa	80
12-Aug-09	Viola Morris	94
16-Aug-09	Noel Burton Carmichael	70
20-Aug-09	Eva Berg	88
25-Aug-09	Hildegard Sylvia	84
11-Sep-09	Sonja Johnson	93
17-Sep-09	David William Hamnquist	58
3-Oct-09	Patricia Stark	61
16-Oct-09	Flora Mae Henrique	85
25-Oct-09	Holly Marie Ferreira	44
30-Oct-09	Edith E. Nechin	85
9-Nov-09	Helen Edith Santos	88
20-Nov-09	Gordon S. Russell	88
21-Nov-09	Elizabeth Robbins	89
22-Nov-09	Virginia Freeman Pickard	86

25-Nov-09	Schuyler "Ted" Meyer	66
3-Dec-09	Barbara A. Cue	100
3-Dec-09	Michael A. Leger	60
4-Dec-09	Jean Rogers	82
8-Dec-09	Judith Dugan	80
10-Dec-09	Edward Donald Domijan	64
15-Dec-09	Daniel Neves Britte	68
15-Dec-09	Peter J. Karl	64
22-Dec-09	Myrtle R. Sylvester	91
27-Dec-09	Kathleen Ann Silva	83

Town Counsel

During 2009, 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 13 active litigation cases involving the Town which are pending in various courts. There were 7 cases closed in 2009.

During 2009, Town Counsel provided significant advice and assistance to the Town Manager and Board of Selectmen with respect to resolving the Town's claims against the sewer system operator arising out of the July 4th sewer system failure. This has included advice regarding the return to the compliance plan ordered by the Department of Environmental Protection.

Town Counsel has also been working closely with Town officials to acquire the land located in Truro that is needed for the development of the North Union Well Field. We are also engaged in negotiating a new intermunicipal agreement with the Town of Truro.

Over the past year, Town Counsel has also been advising the Town with respect to contracting and financing issues involved in the Town Hall renovation project.

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. ATL Holdings LLC v. Provincetown Zoning Board of Appeals**

Barnstable Superior Court C.A. No. BACV2009-0423

This is an appeal from the June 15, 2009, final decision of the Zoning Board of Appeals to deny a special permit under Zoning By-law Article 2, §2440 to re-establish a 100-seat restaurant in the Town Center Zoning District at 359 Commercial Street (Units G and H). A notice of appearance was filed in June 2009.

2. Brahm, et al. v. Provincetown Historic District Commission

Barnstable Superior Court C.A. No. BACV2009-00411

This is an appeal from the May 20, 2009, action by the Historic District Commission to deny permission to allow construction of a roof deck at 92 Bradford Street. The parties are currently engaged in discovery.

3. Daniels v. Provincetown Zoning Board of Appeals

Barnstable Superior Court, C.A. No. BACV2008-00438

This is an action appealing a decision of the Zoning Board of Appeals denying an application for an addition of a dormer and 1/2 story at property located at 881 Commercial Street (Unit #1 of Beachcomber Colony Condominiums). The parties submitted a pre-trial memorandum in November 2009, and a trial is scheduled for April 14, 2010.

4. Donovan v. Provincetown Board of Health

Barnstable Superior Court, C.A. No. 2009-00637

This is an appeal of the Board of Health's order to remove a shed unlawfully used for dwelling purposes in violation of the State Sanitary Code. The plaintiff filed a complaint on September 14, 2009, and an amended complaint on November 9, 2009. In response, Town Counsel filed a motion to dismiss on behalf of the Board of Health on November 20, 2009. The Court has scheduled a hearing on the Board of Health's motion to dismiss for April 22, 2010.

5. Enos v. Town of Provincetown, et al.

Barnstable Superior Court, C.A. No. 09-00197

U.S. District Court, C.A. No. 09-CV-11478-DPW

This matter involves a former town employee challenging his termination from employment. The plaintiff filed a complaint with Barnstable Superior Court on March 30, 2009. The plaintiff filed an amended complaint raising various state tort claims. The Town has filed a renewed motion to dismiss the claims against the defendants in the amended complaint, asserting applicable federal standards and case law. The Court held an initial scheduling conference on December 17, 2009. The defense of this case is being covered by the Town's insurance policy.

6. Lippi v. Provincetown Police Department, et al.

U. S. District Court, C. A. No. 09-11225-NMG

The plaintiff, a resident of New Jersey who vacations in Provincetown, alleges civil rights violations under state and federal law, as well as state law tort claims, based on his arrest on charges of animal cruelty. In addition to claims of civil rights and tort violations against the involved officers, plaintiff also asserts claims for municipal liability and supervisory liability against Police Chief Jeff Jaran, and former Chiefs Tobias and Meyer. The Town has filed an Answer on behalf of all defendants, and are awaiting the scheduling of a Scheduling Conference, at which time the Court will set out the pre-trial discovery schedule.

7. Provincetown Board of Health v. Bryant (II)

Barnstable Superior Court, C.A. No. 95-751

This is an action under the State Sanitary Code for injunctive relief to require the defendant to clean up property located on Commercial Street. The Court authorized the Town to clean up the subject properties with funds paid into escrow by the defendants. In addition, by Amended Judgment dated December 18, 2006, the Court awarded the Town \$66,205.63 as reimbursement for attorneys' fees and court costs spent securing the favorable outcome of this case. In the Fall of 2007, an agreement was reached for payment of the Town's attorneys' fees in installments until October 31, 2011. A mortgage on the property located at 467 Commercial Street was granted and all payments due under the agreement have been paid to date. (See related matter, Provincetown Board of Health v. Bryant (III)).

8. Provincetown Board of Health v. Bryant (III)

Barnstable Superior Court, C.A. No. 04-365

This is a contempt action brought by the Town, through the Board of Health, seeking to compel the defendant, George Bryant, to clean up properties located at 467 and 471 Commercial Street in accordance with the Court's December 18, 2006 Amended Judgment, which prohibited Mr. Bryant from storing or stockpiling any junk, refuse or debris on the properties, or from bringing any such materials onto the properties. A trial was held on October 16, 2009, and on January 4, 2010, the Court issued a decision again finding Mr. Bryant in contempt and ordering him to remove the accumulated debris from the property. In addition, the court imposed a fine of \$300 a day for each day the debris remains on the property and ordered Bryant to reimburse the town for its legal fees in pursuing the contempt action. (See related matter, Provincetown Board of Health v. Bryant (II)).

9. Provincetown Board of Trade Land Court Registration

Land Court Misc. No. 43338

This is a Land Court registration petition seeking to register land at 307 Commercial Street owned by Provincetown Board of Trade. The Town filed an answer and opposition to the petition on October 4, 2002, because the land proposed for

registration appears to include land owned by the Town and used as part of the municipal parking lot next to Manual Lopes Square, and because the petition included land beneath the Historic High Water Mark to which the petitioner cannot show record title. The petitioner has indicated he would amend the plan to address the Town's objections, but he has taken no further action in the matter.

10. Roles v. Town of Provincetown

MCAD Case No. 07BEM02297 EEOC/HUD No. 16C-2007-02231

This case involves two complaints alleging sexual harassment and sex discrimination and retaliation by a former employee of the Recreation Department. The Town's insurer has appointed Town Counsel to defend these matters. In November 2009, the Massachusetts Commission Against Discrimination ("MCAD") dismissed the complaints, but the plaintiff has appealed. We are awaiting the scheduling of an appeal hearing at the MCAD.

11. Singer Registration

Land Court No. 43389REG

This is a complaint to register title to land located on Creek Road and Nickerson Street. The Town filed an appearance in December 2006, to protect the rights and interest possibly held by the Town. The petitioner has not taken any steps to advance this case.

12. Steele v. Provincetown Police Department

Barnstable Superior Court, C.A. No. 08-00293

This is a defamation complaint against the former police chief by a current police sergeant, arising from an incident that occurred in October 2004, involving the death of Bridget Rines, and the subsequent investigation into that incident. The Town's insurance company has appointed Town Counsel to defend this matter. The plaintiff's attorney has withdrawn from the case, and a new counsel has recently appeared on plaintiff's behalf. The Town has filed a motion to dismiss the complaint, due to the sudden death of the former police chief.

13. Trustees of the Mary Kass Trust v. Mason and Provincetown Public Library

Barnstable Probate Court, Docket No. BA09E0023QC

This action is a complaint for declaratory judgment wherein the plaintiff trustee seeks a declaration from the Probate Court that, despite an ongoing dispute among certain beneficiaries of the Mary Kass Trust as to its validity, the trustee may administer the Trust. The Provincetown Public Library is a beneficiary of the Trust and does not dispute its validity. The parties have been conducting extensive discovery and engaging in other pretrial legal maneuvers permitted under the Rules of Civil Procedure since the matter was first filed. There has been no dispositive ruling on the matter to date.

MATTERS CLOSED**1. AFSCME, Council 93 and Town of Provincetown**

AAA No. 11 390 01068 06

This was an arbitration resulting from the imposition of discipline on a DPW employee who tested positive in a random drug test required under the federal Department of Transportation regulations. The Town and the Union resolved this matter, and the arbitration was dismissed.

2. AFSCME, Council 93 and Town of Provincetown

AAA No. 113900117608

This was a grievance arbitration alleging that the Town by-passed a DPW employee for an overtime assignment in violation of the collective bargaining agreement. An arbitration hearing was scheduled for November 9, 2009. The parties agreed in principal to terms of a settlement agreement and this matter was withdrawn.

3. Burrows v. Provincetown Board of Appeals and Building Commissioner

Barnstable Superior Court, C.A. No. BACV2007-00492

This was an action in which the plaintiff was appealing the Zoning Board of Appeals' determination that the plaintiff may not convert a unit located at 89 Bradford Street to a residential use. The plaintiff voluntarily dismissed this appeal in July 2009.

4. Coho v. Town of Provincetown

MCAD, Docket No. 07BEM03340

This was a claim of discrimination against the Town and its Fire Department filed in January 2008, with the Massachusetts Commission Against Discrimination ("MCAD") in which the complaint alleged discrimination based on sexual orientation. The Town's insurance company appointed Town Counsel to handle this matter on behalf of the Town. The Town filed a position statement on February 4, 2008. In August 2009, the MCAD found that there was no probable cause to believe that the Town violated the law. No appeal was taken and the matter has been closed.

5. McGowan v. Provincetown Zoning Board of Appeals II

Barnstable Superior Court, C. A. Nos. 97-826, 98-235, and 99-728

This case involved a complaint for civil contempt filed by the Town for failure of the plaintiff to comply with the terms of an Agreement for Judgment in April 2002, that required McGowan to remove various decks on his property located at the Bayview Wharf Condominium and to pay the Town's attorney's fees. An inspection by the Building Commissioner revealed that the decks had not been removed. We assisted the Building Commissioner with preparing for contempt action and providing final notice to the property owner to comply. In April 2009,

a permit was issued for the demolition of the offending decks, and the property is now in compliance.

6. Meld, Inc d/b/a Good Times.. v. Provincetown Licensing Board

Barnstable Superior Court, C. A. No. 09-00852

This was an appeal of a decision by the Licensing Board filed in December 2009 to revoke the liquor license for the Good Times establishment. The plaintiff sought a stay of the Board's decision. The parties agreed to a license suspension, and the case was dismissed with prejudice.

7. Police Union (Arb. Misclassified Employees)

This was a grievance filed by the Police Union alleging that the Town has misclassified certain Department employees. An arbitration has been scheduled for February 18, 2009. The arbitrator found that the Union's grievance should be dismissed in that the Union did not file the instant grievance in a timely manner, resulting in the grievance not procedurally arbitrable. The arbitrator held that there was not an agreement between the parties to extend the deadlines to file a grievance, and the Union, through their own delay, waived their right to file a grievance in this matter. The Union did not appeal the arbitrator's decision.

Animal Welfare Committee

"We can judge the heart of a man by his treatment of animals." Immanuel Kant

This past year was a busy, productive and exciting year for the Animal Welfare Committee (AWC). After two years of no reported cases of rabies, the AWC successfully lobbied the Board of Health to rescind its three year ban on off-leash dogs on town beaches and trails. To promote responsible pet ownership with these renewed rights, as well as to further promote animal safety, the AWC presented four articles at Annual Town Meeting. The first increased fines for non-compliance with the reinstated off-leash beach and trail rights. A second article required the vaccination of dogs and increased fees for non-compliance of licensing. The AWC then worked with the assistant town manager to create new beach signage reflecting the reinstated off-leash beach hours and the fines for violations. The signage on the town landings regarding dogs is in the process of being updated, as well. Concern about unsecured dogs traveling in open pick-up trucks was the third article presented at Town Meeting: Safe Transportation of Animals. And the fourth article created an alternate position on the AWC board.

At a joint meeting between the AWC and Board of Health, concerns about parasites in dog fecal matter were raised. This concern resulted in the AWC seeking input

from local, regional and state officials, as well as the medical community, to examine if there was a real threat to humans from dog fecal matter in Provincetown and our region. After conducting a survey of the fifteen Boards of Health of Cape Cod towns plus Nantucket and Martha's Vineyard, of the fourteen Boards of Health that responded, not one had ever recorded an incident of humans contracting a parasite through dog feces. Former Outer Cape Health Services Medical Director Dr. Steven Lacey informed the AWC that no cases of hookworm and roundworm (parasites that can be found in fecal matter) had been treated at OCHS in the last three years. Dr. Alexander McAdam of the Infectious Disease Diagnostic Laboratory at Children's Hospital in Boston also weighed in: "In the past three years we have detected four cases of roundworm and no cases of hookworm." After this extensive survey, the AWC went back to the BOH to report its findings: that there was no evidence that Provincetown's residents or visiting children and adults who use town beaches where dogs are allowed to be off-leash are contracting hookworms, roundworms or giardia.

The AWC also continued to address the issue of pet safety while promoting pet tourism in Provincetown. Several local restaurants applied to the Board of Health in 2009 for a variance to the federal code that prohibits dogs in patio areas of restaurants. The variances were granted, helping prevent dogs from overheating in hot cars while visiting owners have a meal. This amenity is also likely to encourage more pet-owning tourists to visit our town. Poop bag stations are located not only at our town landings but can now be found at several other locations such as the corner of Ryder and Commercial Street, the waterfront park and Grace Hall Parking Lot. Committee member Carol MacDonald has done an admirable job again this year of regularly replenishing all eighteen poop bag stations.

Lastly – an idea born at an AWC meeting – a dog-human public drinking fountain on the lawn of Town Hall will become a reality with the Selectmen voting unanimously for it in December. It should be installed in the summer of 2011.

Although much has been accomplished this year, much more needs to be done including creating a pet emergency shelter, protecting wildlife and their habitation, and putting in place a protocol for rescuing stray cats. The board members in 2009 were Carol MacDonald, Steve Milkewicz, Barbara Murphy, Leslie Parsons and Candace Nagle.

Respectfully Submitted,

Candace Nagle

Chair

Art Commission

The renovation of Town Hall continues and while part of the collection remains in storage we have been able to continue to display a significant portion. The loan of six town-owned paintings to the Pilgrim Monument and Provincetown Museum (PMPM) during the renovation of Town Hall has allowed the public to enjoy these works at close range while continuing to showcase the artistic heritage of the Town amidst the collection of artifacts on display at the Museum. We are grateful to the Trustee's of the PMPM for allowing this display to continue. The 2009 issue of Provincetown Arts magazine featured an extensive article on the formation and history of the collection by local writer Taylor M. Polites, as well as the exhibition last year at the Groton School, Groton, Massachusetts. The paintings by Ross Moffett which were painted around 1934 were removed from the Town Hall during renovations and will be reinstalled after the construction work is finished. Our conservation efforts continue in earnest and allow us to present all work in optimum condition much of it for reinstallation in the soon to be completed Town Hall. We are able to once again offer a reduction in our operating budget based on our estimates for collection care for the coming year. As always the support of the Board of Selectmen, the Town Manager and the Town employees was invaluable and much appreciated.

Respectfully submitted,

Stephen Borkowski

Chair

Cape Cod Regional Transit Authority

The Cape Cod Regional Transit Authority (CCRTA) Provincetown Town Report for Fiscal Year 2009. CCRTA, with the door-to-door b-bus service, has provided 57 clients (unduplicated count) in Provincetown with 688 one-way passenger trips from July 2008 through June 2009 (FY09). In FY08 CCRTA provided 59 clients with 678 one-way passenger trips from July 2007 through June 2008. Total b-bus passenger trips in the fifteen towns of Cape Cod were 174,011 in FY08 compared to 169,583 in FY09. CCRTA FY09 records for the Boston Hospital Transportation service indicates 29 Provincetown residents took 224 one-way trips on this service.

The deviated fixed route Flex serves the towns of Harwich, Brewster, Orleans, Eastham, Wellfleet, Truro and Provincetown. A total of 12,684 one-way trips originated in Provincetown for the Flex route for the period July 2008 through June 2009; total ridership for the Flex for this period was 50,073.

The Provincetown Shuttle serves the towns of Truro and Provincetown. A total of 38,486 one-way trips originated in Provincetown for the Provincetown Shuttle

for the period July 2008 through June 2009; total ridership for the Provincetown Shuttle for this period was 56,512. CCRTA provides the Provincetown Council on Aging a Mobility Assistance Program (MAP) vehicle that provided 434 rides from July 2008 to June 2009.

CCRTA has a web page on the Internet (www.capecodrta.org). Route maps, schedules, fares, Google Transit Trip Planner and the latest news about Cape Cod public transportation services are provided at this site, as well as links to many other transportation resources.

Respectfully submitted,

Tom Cahir

Administrator

Cape Light Compact

The Cape Light Compact was formed in 1997 following two years of study and votes of town boards of selectmen and town council. It is organized through a formal intergovernmental agreement signed by all 21 member towns and Barnstable and Dukes counties. The purpose of the Cape Light Compact is to advance the interests of consumers in a competitive electric supply market, including the promotion of energy efficiency. Each participating municipality has a representative on the Compact Governing Board, which sets policy and works with staff, technical and legal support to advance the Cape Light Compact programs.

POWER SUPPLY: In 2009, the Cape Light Compact (Compact) provided energy to residents and businesses in accordance with a competitive electricity supply contract negotiated by the Compact with ConEdison *Solutions*. Oil and natural gas prices were extremely volatile in 2008 with oil hitting its peak in July and then falling precipitously. Prices for 2009 were largely locked-in, in late 2008 when energy markets had decreased significantly from their peaks in July of 2008. Natural gas, electricity, and other energy prices continued to trend down in 2009. While the Compact's prices in 2009 did not reflect this (due to locking in prices at the end of 2008), 2010 prices will reflect this decrease. The Compact is actively pursuing strategies to stabilize prices at these attractive 2010 levels. As of December 2009, the Compact had 3,971 electric accounts in the Town of Provincetown on its energy supply.

ENERGY EFFICIENCY: From January to October 2009, rebates and other efficiency incentive programs provided to the Town of Provincetown by the Compact totaled approximately \$76,287 brought savings to 115 participants of \$18,792 or about 93,959 kilowatt-hours of energy saved for 2009. Funding for the energy efficiency programs (i.e. energy audits for homes and businesses, rebates on the purchase

of energy efficient appliances and energy education in our schools) comes from a monthly customer “energy conservation” charge (\$0.0025 cents multiplied by the number of kilowatt hours used during the month) that appears on each customer’s electric bill.

The Cape Light Compact continues to bring energy education to the Town of Provincetown in the form of teacher training, conferences, workshops and support through the NEED project curriculum and educational materials. The PV system at the Provincetown High School as part of the “Solarize Our Schools” program has generated over 8,465 kWh of electricity and avoided over 14,611 lbs of CO₂ since its installation in December, 2006. Nine Low-Income homes retrofitted for a reduction in energy usage and increased comfort. Two Provincetown small businesses received energy efficient lighting upgrades. Two small businesses received energy efficient refrigeration upgrades and one small business received services from the Cape Light Compact energy efficiency consulting engineer. The Provincetown Monument Museum received an incentive to install energy efficient heating and cooling equipment. The Housing Authority received energy efficient lighting upgrades at 44 Harry Kemp Way. The Harbormaster received energy efficient lighting upgrades on the facility along with a vending miser for the vending machine. The Town Hall project received services from the Cape Light Compact energy efficiency consulting engineer which resulted in a \$75,000 commitment for upgrading the lighting in Town Hall in 2010.

Respectfully submitted,

Sharon Lynn

Provincetown Representative

Cultural Council

This past year the Cultural Council’s granting budget from the Massachusetts Cultural Council was \$4,000. The committee received a total of 13 applications and has selected four local artists/groups for funding, including: The Provincetown Public Schools, for an after school enrichment program; Seashore Point, for a six-week writing workshop on capturing memories and chronicling personal histories; The Tennessee William’s Festival; and John Root, for a lecture featuring our regions butterflies at the Provincetown Public Library. With the upcoming completion of Town Hall, we hope to be able to secure space for a modest public arts project: an AIDS memorial. During the upcoming year we will work with the Board of Selectmen, and other town boards to help bring this project to fruition.

Respectfully submitted,

Frank Vasello

Chair

Finance Committee

2009 was an unusually busy year for the Finance Committee. We started the year with significant budget challenges to address for the April Town Meeting. In addition we had to prepare for three additional Special Town Meetings to address phase II of the Town Hall repairs; water system improvements; and removing police employees from the civil service. In all, the Committee conducted a total of 40 meetings throughout the year.

Apart from our work on the budget, one of the more notable accomplishments of the Committee this year was the creation of several key financial management policies. During a joint meeting with the Board of Selectmen on August 10th, the Committee recommended that the Town develop formal, written, debt management and reserve policies.

Over the course of the Fall, the Committee compiled sample policies from other towns in Massachusetts, along with guidance from the Department of Revenue (DOR) and the Government Financial Officers Association. Working closely with the Town Manager and Finance Director, we were able to “cherry pick” the best examples and compile them into draft policies that we believe are appropriate for Provincetown, and that are consistent with the DOR’s guidelines. This approach allowed us to benefit from other towns’ best practice and greatly sped up the process.

On November 9th the Committee conducted an initial review of the draft policies with the Board of Selectmen. The final versions, incorporating the Board’s suggested changes, were presented on December 1st and formally adopted by the Board as Town policies.

The Committee’s goals for the coming year are: To continue to develop cooperative working relationships with the Board of Selectmen; the School Committee; the Town Manager; the Finance Director; and the Superintendent of Schools. To continue to research municipal finance best practices and to develop recommendations for improvements in the following areas: Annual budgeting and capital expenditure processes; Long-term financial planning; and Financial management policies. To work with the Town’s financial management team to identify possible strategies to address the Town’s long-term structural deficit problem. The structural deficit is the single largest threat to the Town’s long-term financial health. Closing the deficit will require a combination of revenue raising measures and constraints on the growth of operating expenses.

As we said in last year’s report, after many years of level funding, the “fat” has been cut from the Town budget. Balancing the budget in future years will require new sources of revenue and new, more cost effective, ways of delivering Town services.

As your watchdogs, the Finance Committee must balance fiscal responsibility with the need to provide essential services to our citizens at a cost we can all afford. In searching for the right balance, we welcome the advice and guidance of the voters.

Respectfully submitted,

Thomas Coen

Chair

Historic District Commission

The Historic District Commission is pleased to report on its regulatory activities during 2009. The Historic District Commission continued to ensure the promotion of the cultural, economic, education and general welfare of the members of the Town through three mandates. First, to preserve and protect the distinctive characteristics of the buildings and places significant to the history of Provincetown. Second, to maintain and improve the settings of our buildings. Third, to encourage design compatible with the buildings existing in the area and to help maintain the historic village, fishing, and artistic, cultural, commercial and residential character, which distinguishes Provincetown as a desirable community for residents and visitors.

The Historic District Commission worked on many residential and commercial projects during 2009 to maintain the historic nature of these buildings. We worked to guide and regulate construction to conform to the Historic District Guidelines. We did note a reduction in the number of applications reflecting the economic times. There were many more Administrative Reviews for smaller scaled projects and a decrease in Full Reviews for larger-scaled projects.

Changes in the composition of the Commission involved the leaving of Clo Tepper whom we thank for his time and architectural knowledge. Remaining on the Commission are John Dowd, Chair, Carol Neal, Vice-Chair, Polly Burnell, Marcene Marcoux David McGlothlin and Nathan Butera. The work of the Historic District Commission is enhanced with the professionalism and efficiency of Maxine Notaro, Permit Coordinator. Working on enforcement, Russell Braun serves as Building Commissioner and Justin Post as Building Inspector. Many thanks also go to Evelyn Gaudiano for keeping excellent meeting minutes.

The Historic District Commission continues to encourage feedback and comments from the public and our dedicated and enthusiastic members stand ready to offer advice and comments. Our meetings continue to be held on the First and Third Wednesdays of the month. We hold Administrative Review meetings at 3:30 p.m. when contractors and residents can gain information on projects, as well as receive approval for minor changes. Our formal meetings begin at 4 p.m. for projects that have been publicly noticed out. We now hold our meetings in

Room 10 in the Grace Gouveia Building located at 26 Alden Street where we will be until Town Hall renovations are complete. The public is invited to attend any of our meetings. We look forward to seeing you there!

Respectfully submitted,

John Dowd

Chair

Historical Commission

The Provincetown Historical Commission in the last year continued its role as an advocate for historic preservation, and an educational resource for town officials, boards, and the general public on the history of Provincetown and its architectural resources. The Commission took many steps this year to demonstrate the extraordinary role history plays in our way of life. We successfully nominated Provincetown to be one of the National Trust's Dozen Distinctive Destinations for 2010; the Commission, with the financial support of the Visitor Services Board and Tourism Office, has produced a 50-site Historical Walking Tour brochure which will soon be available; and the Commission is working with a volunteer to publish a book which will discuss the historical significance of over 600 buildings in town. As the Building Committee for all town-owned historic buildings, the Commission participated in reviewing renovations to Town Hall, the Public Library, and Firehouse No. 2.

The Commission has also supported the ever-growing History Preservation Project website, www.provincetownhistoryproject.com, by continuing work on the Oral History Project, integrating existing and new oral histories onto the website, and working with private and non-profit entities who are allowing their resources to be scanned and added to the website. The Commission remains eager to welcome anyone interested in helping to research, document, and protect our incredible history and town-owned historic resources.

Respectfully submitted,

Eric E. Dray

Chair

John Anderson Francis Family Scholarship Com.

The following graduates from the Provincetown High School Class of 2009 were awarded scholarships from the John Anderson Francis Family Scholarship Fund: Anna Bent, Tina Brown, Sage Duda, Glea Hemley, Khedene McKenley, Jacob Nichols, Natasha Phipps, Sadie Santos, Komnen Seric, Jessica Sawyer, Carly Silva, Cody Silva, Emma Silva, Katie Silva, and Kelsey Trovato. In addition, Cape Cod Technical High School Class of 2009 graduates Dominique Richmond and

Bruce Henrique also received scholarships. Kelsey Trovato is the Scholar of the Year. A total of \$25,000.00 was awarded.

In October of 2009, scholarships from the John Anderson Francis Family Scholarship Fund were awarded to the following Provincetown High School Alumni: Andrea Abraham, Andre Barros, Pele Berg, Kellie Blome, Chris deSousa, Ryan Foster, Helen Hemley, Brandon Lillie, Joseph McKinnon, Racine Oxtoby, Nico Pace-Teubner, Thadd D. Papetsas, Jonathan Peres, Jacob Roderick, Justine Roderick, Sean Roderick, Heather Rogers, Eve M. Rose, Holly M. Rose, Jenny Schmidt, Katy E. Ward, and Brandi Weber. A total of \$21,400.00 was awarded.

The Captain Joseph Oliver Scholarship was awarded to the following Provincetown High School Alumni: Andrea Abraham, Andre Barros, Pele Berg, Kellie Blome, Chris deSousa, Ryan Foster, Joseph McKinnon, Racine Oxtoby, Nico Pace-Teubner, Thadd D. Papetsas, Jacob Roderick, Justine Roderick, Sean Roderick, Heather Rogers, Eve M. Rose, Holly M. Rose, Jenny Schmidt, Katy E. Ward, and Brandi Weber. The total amount awarded was \$14,400.00.

The Town Scholarship was awarded to Kelsey Trovato.

The balance of the John Anderson Francis Family Scholarship is \$1,116,549.73, and the balance of the Captain Joseph Oliver Scholarship is \$493, 541.85. In an uncertain financial year, the JAFFSC is proud to be able to make these awards, as only the interest is awarded. This assures future graduates of Provincetown High School and Cape Cod Technical High School are guaranteed financial aid. The Committee wishes to thank the Town Treasurer, Town Clerk, and their staffs for their cooperation and assistance during the year.

Respectfully submitted,

Gail S. Browne

Chair

Management Information Systems

The MIS Department was busy in 2009. It was a year of several technology improvements for both the town and school, and thanks to the hard work of Lynne Martin and Marcin Sapinski, these improvements were seamlessly integrated into our existing infrastructure.

We successfully deployed Microsoft Exchange and fully migrated all school email accounts to this popular messaging and collaboration platform. Approximately 75% of town email accounts have been migrated, with the remainder to be completed in the early part of 2010. Microsoft Exchange is the industry standard unified messaging system that provides access to email, calendaring,

contacts and tasks, support for mobile and web-based access to information, and support for data storage.

In 2009, we finally retired our old MUNIS server, which was replaced with a high-performance machine that will serve the town well for the foreseeable future. MUNIS is our financial management system, and in many respects is the most important mission-critical application in town government. Our security infrastructure was also upgraded in 2009, with the migration to Symantec for anti-virus and anti-malware protection. The MIS Department upgraded and enhanced its custom-built database for Community Development by integrating additional fiscal and calendar reports. Additional components were also added to the Licensing database to electronically track and record rental certificates. New reports were integrated into this database as well, allowing quick and easy access to financial information.

MIS presence was more notable in 2009 in certain departments due to the departure of personnel. We have been more involved in the daily activities of the Public Library, and are often called upon at the Police Department. This demonstrates the resilience of the MIS Department, and its ability to juggle its current workload while accommodating individual departments during a time of need. Both Provincetown High School and Veterans Memorial Elementary School now have wireless access to the Internet. The MIS Department also unveiled a state-of-the-art Apple lab at Provincetown High School. This lab offers the popular iMac computers and allows high school students to be exposed to the Mac environment – which is prevalent in most colleges and universities nowadays. Edline, the school's content management system, continues to be enhanced. Teachers are now posting interactive quizzes and assignments online, and grades can automatically be posted to the electronic grade book.

2010 will also be a year of improvement. The MIS Department is working hard to launch a redesigned town website that will provide content management capabilities. This will make it easier for town departments to independently post current, meaningful information relevant to ongoing projects and initiatives. It will also be easier for the public to locate specific information pertaining to forms, agendas and minutes. More hardware refreshes will occur in 2010, including the replacement of servers at the Police Department and the Department of Public Works. Lastly, the MIS Department will be testing Windows 7, the newest operating system from Microsoft.

Respectfully submitted,

Beau S. Jackett

Information Systems Director

Planning Board

The Planning Board is responsible for the administration of the Subdivision Control Laws as granted by Massachusetts General Laws Chapter 41, and the development of recommendations on all matters concerning the physical, economic and environmental development of the town. The Planning Board has focused its attention on reviewing and updating the zoning by-laws and dealing with the applications that require site plan review or endorsement under the Subdivision Control Law.

In 2009, the board met on a regular bi-weekly basis. We suffered the loss of our former vice-chair at the end of the year and are in considerable need of new members. With only 4 regular members, we are at great risk of not being able to achieve a quorum on a regular basis. This situation does not serve the interests of the Town and we are hopeful that strategies will be found to increase our membership in 2010.

Provincetown continues to confront issues regarding growth but the issues have changed or become more nuanced with the passage of time. The major planning thrust of Growth Management was originally intended to ensure that there were sufficient natural resources to sustain the community. Over time it has evolved to support the development of critical housing resources for the community. Meanwhile resource utilization is steadily dropping. The faltering national economy is having a significant impact especially on the residential and commercial real estate sectors. In light of the changed growth environment, the Town will need to consider whether any growth limitations should be modified.

The Zoning Bylaw and the Subdivision Control Law, the two ordinances within the purview of the Planning Board, don't necessarily give the Planning Board the tools needed to control or shape growth in the current context. The Subdivision Control Law, for example, does not allow the Planning Board to consider the impacts of conversions of large scale commercial enterprises to residential subdivisions. Instead, the Planning Board is only able to address such issues as road configurations and grades.

The effort to change the Zoning Bylaw or Subdivision Control Law forces the Planning Board to address a particularly troubling dilemma. These laws are complex and interdependent documents and the risk of spawning unintended consequences is immense. In times of crisis, emotions start to roil and positions harden, making crucial compromises, the essence of good legislation, more difficult to achieve. On the other hand, outside of moments of crisis almost no one has the interest or the patience to wade through the esoteric and arcane language of

the zoning bylaw. All too often the Planning Board looks on as months of work are sentenced to limbo with a quick 'Indefinite Postponement' motion at Town Meeting. We must work to achieve a consensus and use our planning laws to achieve current Town goals.

With the assistance of our staff liaisons Assistant Town Manager, David Gardner and Permit Coordinator, Maxine Notaro we have greater continuity with other Town Boards addressing issues of concern to the Planning Board. We are extremely grateful to Martha Hevenor from the Cape Cod Commission for her continuing assistance.

Respectfully submitted,

Howard Burchman

Chair

Provincetown Public Pier Corporation

The Provincetown Public Pier Corporation (PPPC) is pleased to submit its annual report to the Town of Provincetown and its citizens. 2009 marks a milestone in its management of MacMillan Pier. On June 29th, the Board of Selectmen approved the PPPC's second five-year proforma and marine management agreement. The proforma sets the revenue and expense projections for the coming years and includes cuts to the budgets, as has been done throughout Town government. This agreement allows the PPPC to move forward developing economic opportunities, maintaining the Pier's infrastructure and pursuing grant funding for a variety of projects.

The areas of progress for this past year include:

- The crane barge, christened "Cavalo Marinho" (Portuguese for Sea Horse), has been a useful tool in the harbor. Prior to its initial service, a valuation survey and stability tests showed the vessel to be well-constructed and equipped, and capable of lifting substantial loads. The barge, and its subsequent upgrades, is worth much more than its original purchase price. Aside from its primary function maintaining MacMillan Pier, it has served to assist in the rescue of boats, spread shellfish seed, set moorings and navigation buoys and help our tenants with their heavy-lifting tasks, including gangways and even a few antique cannons from the famous pirate ship 'Whydah' for Barry Clifford;
- The PPPC's three-year comprehensive water quality testing has shown continuing improvement in the harbor. Final test results should be reported from UMass Dartmouth SMAST in June of 2010. The coincident bacteria tests did not correlate with the bacteria tests taken at the shoreline to monitor bathing beaches. From this, we can determine that closed beaches are not caused by sources from the harbor;

- The PPPC initiated a test wind turbine project at no cost. While the helix unit has proven unsuitable for this location, due to the very high winds often encountered on the Pier, wind data will continue to be gathered in preparation for a grant proposal;
- The PPPC's work with the Chamber of Commerce and Town to attract cruise ships is showing positive results with more work to be done promoting Provincetown;
- With the help of the Harbor Committee, the West End Boat Ramp has a new surface;
- The PPPC has been included in a grant award for the National Fish and Wildlife Federation to test conservation moorings and restoration of eelgrass beds. This three-year project tests the efficiency of a new mooring type while monitoring growth rates among transplanted eelgrass shoots within the scour zones;
- The PPPC has a second Fishing for Energy grant proposal under review. If awarded, the cleanup area will be inside Provincetown Harbor. This program targets removal of marine debris from the oceans utilizing our fishing fleet as partners in the cleanup;
- The PPPC continues to host special events on the pier, including a car club, a K-9 Relief fundraiser and private events at the pavilion. By all accounts, the Lily Tomlin fundraiser for the Dog Park was a huge success; and
- Engineering has been completed for a phase two pumpout station that will serve the Pier's excursion fleet.

As the 2010 season approaches, the PPPC redoubles its efforts to find savings and increase revenues. Sadly, the PPPC Board bids a fond farewell to Directors Phil Tarvers and Len Clingham. As Chair of the Board for the last three years, Len steered it through some turbulent times and the Board thanks him for his service. The Board also welcomes two new Directors; Rich Wood and Ginny Binder, who have already contributed to its goals.

Respectfully submitted,

George Hitchcock

Chair

Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) is charged with hearing and deciding appeals for relief from the Zoning By-Laws via special permits and variances, as well as appeals from those aggrieved by a decision or action of the Building Commissioner. The ZBA usually meets on the first and third Thursdays of the month for a work session and public hearing. The meetings are posted and open to the public, with the rare exception when the Board convenes an Executive Session, which did not occur in 2009.

During the course of the year, the only alternate member of the board resigned, reducing its membership to five full members. A full board consists of five regular members and five alternate members. Zoning appeals are usually heard by five members and require a super-majority of four votes in favor to grant a special permit or variance. The ZBA makes every attempt to serve the community by hearing applications as scheduled, but this is not always possible, especially when there is not a full complement of members. A ZBA member may have a scheduling conflict from time to time, may be absent due to illness or may need to recuse themselves due to a conflict. As a courtesy to applicants, the ZBA gives the applicants the option of waiting until a full complement of five members is assembled to hear the case. By right, the ZBA may proceed to hear the application with only four members, which is a quorum. The applicant is advised that in such cases any motion by the ZBA would require a unanimous vote for passage. There were a few occasions this year when applicants preferred to be heard by the full ZBA, requesting that their application be postponed until the following hearing, when it was expected that five members would be available to hear the case. It is an unfortunate inconvenience for all concerned when this happens and the ZBA and Department of Community Development (DCD) endeavor to minimize it as best they can by notifying applicants of the situation as soon as possible, giving them the option of postponement until the next scheduled hearing. This can almost assuredly be avoided by having a full roster of ZBA members. Currently, there are five alternate member positions available and the ZBA hopes to fill them as soon as possible. Why not consider yourself for one of the openings? Stop in at the Town Clerk's office or simply download an application from the Town's website - www.provincetown-ma.gov.

The ZBA met 20 times in 2009 and heard 62 applications, down slightly from the 67 heard the year before (and down from the 75 heard in 2007). Fifty five applications were for special permits, one for a variance, and six for parking variances. Of the 55 applications for special permits, 6 were allowed to withdraw without prejudice, 1 was denied, and the remaining 48 were approved. Five parking variances were approved. The variance was approved.

The ZBA had a densely packed schedule in the late spring as two affordable housing projects (Chapter 40B Comprehensive Permits) were reviewed at the same time. Both located on Shank Painter Road, one was the conversion of an existing structure into 15 units, while the other was for new construction of 50 units. The ZBA relied heavily on the expertise of Town Counsel and consultants funded by a grant available through Massachusetts Housing Partnership, an organization that provides technical assistance to local Zoning Boards of Appeal in the review of permit applications for Comprehensive Permits. The 40B process is a laborious one, but both projects were approved in time for each to applicant to meeting filing deadlines for funding. Unfortunately, the economic climate has put the brakes on both projects for the time being.

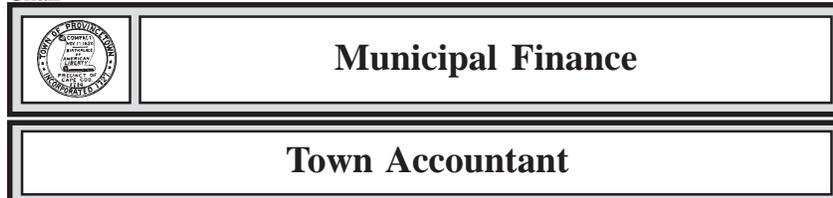
The Zoning By-Laws provide specific criteria for the granting of a Special Permit. Namely, that the applicant must show (and the ZBA must find, in writing) that the benefits of the proposal to the Town or the neighborhood outweigh any adverse affects such as congestion, hazard, or environmental degradation. There are very strict criteria for granting a Variance: in part, a literal enforcement of the provisions of the by-law would involve substantial hardship, financial or otherwise, to the petitioner and must owe, among other things, to the soil conditions, shape, or topography of the land. The ZBA considers each application on its own merits without any benefit of precedence. The ZBA strongly believes in the rights of property owners to use their property as they wish, but encourages them to do so within the confines of the Zoning By-Laws.

On behalf of the ZBA, I would like to thank the Community Development Department for their assistance. Building Commissioner Russell Braun reviews the applications and provides insight before meetings, and is available during meetings to help the ZBA with technical issues. Special thanks should go to Permit Coordinator Maxine Notaro for all she does for the ZBA and other volunteer Town Boards. She is present, off the clock, at most every ZBA meeting. Without the help of these few, our jobs as volunteers would not be nearly as rewarding, nor would the community benefits be as great. As Chair, I must thank all the members of the ZBA for their tireless efforts. They are dedicated and concerned citizens who care deeply about their community, giving freely of their valuable time. They are a committed group and I thank them one and all.

Respectfully submitted,

Patrick L. Eleey

Chair



I want to thank the Board of Selectmen, Town Manager Sharon Lynn, Department Heads, Boards and Committees, citizens and my staff, Jim Denietolis and Marge McGloin for their support during the past year; and look forward to working with them in the future. In accordance with the provisions of Chapter 41, §61 of the Massachusetts General Laws, I hereby submit the following as reported by the Treasurer and Town Accountant: Combined Balance Sheet, Report of Appropriations & Expenditures, Appropriations Balance as of 12/31/09, Summary of Receipts, Debt Schedule, Salaries and Wages. All reports are for the Fiscal Year ending June 30, 2009 unless otherwise stated.

Respectfully submitted,

Alexandra Heilala

Director of Municipal Finance/Town Accountant

**Town of Provincetown
Combined Balance Sheet
All Funds and Account Groups
At June 30, 2009**

Description	Governmental Funds			Proprietary Funds	Fiduciary Funds	Account Groups	Total (Memorandum Only)
	General Fund	Special Revenue Funds	Capital Project Funds	Enterprise Funds	Trust & Agency Funds	General Long-Term Debt	
Assets							
Cash & Equivalents	2,756,140	6,225,976	197,379	2,810,781	3,118,845		15,109,121
Investments	-	-					
Cash in Custody	-	-					
Receivables:							
Property Taxes	1,615,907	90,365					1,706,272
Deferred Property Taxes	116,405						116,405
Tax Liens	156,189						156,189
Excises	104,153						104,153
Departmental	115,428	110,911					226,339
User Charges	-			508,021			508,021
Special Assessments	-	2,428		136,295			138,723
Sp Assessments Not Yet Due	-	327,664		15,898,618			16,226,282
Less Allowance for Uncollectible Taxes (269,068)							(269,068)
Due from Other Governments	-	394,864	241,044				635,908
Tax Foreclosures	44,981						44,981
Amounts to be Provided for Payment of Debt	-					15,206,730	15,206,730
Fixed Assets Net of Accum. Deprec	-	-		31,722,121			31,722,121
Total Assets	4,640,135	7,152,208	438,423	51,075,836	3,118,845	15,206,730	81,632,177
Liabilities							
Accounts Payable	48,707	35,018	10,408				94,133
Accrued Payroll	427,980	-	-				427,980
Due to Bank - BAN	-	-					
Employee Withholdings	96,343						96,343
Escrows and Deposits	26,717			348,441			375,158
Due to Others	401				487		888
Due to Other Governments	-						
Due to Student Groups	-				24,170		24,170
Deferred Revenues	-						
Property Taxes	1,346,839						1,346,839
Others	537,156	795,490	-	16,542,934			17,875,580
Notes Payable	-	-					
Bonds Payable	-			27,869,186		15,206,730	43,075,916
Total Liabilities	2,484,143	830,508	10,408	44,760,561	24,657	15,206,730	63,317,007
Fund Balance							
Reserved for Contributed Capital	-			2,979,740			2,979,740
Reserved for Retained Earnings	-	-					
Reserved for Appropriation Deficits	-			(166,628)			(166,628)
Reserved for Payment of Debt	14,729			1,707,817			1,722,546
Unreserved	-			1,794,346			1,794,346
Fund Bal. Reserved for Cont. Approp 277,000							277,000
Fund Bal. Reserved for Petty Cash	-						
Fund Bal. Reserved for Encumbrance 499,289							499,289
Unreserved Fund Balance - Deficits	-	-					
Unreserved Fund Balance	1,364,974	6,321,700	428,015		3,094,188		11,208,877
Total Fund Balance	2,155,992	6,321,700	428,015	6,315,275	3,094,188	-	18,315,170
Total Liabilities and Fund Balance	4,640,135	7,152,208	438,423	51,075,836	3,118,845	- 15,206,730	81,632,177

Fiscal Year 2009 Appropriations/Expenditures

	Orig Approp	Transfers Adjstmts	Revised Budget	FY2009 Expended	Avail Budget
Election Town Meeting	12,544	2,006	14,550	14,549	1
Selectmen Salaries	48,317	-	48,317	48,317	0
Board of Selectmen	8,900	-	8,900	7,989	911
Town Manager Salaries	235,671	-	235,671	229,421	6,250
Town Manager Expenses	12,508	-	12,508	7,873	4,635
Finance Committee Exp	55,615	(44,355)	11,260	1,385	9,875
Accounting Salaries	148,003	(1,000)	147,003	146,648	355
Accounting Services Exp	49,410	49,410	46,742	2,668	
MIS Salaries	142,932	400	143,332	143,308	24
MIS Expense	110,342	11,378	121,720	117,504	4,216
Assessors Salaries	134,948	134,948	134,840	108	
Assessors Expense	68,743	68,743	58,889	9,854	
Assessors Encum	20,000	-	20,000	20,000	-
Treasurer/Collector Sal	142,464	200	142,664	142,660	4
Treasurer/Collector Exp	39,600	39,600	36,026	3,574	
Legal Services Expense	200,000	200,000	171,551	28,449	
Administration	54,727	11,150	65,877	56,265	9,612
Land Bank	347,356	(33,341)	314,015	232,664	81,351
Town Clerk Office Sal	89,117	100	89,217	89,197	20
Town Clerk Expense	8,375	8,375	6,209	2,166	
Licensing Salaries	38,093	38,093	38,093	(0)	
Licensing Expense	600	600	583	17	
Conservation Comm	7,846	(6,000)	1,846	1,497	349
Housing Partnership Exp	200	-	200	-	200
Housing Office Expense	47,000	47,000	35,835	11,165	
Local Compreh Plan	3,000	3,000	825	2,175	
Planning Board Expense	2,110	-	2,110	1,027	1,083
Planning Board Encum	244	244	244	-	
Zoning Board of Appeals	3,550	-	3,550	2,338	1,212
Historical Commission	500	-	500	500	-
Historic District Comm	2,500	-	2,500	2,330	170
Econ Develop Council	6,134	-	6,134	5,005	1,129
EDC Encumbrance	750	750	-	750	
Buildings & Grounds Sal	473,546	(14,000)	459,546	446,402	13,144
Buildings & Grounds Exp	-	-	-	-	-
Buildings & Grds Encum	3,490	3,490	-	3,490	
Police Salaries	1,891,984	1,891,984	1,879,471	12,513	
Police Expenses	134,280	134,280	132,116	2,164	

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	Orig Approp	Transfers Adjstmts	Revised Budget	FY2009 Expended	Avail Budget
Police Station	42,800	42,800	42,615	185	
Fire Salaries	317,361	317,361	304,596	12,765	
Fire Expense	173,749	173,749	173,658	91	
Fire Encumbrance	13,717	13,717	13,598	119	
Ambulance Services	535,057	535,057	535,057	(0)	
Inspection Salaries	161,966	161,966	150,616	11,350	
Inspection Expense	7,900	7,900	3,450	4,450	
Director Reg Salaries	87,151	300	87,451	87,452	(1)
Director Reg Expense	8,910	8,910	5,216	3,694	
Harbor Committee	1,295	1,295	470	825	
Harbormtr Wharf Exp	140,000	140,000	140,001	(1)	
Shellfish	41,055	41,055	41,055	(0)	
Shellfish Expense	7,320	7,320	7,320	-	
Parking Salaries	317,373	-	317,373	302,929	14,444
Parking Expense	73,600	-	73,600	70,133	3,467
Parking Encumbrance	20	20	20	-	
PublicSchools	3,637,905	-	3,637,905	3,278,286	359,619
PublicSchools Encum	310,504	310,504	305,221	5,283	
Cape Cod R Tech HS	153,030	-	153,030	152,694	336
DPW Salaries	186,184	186,184	183,938	2,246	
DPW Expenses	249,100	249,100	248,932	168	
DPW Encumbrance	19,375	19,375	19,051	324	
Highway Salaries	324,040	324,040	312,251	11,789	
Highway Expenses	74,300	74,300	74,072	228	
Highway Encumbrance	2,578	2,578	2,521	57	
Snow & Ice- Salaries	20,000	6,350	26,350	26,348	2
Snow & Ice Expenses	39,400	22,477	61,877	61,836	41
Solid Waste Recycling Sal	234,977	134,426	369,403	362,447	6,956
Solid Waste Recyc Expense	105,000	(2,700)	102,300	98,374	3,926
Solid Waste Recyc Encum	7,450	7,450	2,716	4,734	
Recyc/Renewble Enrgy Cmte	2,000	2,000	625	1,375	
Waste Disposal Other	230,600	(6,900)	223,700	151,548	72,152
Waste Disposal Encum	16,100	16,100	16,091	9	
Airport	87,850	87,850	81,543	6,307	
Airport Encumbered	150	150	147	3	
Cable Advisory Comm	74,150	74,150	64,819	9,331	
Cable Advisory Encum	13,550	13,550	13,351	199	
Health Conserv Sal	103,044	6,000	109,044	105,874	3,170
Health Conserv Exp	8,700	8,700	7,492	1,208	
Public Health - Nurse	13,625	1,554	15,179	15,178	1

	Orig Approp	Transfers Adjstmts	Revised Budget	FY2009 Expended	Avail Budget
Public Health Expense	28,737	28,737	27,290	1,447	
Board OF Health	1,760	1,760	1,737	23	
COA Salaries	179,296	(1,105)	178,191	174,835	3,356
COA Expense	10,045	10,045	9,541	504	
Veterans Services Exp	29,839	8,533	38,372	38,371	1
Library Salaries	225,349	4,269	229,618	229,617	1
Library Expense	78,059	78,059	71,653	6,407	
Administration	2,500	2,500	371	2,129	
Recreation Salaries	90,916	90,916	73,604	17,312	
Recreation Expense	15,350	15,350	12,873	2,477	
Beautification	4,000	4,000	2,542	1,458	
Beautification Encum	324	324	259	65	
ART Commission	14,170	14,170	12,196	1,974	
ART Comm Encum	2,720	2,720	2,105	615	
Cultural Council	2,000	2,000	-	2,000	
Debt Service	1,944,317	1,944,317	1,479,880	464,437	
Tax Title/Foreclos	24,000	24,000	14,756	9,244	
Retirement/Benefits	4,487,820	(91,783)	4,396,037	4,393,074	2,963
Intergovernmntl Asses	723,577	723,577	723,577	-	
TOTAL (GEN. FUND)	20,253,064	7,959	20,261,023	18,990,123	1,270,900

Fiscal Year 2010 Appropriations/Expenditures

Year to Date 12/31/09

	Orig Approp	Transfers Adjstmts	Revised Budget	FY2010 Expended	Avail Budget
Election Town Meeting	10,721	-	10,721	1,038	9,683
Selectmen Salaries	48,317	-	48,317	26,658	21,659
Board of Selectmen	4,650	-	4,650	3,665	985
Town Manager Salaries	235,669	-	235,669	114,710	120,959
Town Manager Expenses	10,507	-	10,507	4,118	6,389
Finance Comm Expense	47,615	-	47,615	152	47,463
Accounting Salaries	142,200	-	142,200	71,103	71,097
Accounting Serv Exp	50,060	-	50,060	44,772	5,288
MIS Salaries	142,933	-	142,933	71,654	71,279
MIS Expense	123,935	-	123,935	53,968	69,967
MIS Encumbered	4,216	-	4,216	4,216	0
Assessors Salaries	140,275	-	140,275	71,417	68,858
Assessors Expense	50,438	-	50,438	12,081	38,357
Assessors Encumb	2,200	-	2,200	2,200	0

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	Orig Approp	Transfers Adjstmts	Revised Budget	FY2010 Expended	Avail Budget
Treasurer/Collector Sal	146,493	-	146,493	73,295	73,198
Treasurer/Collector Exp	33,600	-	33,600	10,785	22,815
Legal Services Expense	200,000	-	200,000	48,321	151,679
Administration	62,270	-	62,270	27,196	35,074
Administration Encumb	1,158	-	1,158	1,157	1
Land Bank	337,448	-	337,448	21,174	316,274
Town Clerk Office Sal	92,083	-	92,083	46,161	45,922
Town Clerk Expense	3,395	-	3,395	570	2,825
Licensing Salaries	38,093	-	38,093	19,047	19,046
Conservation Commis	7,696	-	7,696	630	7,066
Housing Office	56,740	-	56,740	30,391	26,349
LCP	3,000	-	3,000	34	2,967
Planning Board Expense	1,510	-	1,510	-	1,510
Zoning Board of Appeals	2,750	-	2,750	498	2,252
Historic District Commis	2,500	-	2,500	930	1,570
Historical Commission	500	-	500	-	500
Economic Develop Council	6,836	-	6,836	2,694	4,142
Buildings & Grounds Sal	505,996	-	505,996	256,254	249,742
Buildings & Grounds Exp	62,497	-	62,497	51,431	11,066
Buildings & Grounds Encum	1,329	1,329	811	518	
Building & Grounds	64,020	-	64,020	22,445	41,575
Buildg & Grds Grace Gouveia	41,381	-	41,381	12,169	29,212
Building & Grds Library	64,534	-	64,534	28,805	35,729
Building & Grds Cemetery	3,050	-	3,050	1,143	1,908
Buildg & Grds Comfort Stat.	56,178	-	56,178	28,338	27,840
Buildg & Grds Community	23,801	-	23,801	9,030	14,771
Buildg & Grds Freeman St	27,908	-	27,908	3,426	24,482
Building & Grounds Other	4,550	-	4,550	1,040	3,510
Police Salaries	1,923,670	-	1,923,670	1,011,785	911,885
Police Expenses	129,850	-	129,850	88,104	41,746
Police Encumbered	2,160	2,160	496	1,664	
Police Station	43,282	-	43,282	12,810	30,472
Fire Salaries	339,841	-	339,841	216,689	123,152
Fire Expense	174,749	-	174,749	75,481	99,268
Fire Exp Encumbrance	90	90	43	47	
Ambulance Services	551,109	-	551,109	275,554	275,555
Inspection Salaries	152,252	-	152,252	77,127	75,126
Inspection Expense	6,060	-	6,060	1,741	4,319
Director Reg Salaries	89,080	-	89,080	45,690	43,390
Director Regulatory Exp	4,830	-	4,830	1,296	3,534

	Orig Approp	Transfers Adjstmts	Revised Budget	FY2010 Expended	Avail Budget
Harbor Committee	1,295	-	1,295	60	1,235
Harbormstr Wharf Exp	107,140	-	107,140	44,642	62,498
Shellfish	43,969	-	43,969	23,154	20,815
Shellfish Expense	7,350	-	7,350	1,548	5,802
Parking Salaries	317,873	-	317,873	180,047	137,826
Parking Expense	72,100	-	72,100	32,117	39,983
Parking Encumb	1,497	-	1,497	1,497	0
PublicSchools	3,556,648	-	3,556,648	1,422,513	2,134,135
PublicSchools Encumb	346,685	-	346,685	320,377	26,308
Cape Cod R Tech HS	88,072	-	88,072	52,844	35,228
DPW Salaries	159,192	-	159,192	80,779	78,413
DPW Expenses	245,660	-	245,660	142,556	103,104
DPW Encumbrance	150	-	150	43	107
Highway Salaries	348,040	-	348,040	175,388	172,652
Highway Expenses	100,826	-	100,826	30,352	70,474
Snow & Ice- Salaries	25,000	-	25,000	-	25,000
Snow & Ice Exp	110,400	-	110,400	7,468	102,932
Solid Waste Recyc Sal	377,053	-	377,053	199,588	177,465
Solid Waste Recyc Exp	96,704	-	96,704	33,414	63,290
Recyc/Renwble Energy Exp	2,000	2,000	25	1,975	
Waste Disposal Other	208,000	-	208,000	87,455	120,545
Airport	85,850	-	85,850	33,382	52,468
Airport Encumbrance	20	20	1	19	
Cable Advisory Commis	74,150	-	74,150	26,504	47,646
Cable Advisory Encumb	8,750	-	8,750	-	8,750
Health Conserv Salaries	99,868	-	99,868	52,937	46,931
Health Conservation Exp	7,350	-	7,350	5,272	2,078
Health Conserv Encum	212	-	212	211	1
Public Health - Nurse	18,347	-	18,347	8,845	9,502
Public Health Expense	28,624	-	28,624	14,623	14,001
Board OF Health	1,135	-	1,135	550	585
COA Salaries	181,957	-	181,957	90,923	91,034
COA Expense	10,774	-	10,774	3,830	6,944
Veterans Services Exp	37,927	-	37,927	32,183	5,744
Library Salaries	231,808	-	231,808	118,877	112,931
Library Expense	74,763	-	74,763	40,157	34,606
Library Encumbered	125	125	121	4	
Recreation Salaries	99,919	-	99,919	62,335	37,584
Recreation Expense	15,450	-	15,450	8,537	6,913
Beautification	4,000	-	4,000	1,248	2,752

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	Orig Approp	Transfers Adjstmts	Revised Budget	FY2010 Expended	Avail Budget
ART Commission	9,780	-	9,780	464	9,317
Art Comm Encumb	2,470	2,470	1,988	482	
Cultural Council	2,000	-	2,000	-	2,000
Debt Service	1,613,271	-	1,613,271	697,252	916,019
Tax Title/Foreclosure	24,000	-	24,000	6,258	17,742
Retirement/Benefits	4,863,009	-	4,863,009	3,179,614	1,683,395
Intergovernmntl Assess	743,039	-	743,039	306,928	436,111
TOTAL (GEN. FUND)	20,736,277	-	20,736,277	10,515,247	10,221,030

Board of Assessors

Fiscal Year 2009 was the triennial re-certification year conducted by the Department of Revenue. The total value of real property in Provincetown decreased by -2.19% from Fiscal Year 2008. On May 11, 2009 the Department of Revenue certified Provincetown's assessed values and on May 19, 2009, approved the fiscal year 2009 tax rate of \$5.54. Fiscal Year 2009 values by class were as follows:

<i>Class</i>	<i>Total Value</i>
Residential Class	\$2,084,902,958
Commercial Class	\$442,020,842
Industrial Class	\$1,899,900
Personal Property	\$22,695,300
Total Value	\$2,551,519,000

Following the mailing of tax bills in May, the Board of Assessors received 71 real property and 5 personal property abatement applications. The Board granted 33 real property abatements and 5 personal property abatements.

The Board also granted statutory exemptions and/or deferrals to 108 taxpayers as follows:

Clause	Description	Exemption Number	Taxes Exempted
Clause 17D	Surviving Spouse/Elderly	\$250.00 9	\$2,250.00
Clause 22	Veteran	\$400.00 20	\$8,000.00
Clause 37A	Blind	\$500.00 4	\$2,000.00
Clause 41C	Elderly	\$1000.00 39	\$39,000.00
Clause 5K	Senior Work Credit	\$750.00 26	\$19,500.00
Clause 41A	Tax Deferral	Deferral Varies 10	\$24,760.93
Totals		108	\$95,510.93

For Fiscal Year 2009, the Board granted Affordable Housing Tax Exemptions to 31 real property taxpayers as follows:

<i>Description</i>	<i>Exemption</i>	<i># of Properties</i>	<i># of Units</i>	<i>Taxes Exempted</i>
Affordable Housing				
Tax Exemption	100% **	31 ***	61	\$64,620.10

** *For that part of a property that is rented year round to low-income tenants at affordable rents, as defined by HUD guidelines.*

*** *Represents number of real property taxpayers who received exemptions.*

During the summer of 2009, the Assessors' Office continued its neighborhood-by-neighborhood inspection program concentrating on residential properties in Provincetown. The office was once again greatly aided in this effort through the Town's continued funding of temporary Property Inspector positions, the duties of which were once again very capably carried out by veterans Frank Pantano and Carol Bergen. Staff completed more than 550 inspections consisting of new construction, additions, renovations, sales, abatement process & cyclical inspections from July through September.

Current board members: Leslie Parsons, Chairperson, DOR Certified; Patty DeLuca, Member, DOR Certified; Greg Muse, Member, DOR Certified; Paul M. Gavin, Member, DOR Certified; Robert Sanborn, Member. Current assessing staff: Paul M. Gavin, MAA, Principal Assessor; Richard Faust, Assistant Assessor; Cheryl MacKenzie, Administrative Assistant. Please visit our web site at www.provincetown-ma.gov (Assessors' Database) for Online Property Record Cards, Frequently Used Forms, Frequently Asked Questions, Real Estate Sales Reports, Board of Assessors Meeting Notes and much more.

Respectfully submitted,

Leslie Parsons

Chair

Treasurer/Collector

REPORT FOR THE FISCAL YEAR

JULY 1, 2008 - JUNE 30, 2009 COLLECTOR REPORT FY 2009

REAL ESTATE TAXES

FY 2009	12,438,361.47
FY 2008	990,826.05
	13,429,187.52

LANDBANK

FY 2009	372,241.90
FY 2008	35,355.29
	407,597.19

COMMUNITY PRESERVATION ACT

FY 2009	314,674.62
FY 2008	25,682.51
	340,357.13

SEWER BETTERMENT

FY 2009	1,002,352.44
FY 2008	105,523.87
	1,107,876.31

SEPTIC LOANS

FY 2009	33,772.17
FY 2008	2,685.62
	36,457.79

PERSONAL PROPERTY TAX

FY 2009	109,502.86
FY 2008	12,114.14
FY 2007	552.69
FY 2006	156.00
FY 2005	806.44
FY 2004	0.00
FY 2000-2003	114.36
	123,246.49

WATER RATES

1,552,394.43
1,552,394.43

SEWER USAGE

908,013.27
908,013.27

MOTOR VEHICLE EXCISE TAX

FY 2009	326,177.93
FY 2008	67,799.72
FY 2007	3,615.22
FY 2006	621.78
FY 2005	147.50
FY 2004	250.83
FY 2000-2003	46.25
	398,659.23

BOAT EXCISE TAX

FY 2009	13,666.50
FY 2008	1,393.50
FY 2007	0.00
FY 2006	65.00
FY 2005	126.00
FY 2000-2004	60.00
	15,311.00

INTEREST, DEMANDS AND FEES

REAL ESTATE TAX COLLECTIONS	74,101.23
PERSONAL PROPERTY TAX COLL	4,338.77
MOTOR VEHICLE	11,105.22
BOAT EXCISE	1,565.00
WATER/SEWER USAGE RATES	22,671.69
	113,781.91

TREASURY DEPOSITS FROM COLLECTOR 18,432,882.27

TOTAL TREASURER'S RECEIPTS FY 2009

TREASURY DEPOSITS FROM COLLECTOR - FY09 \$18,432,882

TAX REVENUE

Tax Revenue under \$25,000 **\$52,645**

TOWN REVOLVING ACCOUNTS

Airport Revolving	120,934
Police Revolving	81,095
Recreation Revolving	38,860
Revolving Under \$25,000	2,073
	\$242,962

DEPARTMENTAL RECEIPTS TO TREASURER

Building Department & Permits	272,426
Harbor - Mooring, Docking & Ferry	91,646
Health Department	30,335
Licenses	259,681
Management Information Systems	58,575
Real Estate Transfers	37,728
Rents & Commissions	166,189
Sewer Betterments & Usage Charge	1,204,290
Tourism	460,228
Town Clerk	36,154

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Landfill - Transfer Station		275,743
Department Receipts under \$25,000		102,514
		\$2,995,509
PARKING RECEIPTS		
Parking Meters/Lots/Stickers		1,384,867
Parking Violations		189,185
		\$1,574,052
TOWN TREASURY - OTHER RECEIPTS		
Administrative Consent Order Deposits		\$171,702
Bond Anticipation Notes & MWPAT Interim Notes		286,208
Cable Fees		85,493
Employee Portion - Benefits		403,999
Fuel/Gas & Oil		54,645
Insurance		31,171
Interest Revenues		127,396
Miscellaneous Receipts		394,735
Mt. Gilboa Rent		37,638
Worker's Compensation		34,067
Other State Revenue		574,593
Other Receipts Under \$25,000		80,631
		\$2,282,278
STATE AND FEDERAL GRANTS		
AIDS Health Grants		78,049
Airport Federal Grant		973,377
Enhanced School Health Services		60,000
SPED Entitlement		60,714
State Grant Receipts		56,846
Title I		44,161
Grants Under 25,000		50,387
		\$1,323,534
SCHOOL RECEIPTS TO TREASURY		
Elementary School Revolving		51,076
School Choice Revolving		271,430
School Lunch Revolving		66,765
SPED Reimbursements		99,886
Student Activities Revolving		64,018
Truro Regular Tuition		529,453
Revolving Under \$25,000		35,940
		\$1,118,568
STATE RECEIPTS - CHERRYSHEET		
Additional Assistance		20,020

122	Municipal Finance	Town of
Lottery Distribution		135,357
Room Occupancy		562,500
School Aid - Chapter 70		248,899
State/Charter School		68,938
State Assessments		(553,869)
State Owned Land		53,026
		\$534,871
OTHER RECEIPTS		
Ins Proceeds		384,200
Legal Settlements - Prior		27,259
Pier		505,465
Trust Accounts		428,506
		\$1,345,430
		\$11,469,849
TOTAL TREASURER'S RECEIPTS FY 2009		\$29,902,731

**SUMMARY OF TREASURY ACTIVITY
7/1/08 THROUGH 6/30/09**

Cash: July 1, 2008	\$13,520,579
Add: Net Receipts	29,902,731
Less: Net Disbursements	(27,991,839)
Cash: June 30, 2009	\$15,431,471

BONDED DEBT Start Date	FY09	
USDA - Water Systems	02/01/87	\$351,300
General Obligation Debt - Miscellaneous	04/15/93	300,000
Mass Water Pollution Abatement Trust Septic-4	010/25/00	108,700
Mass Water Pollution Abatement Trust Sewer-5	010/06/99	238,680
General Obligation Debt - Miscellaneous	03/15/02	2,810,000
Mass Water Pollution Abatement Trust Sewer-8	03/01/02	11,814,528
Mass Water Pollution Abatement Trust Sewer-9	11/06/03	70,226
General Obligation Debt - Miscellaneous	11/01/03	1,590,000
Mass Water Pollution Abatement Trust Septic-10	11/15/04	147,150
Mass Water Pollution Abatement Trust Sewer-11	11/01/05	1,943,681
General Obligation Debt - Miscellaneous	09/15/05	3,385,000
General Obligation Debt - Miscellaneous	11/15/06	4,475,000
Mass Water Pollution Abatement Trust - Septic-10	11/15/06	163,690
Mass Water Pollution Abatement Trust Sewer-13	12/18/07	5,377,961
Mass Water Pollution Abatement Trust Sewer-14	03/15/09	800,000
General Obligation Debt - Miscellaneous	06/15/09	9,500,000

TOTAL BONDED DEBT BALANCE AS OF 6/30/09 **\$43,075,916**
TRUST, ESCROW AND GIFT FUNDS ~ CASH BALANCES 6/30/09

Administrative Consent Orders Escrow Account	\$348,441
Capt Joseph Oliver-Scholarship	495,881
Cemetery Funds	213,231
Other Escrow Accounts	37,200
John A. Henry - Council on Aging	489,703
John Anderson Francis-Scholarship	1,113,590
Library Funds	440,503
Miscellaneous Trust Funds	136,473
School/Scholarship Trust Funds	46,195
Stabilization Fund	327,004
Waterfront Access Fund	151,909
	\$3,800,130

Employee Earnings

Fiscal Year 2009

Employee Name	Position	Annual Earnings
ADMINISTRATION		
Lynn, Sharon	Town Manager	126,199.94
Gardner, David	Assistant Town Manager	61,221.94
Hudson, Pamela	Secretary to Town Manager	43,199.00
Jackett, Beau	MIS Director	66,447.94
Johnstone, Douglas	Town Clerk	49,175.10
Fults, Susan	Assistant Town Clerk	40,021.80
Porter, Vernon	Secretary to Selectmen	43,316.52
AIRPORT		
Lisenby, Arthur W	Airport (Seasonal)	1,674.00
COUNCIL ON AGING		
Carrano, Valerie	Public Health/COA Director	54,386.88
Fabbri, Diane	On-Call Van Driver	6,861.36
Hottle, Christeny A	Outreach Worker	42,790.40
Hurst, Maureen	Secretary/Bookkeeper	44,097.60
Johnstone, Gladys	Cook	6,697.60
Saunders, Pauline	Aide	9,242.78
Woitalak, Dennis	Van Driver/Aide	39,085.84

Employee Name	Position	Annual Earnings
COMMUNITY DEVELOPMENT		
Braun, Russell J	Local Building Inspector	67,883.30
Flores, Darlene	Administrative Assistant	38,651.60
Jarusiewicz, Michelle	Housing Specialist	49,184.08
Notaro, Maxine	Permit Coordinator	48,799.96
Post, Justin	Building Inspector	40,330.68
Schneiderhan, Edward	Electrical Inspector	24,891.88
VanAlstyne, Darlene	Licensing Agent	38,093.12
DEPARTMENT OF PUBLIC WORKS		
Guertin, David	DPW Director	92,817.00
Turner, Sandra	DPW Deputy Director	67,863.94
Faris, Dana	Project Coordinator	51,884.94
Hutchinson, Alan	Head Mechanic	41,986.76
Roderick, Jill	DPW Administrative Assistant	38,362.00
Building & Grounds		
Lemme, Antonio H	Working Foreman	46,391.50
Andrews, Michael J	Custodian	44,074.06
Braddock, Kenneth	Attendant (Seasonal)	6,743.52
Cole, Bobbie Jo	Laborer (Seasonal)	4,816.80
Cowing, Brian	Custodian	45,408.12
DeCosta, Priscilla	Attendant (Seasonal)	14,416.95
Gonzales, Anthony	Laborer (Seasonal)	17,373.93
Hadley, Steven	Laborer (Seasonal)	13,252.89
Haley, Pamela	Laborer (Seasonal)	9,954.72
Herrick, Nathan R	Skilled laborer	40,043.09
Joseph, Denise	Supervising Attendant	21,073.50
Kalantzis, Anthony J	Maintenance	40,626.87
Knight, Linda	Laborer (Seasonal)	8,656.86
Machado, Ederlindo	Custodian	41,172.44
Martin, Stephen	Maintenance	41,274.44
Moss, Patrick	Laborer (Seasonal)	1,364.76
O'Rourke, Thomas	Attendant	14,657.79
Shepard, Daniel	Laborer (Seasonal)	2,568.96
White, Deborah	Attendant (Seasonal)	7,680.12
White, Steven D.	Attendant (Seasonal)	14,671.17
Wilhoite, Jackie	Custodian	41,153.39
	Revolving Account	308.77
	Total Earnings	41,462.16

Employee Name	Position	Annual Earnings
Highway		
Bronsdon, Scott A	Working Foreman	46,881.76
Clancy, Thomas	Laborer (Seasonal)	5,784.00
Duarte, Ramao	Working Foreman	54,263.08
Martin, Craig	Skilled Laborer	48,507.02
Perry, Jeffrey	Skilled Laborer	48,663.28
Peters, Adrian	Skilled Laborer	38,543.02
Roderick, Paul	Skilled Laborer	50,143.20
Santos, Dennis	Skilled Laborer	47,435.58
Sanitation/Transfer Station		
Butera, Flint	Laborer (Seasonal)	13,187.52
Cook, Peter	Skilled Laborer	40,646.60
Cox, Jeffrey	Skilled Laborer	42,997.92
Menangas, Gerard L.	Working Foreman	54,132.44
Prada, Thomas	Laborer (Seasonal)	36,835.66
Richmond, James	Skilled Laborer	46,414.02
Roach, David	Skilled Laborer	44,841.32
Roderick, Christopher	Skilled Laborer	44,151.20
Smith, Larry	Skilled Laborer	44,060.46
Williams, Eric	Laborer (Seasonal)	1,388.16
Water		
Falbo, Arthur	Skilled Laborer	32,722.35
Matrango, Bernard	Skilled Laborer	47,946.20
McNulty, Margaret	Skilled Laborer	49,906.18
Michaud, Anna	DPW Administrative Assistant	37,455.60
Pumphret, Michael R	Treatment Operator	38,826.52
Rose, Glen	Meter Technician	49,619.81
Waste Water		
Gamella, Ronald	Administrative Assistant	38,786.13
FIRE DEPARTMENT		
Trovato, Michael	Fire Chief	24,999.78
Mathews, Joyce	Department Secretary	44,044.48
Anderson, Michael	EMT	468.00
Basine, Marcia	EMT	11,784.25
Cataldo-Roda, Julie M	EMT - P	12,846.00

Employee Name	Position	Annual Earnings
Coelho, Michael	EMT	3,892.00
Elliott, Eric	EMT	8,386.00
Fallas, Edward	EMT	6,836.00
Felton, Alan	EMT	1,104.00
Hunter, Zachary	EMT	552.00
Macara, Joel A	EMT - P	8,645.50
Marvin, Thomas	EMT	276.00
McGrath, Joseph	EMT Rescue Standby	12,074.38
Notaro, Daniel	EMT - P	14,358.00
Potter, Lisa M.	EMT - P	9,899.00
Rance, Othaine	EMT	1,092.00
Rego, Linda	EMT	2,316.00
Ricard, Shawn M	EMT	1,560.00
Roda, Thomas L	EMT	2,392.00
Russell, Lorne	EMT	11,913.50
Smith, Bryan	EMT	12,478.00
Swanson, Nancy	EMT	7,732.50
Tarala, Brandy	EMT - P	8,520.00
White, Justin	EMT-P	14,889.00
HEALTH DEPARTMENT		
Carlson, Brian	Health Inspector	56,520.10
Evans, Jane	Health Agent	61,692.80
LIBRARY		
DeJonker-Berry, Debra	Library Director	60,072.04
Aull, Andrew	Relief Tech Asst	7,648.42
Cartwright, Ann	Circulation Aide	14,469.00
Days, Richard	Relief Custodian	2,398.74
Gibbs-Brady, Irene	Circulation/Secretary	43,494.48
Hyams, Martha	Relief Tech Asst	640.49
Jarrett, Jeanne	Relief Tech Asst	206.70
Mahr, Diana	Circulation Aide	2,429.93
Nicolini, Mary	Assistant Library Director	46,740.32
Packard, Susan	Circulation Aide	7,386.08
Parker, James	Circulation Aide	7,917.70
Peters, Eric	Circulation Aide	11,093.35
Smith, Mary B	Relief Tech Asst	12,416.61
Wells, Mary Alice	Circulation Aide	8,028.37

Employee Name	Position	Annual Earnings
MANAGEMENT INFORMATION SERVICES		
Kimball-Martin, Lynne	MIS Technician	39,098.80
Sapinski, Marcin	MIS Technician	37,761.10
MUNICIPAL FINANCE		
Bergen, Carol	Real Property Inspector (Seasonal)	2,672.86
Duarte, Cheryl	Dept. Secretary/Collector	43,990.48
Faust, Richard	Assistant Assessor	46,412.18
Gavin, Paul	Principal Assessor	50,547.90
Heilala, Alexandra	Director of Municipal Finance	65,686.40
Denietolis, James	Administrative Assistant	37,294.40
MacKenzie, Cheryl	Assessor's Admin Asst	37,839.60
Margaret McGloin	Assistant Town Accountant	39,225.68
O'Brien, Linda	Treasurer	48,299.94
Pantano, Frank	Real Property Inspector (Seasonal)	2,356.16
Silva, Irene L	Deputy Town Accountant (Retired)	4,441.17
Stephen, Barry	Collector	50,370.06
PARKING DEPARTMENT		
Asher-Best, Douglas	Attendant (Seasonal)	2,232.48
Benatti, Patricia C.	Parking Clerk/Bookkeeper	28,203.00
Bollas, Mary A	Attendant (Seasonal)	15,481.83
Branco, Bruce	Attendant (Seasonal)	16,495.25
Clinton, Renee	Attendant (Seasonal)	16,914.59
Cook, Marguerite	Attendant (Seasonal)	5,994.30
Gonsalves, Deborah	Meter Person/Assistant Clerk	30,861.35
Gutzler, Joell	Attendant (Seasonal)	13,270.14
McGhee, Bonnie	Attendant (Seasonal)	11,986.63
Medeiros, Francis	Attendant (Seasonal)	8,429.08
Perry, Kathy S	Attendant (Seasonal)	14,599.06
Perry, Katherine M	Attendant (Seasonal)	14,400.10
Power, John	Attendant (Seasonal)	16,021.14
Riley, Lawrence	Attendant (Seasonal)	15,992.02
Rosati, Domenic	Attendant (Seasonal)	22,497.48
Russell, Robert	Meter Reader/Technician	14,521.78
Santos, Cynthia	Attendant (Seasonal)	10,273.01
Seidel, Robert	Attendant (Seasonal)	13,525.08
Silva, Mildred	Attendant (Seasonal)	7,403.16
Souza, Ann	Attendant (Seasonal)	11,685.44
Stapp, John	Attendant (Seasonal)	11,127.35

Employee Name	Position	Annual Earnings
PIER CORPORATION/HARBORMASTER		
McKinsey, William R	Pier Manager	49,000.12
Brundage, Robert	Assistant Harbormaster (Seasonal)	4,641.66
Campbell, Scott	Assistant Harbormaster	5,010.39
Costa, Warren	Assistant Harbormaster (Seasonal)	3,188.43
Davidson, John	Administrative Assistant	36,000.63
DeGruttola, Daniel	Assistant Harbormaster (Seasonal)	4,327.16
DeMatteis, John	Assistant Harbormaster (Seasonal)	9,868.95
Gaudreau, Seth	Assistant Harbormaster (Seasonal)	296.43
Reis, Arthur	Assistant Harbormaster (Seasonal)	9,576.14
Reis, John	Assistant Harbormaster (Seasonal)	180.75
Ribas, Luis	Assistant Harbormaster (Seasonal)	39,141.52
Silva, Patrick	Assistant Harbormaster (Seasonal)	11,835.51
Silva, Richard	Assistant Harbormaster (Seasonal)	7,859.01
Steele, Duane	Assistant Harbormaster	39,966.42
POLICE DEPARTMENT		
Jaran, Jeff	Chief of Police	104,980.70
	Holiday Pay (On-Duty)	3,634.56
	Revolving	320.00
	Total Earnings	108,935.26
Tobias, Warren	Staff Sergeant	85,196.96
	Holiday Pay (On-Duty)	2,853.36
	Longevity	1,600.00
	Total Earnings	89,650.32
Allen, Douglas	Dispatcher	54,540.63
	Overtime	3,418.82
	Retroactive Pay	7,692.33
	Longevity	400.00
	Total Earnings	66,051.78
Bartholomew, Sarah	Dispatcher	50,532.64
	Overtime	8,363.09
	Retroactive Pay	3,835.93
	Total Earnings	62,731.66
Carr, Michael	Police Officer	59,599.69
	Overtime	8,644.39
	Retroactive Pay	8,176.16
	Longevity	1,300.00
	Total Earnings	77,720.24

Employee Name	Position	Annual Earnings
Cook, Lisa	Dispatcher	49,027.04
	Overtime	1,979.36
	Retroactive Pay	7,404.87
	Total Earnings	58,411.27
Cowing, Ruth Ann	Dog Officer	45,476.32
	Overtime	294.80
	Retroactive Pay	6,556.85
	Revolving Account	3,391.58
	Longevity	400.00
	Total Earnings	56,119.55
Dahill, Thomas	Records Clerk (Deceased)	53,747.88
	Overtime	2,490.30
	Retroactive Pay	5,304.15
	Longevity	400.00
	Total Earnings	61,942.33
Enos, Glenn	Police Officer	66,587.29
	Overtime	25,594.04
	Retroactive Pay	10,604.83
	Longevity	700.00
	Revolving Account	24,595.31
	Total Earnings	128,081.47
Golden, James	Sergeant	76,343.94
	Overtime	30,410.01
	Retroactive Pay	12,340.36
	Longevity	1,000.00
	Revolving Account	16,054.25
	Total Earnings	136,148.56
Green, Roger	Janitor / Jailer	46,554.78
	Overtime	373.14
	Retroactive Pay	4,961.17
	Longevity	1,300.00
	Total Earnings	53,189.09
Himes, Monica	Police Officer	61,437.32
	Overtime	10,153.86
	Retroactive Pay	6,593.95
	Revolving Account	1,571.47
	Total Earnings	79,756.60
Joudrey, Paul	Police Officer (Resigned)	0.00
	Retroactive Pay	6,521.55
	Total Earnings	6,521.55

Employee Name	Position	Annual Earnings
Koumanelis, Thomas	Police Officer	23,912.95
	Overtime	2,289.01
	Revolving Account	441.61
	Total Earnings	26,643.57
Langlois, Adam	Police Officer (Resigned)	0.00
	Overtime	199.58
	Retroactive Pay	2,918.73
	Total Earnings	199.58
Lopes, Carrie	Sergeant	81,812.52
	Overtime	8,845.96
	Retroactive Pay	11,845.14
	Longevity	1,300.00
	Revolving Account	1,910.82
	Total Earnings	105,714.44
Menangas, Martin	Police Officer	62,159.29
	Overtime	5,201.02
	Retroactive Pay	6,426.81
	Longevity	1,600.00
	Revolving Account	5,943.41
	Total Earnings	81,330.53
Metcalf, Alyssa	Dispatcher	25,136.10
	Overtime	4,074.86
	Total Earnings	29,210.96
Michael, Rachel	Dispatcher	46,706.96
	Overtime	9,693.98
	Retroactive Pay	3,917.64
	Total Earnings	60,318.58
Palheiro, Robert	Police Officer	57,544.89
	Overtime	5,529.31
	Retroactive Pay	7,266.95
	Revolving Account	2,740.00
	Longevity	1,300.00
	Total Earnings	74,381.15
Parks, Denise	Dispatcher (Resigned)	0.00
	Retroactive Pay	6,741.65
	Total Earnings	6,741.65
Pavao, Geoffrey	Police Officer	55,650.52
	Overtime	13,717.98
	Retroactive Pay	5,172.50
	Revolving Account	4,804.37

Employee Name	Position	Annual Earnings
	Total Earnings	79,345.37
Peters, Rachel	Police Officer	56,542.11
	Overtime	10,644.04
	Retroactive Pay	7,440.18
	Revolving Account	7,576.38
	Longevity	1,600.00
	Total Earnings	83,802.71
Peters, Ryan	Police Officer	54,413.47
	Overtime	8,084.75
	Retroactive Pay	4,961.75
	Revolving Account	6,238.59
	Total Earnings	73,698.56
Peters, Scott	Police Officer	50,726.68
	Overtime	5,921.30
	Retroactive Pay	3,747.50
	Revolving Account	7,790.93
	Total Earnings	68,186.41
Poulin, Andrea	Secretary to Police Chief	43,265.00
Rapose, Jodi	Police Officer	58,945.29
	Retroactive Pay	5,604.06
	Longevity	1,300.00
	Total Earnings	65,849.35
Silva, Lawrence	Police Officer	52,972.91
	Overtime	7,405.53
	Retroactive Pay	4,906.00
	Revolving Account	2,091.21
	Total Earnings	67,375.65
Soyt, Kevin	Dispatcher	13,722.72
	Overtime	1,963.92
	Revolving	320.00
	Total Earnings	16,006.64
Steele, Thomas	Police Officer	66,146.31
	Overtime	15,567.02
	Retroactive Pay	9,207.36
	Revolving Account	13,036.02
	Longevity	400.00
	Total Earnings	104,356.71
Sucheki, Phillip	Sergeant	60,908.64
	Overtime	2,603.19
	Retroactive Pay	10,358.56

Employee Name	Position	Annual Earnings
	Longevity	1,600.00
	Total Earnings	75,470.39
Alves, Richard	Summer Police Officer	12,379.31
	Revolving Account	2,149.00
	Total Earnings	14,528.31
Aspessi, James	Summer Police Officer	8,172.95
	Revolving Account	1,752.00
	Total Earnings	9,924.95
Barone, Michael	Summer Police Officer	8,029.32
	Revolving Account	1,206.00
	Total Earnings	9,235.32
Bova, Anthony	Summer Police Officer	514.24
Cabral, Shirley	Matron	4,227.63
Clem, Matthew	Summer Police Officer	3,150.72
	Revolving Account	61.54
	Total Earnings	3,212.26
Dean, David	Summer Police Officer	3,150.72
	Revolving Account	98.47
	Total Earnings	3,249.19
Forbes, Rose-Marie	Summer Police Officer	7,915.73
	Revolving Account	640.00
	Total Earnings	8,555.73
Foster, Ryan	Summer Police Officer	3,150.72
	Revolving Account	73.85
	Total Earnings	3,224.57
Gallant, Scott	Summer Police Officer	9,318.79
	Revolving Account	1,601.75
	Total Earnings	10,920.54
Jasset, Matthew	Summer Police Officer	6,915.96
	Revolving Account	796.00
	Total Earnings	7,711.96
Kennedy, Caitlin	Summer Police Officer	7,832.61
	Revolving Account	640.00
	Total Earnings	8,472.61
Kaelberer, Kyle	Summer Police Officer	3,150.72
	Revolving Account	145.36
	Total Earnings	3,296.08
Langone, Paul	Summer Police Officer	232.28
	Total Earnings	232.28
Pineau, Jeremy	Summer Police Officer	11,129.71

Employee Name	Position	Annual Earnings
	Revolving Account	1,872.00
	Total Earnings	13,001.71
Saunders, Hannah	Summer Police Officer	14,161.62
	Total Earnings	14,161.62
Spoor, Kevan	Summer Police Officer	13,541.12
	Revolving Account	2,552.00
	Total Earnings	16,093.12
Sullivan, Dennis	Total Earnings	4,581.80
Thomas, Donald	Summer Police Officer	11,734.29
Gill, Steven	Intermittent Police Officer (Resigned)	2,281.09
Roach, James	Intermittent Police Officer	1,452.29
White, Lee	Intermittent Police Officer	4,750.71
Parks, Denise	On-Call Dispatcher	7,370.92
Mitchell, Susan	On-Call Dispatcher (Resigned)	2,277.00
RECREATION		
Trewhella, Tracy	Recreation Director (Resigned)	7,157.44
Motta, Brandon	Recreation Director	39,026.56
Jackett, Elizabeth	Assistant Recreation Director	6,447.37
Felton, Laurel	Summer Recreation Leader	4,340.56
Lomba, Melissa	Summer Recreation Leader	4,456.48
Menangas, Derek	Summer Recreation Leader	4,585.28
Silva, Emma	Summer Recreation Leader	4,289.04
Trovato, Kelsey	Summer Recreation Leader	4,095.84
Tobias, Caitlin	Summer Recreation Leader	3,722.32
Weber, Brandi	Summer Recreation Leader	4,301.92
Zawaduk, Shelby	Summer Recreation Leader	4,662.56
SHELLFISH		
Jackett, Anthony	Shellfish Constable	41,055.16
TOURISM		
Bowden, Lisa	Tourism Director (Resigned)	22,984.61
Sanborn, Robert	Tourism Director	10,384.62
Kelly, Jacqueline	Administrative Assistant, Tourism	23,077.15
TOWN NURSE		
Manning, Patrick J	HIV Grant Prog Coordinator (Resigned)	21,853.51
TOTAL EMPLOYEE EARNINGS		6,726,793.93



Public Safety

Department of Community Development

What We Do: The Department of Community Development (DCD) serves the citizens of Provincetown, in both a regulatory and planning capacity. Our purpose is to help ensure the life safety and well being of our citizens and our visitors. We do this without bias or prejudice toward any individual or group. We also strive to be appropriately funded by those parties directly benefiting from our services.

Current Focus: It is our role to help facilitate positive economic and physical development in the town while protecting safety and well-being of the public relative to the built environment. One current effort by this department is to help create a more knowable permitting framework which will help engender positive economic development. We are working to achieve this by creating a work environment where information will flow more simply and by creating easier to understand permits. We are striving to improve our electronic databases with an eye to the future where on-line permitting and more complete on-line databases are available to the public and project proponents. It is also our hope that this will also lead to better permitting efficiency and transparency. The funding climate is such that the transition to such a system is at a crawl.

During FY 2009 the “commercial” portion of the 7th Edition of the Massachusetts State Building Code became law. This, in conjunction with the “residential” code represents a sea-change of requirements for property owners, building contractors and designers. We have spent much time getting up to speed with these changes and are striving to develop understandable standards for the public and design community.

Regulatory Management and Planning: Regulatory management includes zoning enforcement, permit review and issuance, building inspection (construction, life safety, energy, gas, plumbing, electrical), health (sanitary, clinical or public health) and licensing (food service, lodging, liquor, entertainment, business). Our planning function provides staff support to various boards, commissions and committees. Provincetown will continue to be challenged by the critical issues represented by limited land area, preservation of resources both natural and built. We endeavor to lend our expertise in regulatory issues and land use to engender positive economic development as well. We continue to look for ways to help streamline regulatory processes

Zoning: In addition to being a part of the plan review process, Zoning involves fielding complaints and investigating infractions on a daily basis. The Zoning

Enforcement Officer makes visits to public establishments to check for compliance. This can result in incident reports and correspondence, including cease and desist orders and ticketing.

Building Inspection: This includes permit review and field inspections. The Department of Community Development has 3 inspectors on staff, plumbing/gas, electrical and building. The Local Building inspector is available on a daily basis and the Plumbing/Gas and Electrical Inspectors are available part time.

Health: The Health department implemented high priority objectives such as improving public and environmental health, water testing and beach closures, food service establishment inspections, household hazardous waste collections, food handler training, rabies/disease surveillance, reporting and education. Planning and coordination with “first responders” and other departments and agencies to ensure preparedness in the event of an outbreak of infectious diseases such as Avian Flu has continued to be a top priority. Health department continues to work on disaster preparedness and implementation of the new sewer system. Another aspect of the Health team is liaison to Conservation Commission and emergency management.

Licensing: The Licensing Department has a full time Licensing Agent on duty daily to serve Provincetown’s businesses. Licenses are issued in 5 general categories: alcohol sales, entertainment, lodging, food service, and miscellaneous business.

We at DCD would once again like to thank all of the citizens of Provincetown for their interest, cooperation, comments, support and suggestions.

Respectfully submitted,

Russell Braun

Building Commissioner

Board of Fire Engineers

This year the Provincetown Fire Department answered approximately 166 calls. The Rescue Squad and the Lower Cape Ambulance crews continue to be extremely busy with all types of calls and hospital runs. Every year many more different types of affairs continue to happen in Provincetown all year round. These events have proven to be very successful and we are all pleased with the results, however, a longer season and more visitors do put more of a demand on this department. With the addition of Seashore Point to our community we find that this too puts more of a demand on our EMS service. Once again, we consider ourselves very fortunate that all calls were answered safely.

In December of 2007 we added a third Ambulance to our Rescue Squad. This third ambulance has helped to reduce our need to call for a mutual aid ambulance and it is nice to have a third ambulance handy when one or more of the ambulances are out of town or out of service. The mutual aid system is great but there are times when the closest mutual aid ambulance available may be coming from Orleans. We really have to have the personnel and equipment to be self sufficient as it just take to long to get help to Provincetown.

We are extremely grateful to the community for their support after the unfortunate crash of our ladder truck on November 9, 2009. We are all very sorry to have put the community through such an ordeal. The support received on town hall floor for our new ladder truck is much appreciated by each and every member of the Provincetown Fire Department. I can never begin to tell you how much that vote did for the morale of the members of this department. On December 17, 2009 we took delivery of our new custom- built 77' Ferrara Ladder truck. This truck was delivered one year one month and eight days after the accident. It is almost unheard of to get through the bidding process, town meeting and have a truck custom built in this time frame. With everyone working together as a community, we managed to make this happen. Once again Ferrara Fire Apparatus in Holden, La built this truck for us and did a great job. This truck should serve the town for at least twenty- five years. The final cost to the town after the insurance payment was 278,553.00 dollars. This new ladder truck meets the NFPA requirements, and it is much safer to operate than the 1961 Maxim ladder truck that it replaces. We have had a lot of training on this apparatus already and a lot more classes are planned. This new apparatus makes our job a lot safer and it is a lot easier to operate than the old ladder truck. The technology for this type of apparatus has come a long way since 1961. This apparatus also carries our Jaws of Life and has a 1,500gallon per minute water pump and 300 gallons of water. It is not only a ladder truck it is a heavy rescue truck and is capable of pumping 1280 gallons of water per minute through the deluge gun mounted at the tip of the ladder.

Our goal has always been to operate as a volunteer department for as long as possible. This not only saves the town a lot of money, but it provides a large number of personnel to any type of incident when needed. If we had a full time department, you would get two or three firemen on duty for that shift and most times that would not be enough personnel to handle the incident. To date our system works well. However, we have and continue to lose many members of this department due to lack of affordable housing in our town. Many of our dedicated members have had to move from our community because of the lack of affordable homes or affordable year-round apartments. The time has come if we are going to save this department to find some kind of housing for our people. We need two and three bedroom homes and apartments that are available and affordable. The membership of this department has historically been made up of fisherman, carpenters, plumbers, electricians, and the folks from our local appliance

company, gas company, oil company, insurance agency, basically the tradesmen and women of our community. When we answered any type of call we had an expert on the scene for any type of incident that we could possibly be called out to handle. That is what made this department so great. I can't think of any other department that could turn out to an incident with this many people with that kind of talent. Some of us are second, third and fourth generation firefighters and we would like to see this proud tradition continue for another one hundred years. However, the only way this can happen is if we find a way for our tradesmen and women to find affordable housing. We need to keep these people here for all of the services that they provide to our community. We also need to keep the school system going so we can continue to have second, third and fourth generation firefighters to continue this proud tradition. If the school goes away I am afraid that we will lose the very people that have for so many years kept this department going and have provided many other services to this community. Our members give a great deal of their time for little or no compensation. This is a very dangerous business and all we have ever asked for is the proper equipment to protect us so we can get the job done to better serve the citizens of Provincetown. Now we are faced with this housing situation and we are asking for some kind of solution to this problem. We are thankful for everyone's support of this department.

The Firemen's Association is continually thinking of ways to raise money. These funds are used to make improvements around the station, purchase equipment, maintain the Franklin J. Oliver Scholarship Fund and for many other projects. They recently purchased a new thermal imaging camera and receiver monitor for 12,000.00. Thermal imaging makes it a lot safer for fire fighters during interior fire attack and makes the chances of finding someone trapped in a fire and smoke filled building much greater.

Our 1936 American LaFrance Fire Engine is very close to the end of our restoration project. This project has taken a lot more time and money than originally anticipated. However, this piece of fire apparatus is part of our firefighting history and the end result will be well worth it. A lot of time and effort have gone into this project. This is the oldest motorized piece of fire apparatus that we have managed to retain. With the help of Kevin Ainsworth we got the truck back on the road. This year we put the truck in the Fourth of July Parade. We are still trying to work out some clutch problems with this truck. When these problems are worked out you will be seeing more of this truck. District Chief Jimmy Roderick worked very hard on a grant to up date out self-contained breathing apparatus to meet NFPA Standards. This project would have cost the town approximately 175,000.00 dollars. We just got the news that we have won the grant for 125,000.00 dollars to help with the cost of this project. Jimmy has also applied for a grant to reimburse the town for the ladder truck and we are waiting to hear the results of that grant request. Senator Kennedy, Senator Kerry and Congressman Delahant provided

letters to go along with the grant application speaking in favor of us getting the grant for the ladder truck. We are hoping to hear some good news on this request soon. We truly appreciate every ones support, it is your generous donations and continued support that makes projects like these possible.

The Provincetown Rescue Squad Association continues to raise money to purchase all equipment needed to keep the Rescue Squad going. This effort takes a lot of time and effort by our members. The town provides the Ambulances and they through your much-appreciated donations purchase the rest of the equipment. Once again we truly appreciate the community coming together and supporting us so we can make all of this work. It takes a lot of effort on the part of the members but without the support of the community it would not be successful.

We continue to plan for the future and are always looking for better ways to serve the citizens of Provincetown. Once again, 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. On January 19, 2010 we lost our fire inspector Ed Schneiderhan. Ed was a wealth of information on fire and electrical codes and we appreciate the experience and expertise that he brought to the job, this department will miss him. He did an incredible job and was a pleasure to have around and to work with. I would like to thank the dedicated Fire and Rescue members for always being there, Town Manager Sharon Lynn, the Board of Selectmen, and all other Town Departments and the citizens of Provincetown for their continued cooperation and support. A special thanks to my Secretary Joyce Mathews.

Respectfully submitted,

Michael S. Trovato

Fire Chief

Provincetown Fire Department 2009

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
John Reis, District Chief 5
Ronald White, Rescue Engineer
Joyce A. Mathews, Administrative Assistant

Engine Company #1

Paul R. Silva, Captain
Vaughn Cabral, Lieutenant
Luis Ribas, Steward
Mark Lambrou
David White
John Bumpus
Francis Santos
Aubrey Gordon
Malcolm Kerr Hunter
Andrew Souza
Noah Santos
Scott Menangas

Juniors

Chad Edwards
Cody Edwards
Jada Reis
Laytin Reis
Michael J. Trovato

Ladder Company #2

E.J. Martinez, Captain
George Felton, Lieutenant
Paul Roderick, Stewart
Thomas Roda, EMT-P
John Browne
Justin White, EMT-P
Jamie White
Brandon Motta
Carl Osowski
Kevin Ainsworth
Shawn Ricard (Unpaid Aux)

Engine Company #3

James J. Meads Jr., Captain
Joel Macara, EMT-P/Lieutenant
Craig Martin, Stewart
James Richmond
Scott Enos
Adrian Peters
Manuel Pedro Verde

Engine Company #4

Jeffrey Perry, EMT/ Captain
Rachel Peters, Lieutenant
David Gonsalves, Steward
Tim Caldwell
Jose Fernando Hernandez
Rodrigo Santos, EMT
Christy Douglas, EMT
John Souza III
Elizabeth DeBella

Juniors

Bruce Henrique
Jonas Ayala
Andrew Kittler

Engine Company #5

Roger Martin, Captain
Marcia Basine, EMT/Lieutenant
Jeffrey Notaro, Steward
Michael Coelho, EMT
Chris Enos
Jonathan Sinaiko
Michael Coelho Jr.
Brian Alexander
Garth Stewart
Lucas Colburn
Lorne Russell, EMT (Unpaid Aux)
Daniel Notaro, EMT-P (Unpaid Aux)

Rescue Squad

Tom Roda, EMT-P/Captain
Monica Himes, EMT/Lieutenant
Julie Cataldo Roda, EMT-P/Steward
Brandy Tarala, EMT-P/Training
Coordinator
Bryan Smith, EMT
Adam Wolf, EMT
Ronald White, EMT
Justin White, EMT-P
Michael Coelho, EMT
Marcia Basine, EMT

Rescue Squad (cont.)	James Golden, EMT
Othaine Rance, EMT	Lisa Potter, EMT-P
Nancy Swanson, EMT	Zack Goldstein, EMT
Ed Fallas, EMT	Shawn Ricard, EMT
Derek Menangas, EMT	Lorne Russell, EMT
Joel Macara, EMT-P	Lynda Trovato, EMT
Christy Douglas, EMT	Daniel Notaro, EMT-P
Rodrigo Santos, EMT	Linda Rego, EMT
Fernando Hernandez, FR	Thomas Steele, EMT
Unpaid Auxiliary	
Denise Russell Parks, EMT	
Glenn Enos, EMT-I	

2009 Fire Report of Calls

Fires		Service Calls	
Structure Fire	7	Person in distress	1
Brush, Grass Fire	2	Water problem/leak	4
Chimney/Flue Fire	2	Public Service Assistance	1
Vehicle fire	3	Defective Elevator	1
Refuse Fire	2	Unauthorized Burning	1
Pole Fire	1	Good Intent Calls	
Water Heater Fire	1	Dispatched & cancelled en route	7
Cooking Incident	15	Wires down	2
Rescue		Smoke/steam scare	12
Emergency Medical Incident	10	False Alarm & False Call	
Motor Vehicle Accident	16	Malicious/mischievous	2
Lock -in	1	System malfunction	1
Water rescue	1	Smoke detector activation	4
Hazardous Condition		Alarm System Malfunction	28
Gas Spill/Leak No Ignition	5	Unintentional False Alarm	2
Carbon Monoxide Incident	3	Alarm system activation, no fire	16
Electrical wiring problem	2	Total Calls	166
Power line down	1	Mutual Aid Requests	
Arcing, shorted electrical equip.	12	Mutual Aid given	6
		Mutual Aid received	14

2009 Rescue Squad Annual Summary of Calls

Abdominal Pain	51	Burns	4
Allergic Reaction	13	Cardiac	47
Altered Loc	13	Cardiac Arrest	8
Behavioral/Psychiatric	40	Chest Pain	34
Bleeding	28	CVA/Stroke/TIA	16

2009 Rescue Squad Annual Summary of Calls (cont.)

Dehydration/Hypovolemia	16	Obstructed Airway	3
Diabetic	14	Obstetric/GYN Emergency	0
Dizziness	23	Overdose	33
DOA/Obvious Death	5	Pain, Not Otherwise Specified	31
Drowning/Near Drowning	0	Poisoning	0
Electrocution	2	Respiratory	84
General Illness	46	Seizure	17
Hyperthermia/Heat Exposure	2	Sepsis	2
Hypothermia/Cold Exposure	1	Syncope	40
Injury, Closed Head	32	Other	102
Injury, Orthopedic	98	No Patient	0
Injury, Soft Tissue	172	Patient Assist	7
Injury, Other	25	Total Monthly Calls	1,123
Multi-Trauma	17		
Nausea/Vomitting	30	TRANSPORT TO OCHS	9
Neuro/CNS Injury	10	TRANSPORT TO CCH	756
No Complaint	57	TRANSPORT BY MED-FLIGHT	0

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.

As a result of the Amendment to the Zoning By-Law that was approved at the April 2009 Town Meeting, the role of this Annual Report has been strengthened by requiring that the allocations for *all* of the categories are now subject to this annual review process, including the Board of Selectmen's recommendations as to the amount of the Growth Limitation Goal Allocations for the upcoming year following a required Public Hearing.

Findings - Water - Average Daily Water Withdrawal to a Level Below DEP's Permitted Level

Whereas DEP's permitted average daily withdrawal is 850,000 Gallons Per Day (GPD) (with noncompliance at 950,000 GPD) water withdrawal will be recorded at 722,740 GPD, below the permitted maximum withdrawal limit, but an increase over 2008's GPD of 696,152. It is noteworthy that each year major system improvements are made yet we remain one of the most challenged systems in the state; challenged as a result of our reliance on barely adequate groundwater sources with no redundancy, challenged with unaccounted for water that causes the system to withdraw water that is not sold, challenged with boil order potentials

due to unfunded regulation changes put in effect last December with the new Ground Water Rule. To meet these challenges of major water quality and water quantity - well documented issues - the Town has sought and will be awarded three grants totaling \$8,231,241 for water system improvements.

Although the water system has continued to meet the annual pumpage limitation set by the DEP, this has only been possible because of the year-to-year permission from the National Park Service to use the former North Truro Air Force wells for the peak season period. This is not a long-term solution and the DEP redundant well field requirement must be dealt with before the Town can safely withdraw additional water. The Town continues to explore all possible approaches to resolving this problem with the DEP, the Town of Truro, and the National Park Service. Until a solution has been identified, the Town should exercise caution regarding any approved increases in water withdrawal, particularly during the peak season.

Findings - Solid Waste Disposal – Tonnage Shipped to SEMASS Decreased

While we have a license that allows us to handle to a maximum of 5,000 tons annually at the Transfer Station, we have yet to exceed that threshold. Indeed, with the institution of the new recycling program as brought forward by staff and the new Recycling & Renewable Energies Committee in July 2007, we have seen a noticeable decrease in waste tonnage and a corresponding increase in recycling. For 2009, we still see a decrease in waste tonnage shipped to SEMASS at 3,351 tons, compared to 3,563 tons in 2008 - but no longer is there a corresponding increase in recycling. In fact, we are now witnessing a decrease in recycling. While we still receive income from cardboard, the market rates have shifted so that we now pay \$40/ton for all other recyclables.

Findings – Wastewater System Flow at the Plant - Capacity Remains

Commencing operations on July 2003 with some 520 properties being served then and with an additional 170 properties served by Phase II beginning in 2008, there is still unused capacity at the treatment plant. We are currently permitted for 575,000 gallons per day having successfully proven to DEP that even after reserving capacity for the *red dots*, there is additional plant capacity. In 2000 the plant handled 51,194,421, an increase from 49,277,727 in 2008.

Findings – Tracking Building Permits – per category

The following represents the amount of gallons issued by growth management permits in each of the five General Use Categories (Description of General Use Categories available in Attachment A):

- Category 1 - 7,700 gallons used
- Category 2 - 0 gallons used
- Category 3 - 3,157 gallons used
- Category 4 - 167 gallons used

Category 4a - 280 gallons used (1,896 gallons reserved for Economic Development)

Findings – Affordable Housing Needs Assessment Annual Update

The 2009 Affordable Housing Needs Assessment Annual Update Report (Appendix B to the original report) was prepared by staff and provided to the Community Housing Council (CHC) at their January 12, 2010 meeting. Based on the analysis of existing inventories within Growth Management for affordable housing and the anticipated demand from existing projects in the pipeline, the Community Housing Council recommends the full allotment of affordable housing (1650 gallons) be placed in Category 1a (Low Income/Moderate Affordable).

Recommendation

Based on the provisions of the Growth Management Zoning By-Law Article 6, as amended at the April Town Meeting 2009, staff recommends the following allocations to each category for calendar year 2010 as follows:

Category 1a	up to 1,650 gallons
Category 1b	no gallons
Category 1c	no gallons
Category 2	up to 1,100 gallons
Category 3	up to 1,870 gallons
Category 4	up to 1,250 gallons

Health Department

The Provincetown Health Department is charged with the protection of the public and environmental health of the community and to implement and enforce the Federal, State and Local health and environmental codes for activities within its jurisdiction. The Health Department maintains its commitment to providing prompt and courteous services to all those who communicate with the Department and to provide a user-friendly environment where citizens and visitors can obtain services and information. The Health Department works closely with several other Town Departments and is involved in many Town wide initiatives, which include the following:

Municipal Sewer System: The Health Agent is an active member of the Sewer Team and is responsible for generating Administrative Consent Orders (to date there have been 78 ACO's issued), providing enforcement of the Provincetown Sewer Rules and Regulations, setting up and administering the various grease education and management programs, providing flow determinations and planning for existing and future sewer connections and phases.

Wastewater and Title V: The Health Agent continues to review septic system design plans and issue permits and conduct inspections of the newly installed

septic systems, witness site and soil evaluations and percolation tests and maintain accurate septic system pumping records. The Health Agent reviewed 103 Real Estate Transfer Septic System Inspection Reports and responded to each one. The Health Agent also issues annual licenses and renewals with the following issued for 2009:

Septic System Installer Licenses	20
Septic Hauler Licenses	10
Septic System Inspector Licenses	12
Refuse Hauler Licenses	3

The Health Agent and Health and Environmental Affairs Manager perform as staff liaisons to the Board of Health by providing analysis and recommendations of agenda items and recommendations for new Board of Health Regulations or revisions to existing Board of Health Regulations. In addition, staff is required to attend educational seminars and conferences, not only to increase our knowledge and skills in this ever-changing field, but also to obtain the required continuing education units in order to maintain professional licensure.

Public & Environmental Health: Both the Health Agent and Health & Environmental Affairs Manager continue to provide enforcement of health and environmental codes and regulations as well as inspections of food establishments, pools and spas, housing, rental certificate inspections, inns and motels, barns and livestock and all other licensed establishments under its jurisdiction as well as responding to complaints in a timely manner. The Health & Environmental Affairs Manager serves as the Infectious Disease Coordinator by monitoring and organizing public health responses to threats generated from communicable disease outbreaks and pandemic influenza.

The Health Department continues to monitor the 18 Town bathing beaches for water quality with sampling and testing provided by the Barnstable County Department of Health and Environment. Beach closures occur when the indicator bacteria *Enterococci* reaches a level that surpasses 104 CFU (colony forming units). The Department continues to work with state and local officials on approaches to reduce and prevent future beach closures. There were a total of 286 water samples taken and 31 beach closures during the bathing beach season which extended from June to August, 2009.

The Harbormaster, with support from the Health & Environmental Affairs Manager, instituted a summer long water testing project as part of the State Estuaries Grant Program. Working closely with the Pier Corps, Harbor Committee and the Shellfish Warden this estuaries program is an additional layer of water quality testing that provides an array of additional nutrient loading and bacterial testing beyond the indicator bacteria testing performed for beach safety. This expanded testing is being conducted in coordination with the Town of Truro and the Cape Cod National Seashore and is facilitated through the SMAST program of University

of Massachusetts at Dartmouth. The goal is to identify a base level of nutrient loading and contamination of the following water bodies; Provincetown Harbor, Hatches Harbor, Pilgrim Lake (East Harbor) and the Pamet River Valley. This was the final year of this water quality monitoring grant program and the data that has been collected is being processed by scientists at University of Massachusetts at Dartmouth. Recommendations for additional water quality monitoring or assessment are forthcoming pending analysis of the past three years of collected data.

Animal Inspector: The Health Department staff acts as the Inspector of Animals and conducts an annual inspection of barns and livestock and taking the annual census of animals for the Department of Agriculture. The Animal Inspector duties include investigating all reported cases of animal bites and diseases and issuing quarantines of animals and sending animal specimens for testing of Rabies, West Nile Virus and Eastern Equine Encephalitis. The Animal Inspectors works closely with the Animal Control Officer and the Board of Health to monitor suspected cases of rabies within Town limits and administers the wild rabies vaccine program twice a year.

Emergency Preparedness: The Health & Environmental Affairs Manager also serves as the Deputy Emergency Manager working under the Town Manager (Chief Public Safety Officer), Assistant Town Manager and the Chief of Police (Director of Emergency Management) and provides services to the Town by ensuring compliance with Federal and State emergency preparedness mandates for planning, municipal employee training, and standardization of emergency preparedness procedures and protocols for public health and other emergency response. This position works closely with the Massachusetts Emergency Management Agency (MEMA) and the Department of Homeland Security (DHS) to achieve required compliance. This position serves as a member of the Regional Emergency Preparedness Coalition (REPC) and staffs the Local Emergency Preparedness Committee (LEPC). This position performs updates to the Multi-Hazard Mitigation Plan, Local Infectious Disease Response Plan and the Continuity of Operations/CEMP Plan.

Conservation and Floodplain Management:

The Health & Environmental Affairs Manager also serves as the Town's Conservation Agent and performs administrative duties, permitting, compliance and enforcement of the State Wetlands Protection Act and the Provincetown Wetland Protection Bylaw. The Town of Provincetown is a participant in the National Flood Insurance Program (NFIP) and the holds a Certified Floodplain Managers (CFM) licensure through the Health & Environmental Affairs Manager. This position supports oversight and compliance with the NFIP. The Town also made application to the Federal Emergency Management Agency's Community Rating System Program which awards municipalities with reductions in their

flood insurance premiums for meeting and exceeding performance standards and activities under the NFIP. Currently, the Town is positioned to receive a 10 to 15 percent reduction in flood insurance premiums for all flood insurance policy holders in 2010.

The Provincetown Health Department staff is continuously searching for additional programs and funding which will benefit the community. We welcome and value your ideas and suggestions. We would like to express our appreciation to the Board of Health, the Board of Selectmen, the Town Manager and Assistant Town Manager, our fellow co-workers and especially to those who volunteer their time to serve on boards and committees. As we move forward into 2010 we will continue to work cooperatively with other departments to improve communication and the health and wellness of all Provincetown citizens, visitors and our environment.

Respectfully submitted,

Jane Evans, RS

Health Agent

Brian Carlson, RS, MS, CFM

Health & Environmental Affairs Manager

Licensing Board

In 2009 the Provincetown Licensing Board continued its mission to assist local businesses and to ensure compliance with all. Current Board members are Todd Wagar, Chair; Teri Nezbeth, Vice Chair, Liz Angelino, George Young, and Jim Sheehan, Clerk -As the year ended, the Board had two alternate member positions open. The Board held 23 meetings in 2009 and, with the assistance of the Licensing Agent, processed over 451 licenses. Revenue to the Town through the licensing process totaled approximately \$248,985.50.

Licenses Approved by the Licensing Board

Alcohol	63	LicensesParking Lot	15
Art Gallery	11	Pedicab	5
Auto Sales	2	Pedicab Operator	33
Common Carrier	2	Special Entertainment	15
CommonVictualler	49	Special Liquor	10
Entertainment	71	Special Parking Lot	2
Fortune Teller	5	Stables1Taxi /Livery	13
Inn Holder	16	Taxi Operators	49
Lodging	55	Transient Vendor	14
Outdoor Artist	8	Transfers/Amendments	12

**Licenses Processed Through the Department
Which Do Not Require Board Approval**

Camps Cabins and Motels 28 Licenses, Corporation Retail or Year Round Retail
241 Certificates, Food Service Permits 195 Permits, Renters Certification 538

Code Compliance Incidents

Letters of Violations sent by Licensing Agent 21, Noise Complaints 21, Tickets
Issued by Licensing Agent 4, Bar Checks 92, Show Cause Hearings/Discussions
with Board 2

Our goals for 2010 will be to continue to review and revise, as appropriate, the Licensing Board Rules and Regulations and seek input from the business community and community at large; to maintain fair and equitable standards of code compliance; to provide knowledgeable and efficient staff service; to provide access to continuing education programming opportunities for Board members; and to fill both of the vacant "alternate" seats on the Board.

Respectfully submitted,

Todd Wagar

Chair

Parking Administration

The Parking Department is responsible for managing the parking system in Provincetown. This includes on and off street parking, meters, parking permits, regulations and enforcement. In 2010, the department will install one pay station on Ryder Street. This trial kiosk will replace the meters on Ryder Street and in the Ryder lot. Visitors may pay for their spaces with coins, bills, or credit card. Meter enforcement personnel will be able to access the parking status of the vehicles with a wireless handheld that will show them which spaces are paid or expired. This will save time by eliminating the necessity to check each individual meter. The kiosk should also ease the burden on nearby business owners who are always approached for meter change. If this trial is successful, additional kiosks could be installed in other metered lots. Then if a visitor is parked in the West End lot, for example, and wants to stay longer, he/she can use the nearest kiosk to pay for additional time and eliminate the need to physically return to add money to the meter. Visitors are able to spend more time enjoying their stay, reduce the unpleasant possibility of a ticket, and the Town will provide more payment options for parking. Tour bus drivers were thrilled with the escorted parking at Grace Hall lot 3. There were 357 buses visiting Provincetown in 2009. This procedure will be in effect in 2010 while the Jerome Smith lot is used for Town Hall business. Interestingly, there has been a marked increase in weekly permits. There were 22 in 2008 and 37 in 2009, up 15 permits. The primary reason is visitors staying in condos that have one parking space but want someplace to park their additional cars. The permit allows them to park in Grace Hall lot 4 where they can leave the vehicle all week or drive in and out when they wish.

The department generated \$1,411,354 in 2009, up \$59,327 from 2008. The MPL and Grace Hall together collected \$1,087,429, up \$39,228 from 2008. Both lots posted an increase over last year. MPL was up \$36,590 and Grace Hall saw an increase of \$2,638. The Grace Hall figures do not include the annual \$35,000 rent to the Diocese of Fall River for the spaces in lot 2. The meters collected \$172,923, up \$17,508 from 2008. The spaces in the Ryder lot were metered this year, and those meters alone generated \$16,620. Parking permit sales totaled \$151,002, up \$2,591 from 2008. The number of permits sold was 2,660, up 84 permits from 2008. The department collected \$139,625 in paid parking citations, down \$44,156 from 2008. This figure reflects the total receipts collected from both the ticket vendor and the parking office from January 1 through December 29, 2009. There were 6,987 tickets issued and 563 appeals. We would like to thank Town Manager Sharon Lynn, the Police Department, Highway Department, DPW, and Town Hall staff for their cooperation and support as we continue to improve the department and meet the needs of both residents and visitors. We also wish to acknowledge our hardworking and reliable staff. These are the dedicated seasonal employees who keep the lot operations and parking enforcement running smoothly, especially during the busy season. We look forward to working with these exceptional employees in 2010.

Respectfully submitted,

Patricia Benatti

Parking Department Administration

Police Department

This Police Annual Report is dedicated to the late Police Records Clerk Thomas Dahill and former Police Chief "Ted" Meyer. The department continues to mourn their unexpected passing and sudden loss. Our thoughts and prayers are always with both families.

The year 2009 proved to be an extremely busy year which is outlined statistically below. The department experienced a significant increase in calls for service while difficult budget restraints required us to do much more with less. Adhering to the old school philosophy of "an honest days work for an honest days pay", department members answered the call by stepping up their efforts while making a positive impact within our community. Standard operating principles now call for an increase in an officer's productivity. Minimum staffing levels forced and required employees to work long hours, however, the recommendation will continue to be that we must maintain proper staffing levels essential to providing quality service while ensuring and keeping officer safety in mind.

A year in review shows that we are a small town with big city problems. The department professionally handled many serious incidents while conducting

thorough investigations. Highlighted by the injurious Memorial Day “hate crime”, department members responded confidently to serve and protect. Most importantly is the way in which this community supported its Police Department all while demonstrating to the world resiliency and the fact that Provincetown has no place for hate.

A July report conducted on the current police department building by the firm, The Center for Public Safety Inc., in association with Architects Design Group, rendered the current structure “inadequate” in all twenty-four areas. It also identified five “critically deficient” areas in the building. “Because of these hazardous conditions, the Town places itself at risk for litigation that may total more than the cost of moving the police department or constructing a new facility”. In response, the Selectmen formed a Facility Planning Committee to study alternatives and options.

At the December Special Town Meeting, voters agreed to remove the Town from State Civil Service, a hiring and promotional process used since 1948. Instead, the Police Department will utilize an independent process like so many other communities. It is the intention to create a professional and ethical hiring and promotional practice that will serve Provincetown well by attracting employees who want to serve and stay here.

The department would like to thank the Board of Selectmen, Town Manager and all other Town departments for their continued support throughout the year. A special thank you goes out to all members of the Fire Department and Department of Public Works for maintaining such a terrific working relationship and for their collaborative effort in making our roadways safe.

I would be remiss if this report did not mention the retirement of two long-standing employees, Staff Sergeant Warren Tobias and Officer Jodi Rapose, wishing them both health and happiness in all future endeavors. As always, the department is here to serve and protect this community with pride and integrity. Please feel free to stop by the Police Department anytime with any suggestions of ways in which we could better serve you; our door is always open.

Respectfully submitted,

Jeff D. Jaran

Chief of Police

Arrest/Citation/Calls for Service Summary

Arrest Summary	2009
Total Arrests	114
Total I.P. Persons	247
Total Persons Processed	361
Citations	2009
Total Citations Issued	323

Arrest/Citation/Calls for Service Summary 2009

Calls For Service	2009		
		Crowds/Overcrowding	17
209A Order/Viol/Service	40	Cruiser Equipment Maintenance	70
911 Call/Trace/Abandoned	1482	Cruiser Escort	37
Accident/Bike & All Other	31	Cruiser Transport	291
Aircraft/General	71	Cruiser in Pursuit	2
Alarm - Commercial	248	Damaged Property Complaint	76
Alarm - M/V	12	Death/Sudden	9
Alarm - Residential	118	Decibel Meter Used	3
Alarm - Fire	238	Defrauding - Restaurant	2
Alcohol/Drug/Mental Health	18	Delivery - Message/Item	26
Ambulance - General	806	Demonstration/Parade	14
Animal Compl/other than dog	81	Disorderly Person	32
Animal Cruelty Complaint	22	Disturbance - Family	1
Animal Injured/Dead	129	Disturbance - General	10
Argument/Verbal Dispute	137	Dog Citation Issued	29
Arrest/Domestic Assault	12	Dog Complaint/Call/Bite	208
Arrest/General	57	Domestic - Assault/Threat	9
Arrest/OUI	13	Domestic - Verbal	29
Arrest/Juvenile	0	Drug Violation/Complaint	27
Arrest/209A Violation	4	Elderly Abuse/Neglect/Compl	13
Arson	0	Embezzlement	2
Arrest/Warrant	38	Fight Complaint	53
Assault	11	Firearms - General	8
Assault & Battery	19	Fire/Electrical/Utility Pole	9
Assault - Dangerous Weapon	3	Fire/Vehicle In/Out Service	185
A & B - Dangerous Weapon	2	Fire/Motor Vehicle	7
B & E - Attempt	8	Fire/Boat	2
B & E - Residential/Commercial	15	Fire/Commercial Bldg	14
Bikes/Mini-bikes Complaints	12	Fire/Grass & Brush	3
Boat - Assistance	6	Fire/Residential Bldg	24
Drinking Minors	0	Fireworks Complaint	24
Boat - Complaints	10	Forgery & Counterfeiting	4
Boat - Larceny Equipment	1	Found - Wallet/Purse	100
Boat - Missing/Stolen	4	Found - Bicycle/Moped	25
Boat - Recovered/Found	3	Found - Property	258
Building Checks	1	Fraud	31
Child Neglect/Abuse	5	Fugitive from Justice	1
Complaint/General	163	Gun Shots Complaints	7
Complaint/Musicians	35	Halloween Complaint	1
Complaint/Towing Operator	0	Harassment Complaints	67
Complaint/Domestic	50	Harbormaster/General	37
Complaint/Customer	64	Hate Crimes	2
Court Complaint (non-arrest)	8	Hate Incidents	6

Arrest/Citation/Calls for Service Summary 2009

Hazard Complaints	119	M/V Towed Private	21
Homeless Person	3	M/V Towed Police	99
Hunting Violations	0	M/V Traffic Problem	148
I.P. Person/Complaints	264	M/V Vandalism	28
Indecent Exp/Nude Bather	4	Malicious Destruction (Over)	5
Investigation	87	Malicious Destruction (Under)	4
Issue B.O.L.O. / A.T.L.	46	Minors with Alcohol	5
Juvenile Complaints	53	Miscellaneous	199
Keep the Peace/Standby	58	Motorcycle Complaint	6
Kidnapping	0	Murder	0
Landlord/Tenant Complaints	60	Mutual Aid/Assist Other Dept's	100
Larceny - Attempt	1	Noise Complaints	226
Larceny - More than \$250.00	22	Non-Criminal Citation Issued	21
Larceny - Less than \$250.00	31	Notify Fire Department	197
Larceny by Check	2	Notify Other Department	506
Licensing Violation	33	Notify Other Departments	114
Liquor Law Violation	1	Officer Injured	14
Lost & Found Property	394	Open Door - Business	88
Lost & Found Animals	167	Open Door - Residence	13
Lost/Stolen License Plates	3	Operating After Suspension	0
Lost/Missing Child	16	Park / Walk / Talk	915
Lost/Stolen Bicycle/Moped	69	Person Missing/Overdue	37
Lost/Stolen Wallet/Purse	169	Phone Calls - Threat/Prank	35
M/V Abandoned	5	Possession Dang. Weapon	1
M/V Accident - Major	27	Power Outage	12
M/V Accident - Minor	164	Property Check/Request	7035
M/V B & E	30	Property Held/Safekeeping	4
M/V B & E & L	2	Protective Custody	5
M/V Citation Issued	278	Rape	1
M/V Complaint/Violation	316	Reassurance Check	228
M/V Disabled	149	Request Police Officer	586
M/V Erratic Operation Compl	83	Rescue - Code 99	7
M/V Hit and Run	78	Rescue - Call/Request	1253
M/V Illegally Parked	278	Robbery	0
M/V Larceny From	3	Runaway	0
M/V Left Compound	0	School Crossing	131
M/V Missing/Misplaced	12	Search Warrant Served	0
M/V Observance/Assignment	1817	Service - Civil/Order/Summons	58
M/V Repossession	7	Sewer Complaint	27
M/V Stopped by Cruiser	1564	Service Calls	216
M/V Suspicious	45	Sex Offenses	1
M/V Theft/Stolen	5	Sex Offender Notification	10
M/V Tow & Hold (Parking Dept)	0	Shoplifting Complaint	40

Arrest/Citation/Calls for Service Summary 2009

Soliciting Complaint	3	Threats	54
Soliciting By-Law Report	1	Trespass Complaint	53
Spiritus Detour	8	Vandalism Complaint	63
Storm Damage/Flooding	5	Violation of Town By-Laws	177
Suicide/Attempt	9	Water Leak Call/Complaint	70
Suspicious Activity	68	Weapons Violation	0
Suspicious Persons	121	Wires Arcing/Sparking	49
Tagging/Graffiti	47	Total Calls For Service	25,341

Public Health Director

The primary purpose of the Department of Public Health is to promote health, wellness 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. In cooperation with the Barnstable County Health Department, the Department of Public Health coordinates the annual employee wellness fair.

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, pneumonia and tetanus 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 508-487-7083.

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), Veterans Assistance, the Town's Domestic Violence Intervention Program (Independence House), 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.

Under the director's supervision services are provided to under-privileged Provincetown children 0-18 years of age through the John A. Henry Trust contract with Cape Cod Children's Place, Inc. Emergency financial assistance, transportation to medical and dental appointments, daycare resources and orthodontics are services provided through the trust and Cape Cod Children's Place at the Provincetown Family Resource Center located at the Grace Gouveia Building.

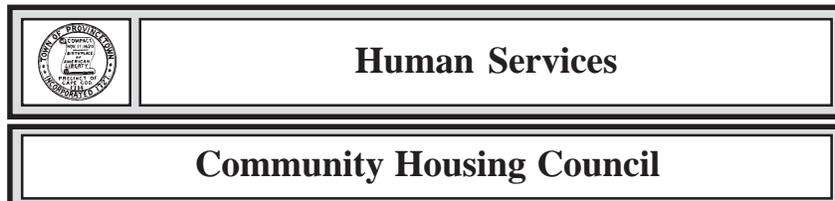
In cooperation with the Board of Health, the Department of Public Health is involved with the investigation, surveillance and prevention of communicable diseases. Communicable disease clinics (education and prevention) are offered to the public regularly.

The Director continues to work in cooperation with the Health Inspector, Police, Fire, Rescue and the community at large on Emergency Preparedness, especially as it relates to Infectious Disease Emergency planning and special needs populations. Potassium Iodide (KI) distribution is conducted through the Public Health Department in cooperation with the Health Inspector.

Respectfully submitted,

Valerie A. Carrano, B.S., M.P.H., G.H.T.

Director



The Provincetown Community Housing Council (PCHC) was created through Article 3 of the April 4, 2007 Annual Town Meeting to function as a 5 regular and 2 alternate member council charged with: overseeing the Provincetown Housing Office; assuming all of the roles and responsibilities of the former Local Housing Partnership; administering the Affordable Housing Trust Fund; and implementing the Selectmen's approved Housing Policy and Action Plan.

The mission of the PCHC is to foster the development of community housing opportunities that support socio-economic diversity for residents of Provincetown through planning, resource identification and community outreach. In the area of housing development of any sort, 2009 has been a very difficult

year. The unprecedented world-wide fiscal crisis has presented very significant challenges, delays and barriers to the development of housing anywhere; and Provincetown has not been spared. However, as waiting lists for affordable housing, especially among a growing senior population, continue to get longer and the number of people seeking housing assistance continues to increase, the need to create new and additional affordable housing options is more critical than ever before. Thus, while movement has been slowed it has not stopped.

The PCHC is very pleased that Michelle Jarusiewicz has continued to serve as the part-time Housing Specialist staffing the town's Housing Office. Ms. Jarusiewicz has established the housing office as a resource for people interested in developing or accessing community housing options within Provincetown. In this capacity, Ms. Jarusiewicz serves to clarify many aspects of affordable and community housing in areas such as marketing plans for new community housing units and the definition of local housing preference. Ms. Jarusiewicz works to ensure that all housing related activities and town policies are in compliance with all state or federal requirements or laws.

The members of the PCHC and the Housing Specialist have continued to meet with housing developers and other housing entities to ensure that community housing units are included in development where required. Three community housing units at the new Herring Cove Village development were offered through the state approved lottery system for affordable home-ownership opportunities developed in accordance with very strict state imposed guidelines. All three units have been sold and are occupied by qualified new owners.

The PCHC and the Housing Specialist have continued to monitor the 90 Shank Painter Road project, which will provide 50 units of affordable/community rental units of house. The PCHC met with the developers, The Community Builders, on 2 occasions to discuss design and other concerns. The PCHC supported their successful 40B Comprehensive permit application. The Housing Specialist has remained in very close contact with the developers to provide updates to the PCHC and to convey any concerns of the members of the PCHC. The project is continuing to move toward ground-breaking however the current fiscal climate has delayed full funding to proceed with the project. The PCHC is optimistic that the project will be fully underway in 2010.

The project for the redevelopment of 83 Shank Painter Road also received full attention from the CHC in its successful 40B Comprehensive Permit application. This project will provide 15 units of affordable/community rental housing and will greatly improve the current conditions of the building. Again, there have been some challenges in moving forward, however, it should be under construction and ready for occupancy before the summer season of 2010.

In 2009 the PCHC also discussed requests for financial support through the Affordable Housing Trust Fund (AHTF). As in 2008, one of these approved requests was from the Homeless Prevention Council to provide assistance to Provincetown residents who have become at risk of losing their housing. This is a critical program to help individuals and families who are struggling financially by providing direct relief that can prevent them from destabilizing and ending up losing their homes. The PCHC was pleased to be able to again approve this request for \$10,000 for this important purpose. The PCHC has continued to monitor the redevelopment of a vacant property located at 33 Court Street owned by the Provincetown Housing Authority which is being done in part with AHTF dollars approved by the PCHC in late 2008. Work is currently underway and this property should be occupied by a qualified family by early spring of 2010. Finally The PCHC approved a request for \$70,000 in AHTF dollars from the town to support the tax rebate program for citizens who offer 63 units at affordable rental prices.

The Housing Specialist has continued to work to ensure that as many units as possible are included in the State approved count for affordable housing units in the Town's portfolio of community housing opportunities by working very closely with the state's Department of Housing and Community Development to keep existing units in the count and to add units that have either not been included or are new. The current count for approved affordable housing units is at 117 units, at 5.67%.

The PCHC remains committed to the mission of increasing community and affordable housing units within Provincetown to ensure that we can maintain a rich, vibrant and socio-economically diverse community well into the future. The current stock of community and affordable housing options in town is approximately 155 units, which is far below identified need. Recent polling of area affordable housing entities have indicated significant and growing numbers of people seeking and in need of more affordable and stable housing opportunities, as well as a number of Provincetown residents who meet the definition of homelessness by having no place to live. The need to continue expanding a range of affordability options and unit sizes to meet single person and family housing remains high. Efforts to continue meeting this need is a critical component to the future of the Provincetown community. The members of the PCHC look forward to continuing to lead the efforts to ensure affordability for a full range of incomes and bedroom sizes as we move into 2010. As we continue to face a very challenging financial crisis, the efforts to provide these affordability options are even more critical to the future of the town and our community and we remain hopeful to see some relief for people in need during the upcoming year.

Respectfully submitted,

Joe Carleo

Chair

Council on Aging

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. In 2009, the COA provided services to over 2,800 residents (summer and year-round) of all ages, 903 of these were seniors age 60+.

During 2009, the COA offered over 100 programs in the following categories: Senior Education and Fitness; Health, Nutrition and Disease Prevention; Community Resource (a chore service); Outreach and 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. Our fitness programs, art classes, card clubs, travel programs and story swap continue to be favorites.

The COA provides a weekly transportation program with door- to-door service, over 1,600 rides were provided in 2009. Our Elder Services Nutrition Program (Meals on Wheels) provided over 1,500 home delivered meals (by town volunteers) and over 1,000 congregate meals. Other hot meal programs, special breakfast and luncheon programs combined served over 200 meals.

The COA Director continues to collaborate with the other Lower Cape COA's. Through Directors' meetings with the towns of Truro, Wellfleet, Eastham and Orleans, we bring a regional approach to the issues that affect us all. The Provincetown COA continues its collaboration with Cape Cod Health Care, Elder Services, Cape and Islands Emergency Medical Services System and other Lower Cape COA's, on 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. As advocate for the residents of Provincetown, the COA Director is a member of two advisory boards: 1) Seashore Point Advisory Board and 2) Cape Cod Healthcare Regional Advisory Board for the Lower Cape.

During 2009, the COA received over \$12,000.00 in grant funds. These funds, from the Executive Office of Elder Affairs and Elder Services of Cape Cod and the Islands, are used for program development, volunteer recruitment and to support our chore service program that helps low income seniors maintain their independence at home. This year the Senior Citizen Real Estate Tax Abatement Program celebrated its fourteenth year. For 94 hours of work seniors age 60+

receive a \$750 credit on their real estate taxes. The COA manages this program and in 2009 we successfully placed 26 seniors to work in town departments.

Our COA Friends organization continues to be a financial lifeline for us. It is through their generous support that we are able to offer so many programs and services at the senior center. My sincere thanks to COA Friends board members: Diane Corbo, Marge Perry, Vern Wilson, Joan Lenane, Bob Henneberry, Diana Fabbri, Vernon Porter and Dennis Rhodes.

Thank you to the Council on Aging Board, Chairman Dan Lynch, David Ketchum, Char Priolo, Paul Mendes and Florence Alexander for their hard work and advocacy on behalf of our senior community. My deepest gratitude to Maureen Hurst, COA Administrative Assistant, Dennis Wojtalak, SHINE (Serving the Health Insurance Needs of Elders) Counselor/COA Van Driver, Gladys Johnstone and Polly Saunders for their dedication to serving our seniors.

I wish to express my sincere appreciation for the hard work and kindness shown to our seniors by our Outreach Coordinator, Chris Hottle, and our Social Service Worker, Patrick Manning. They continue to assist many of our seniors and their families through critical and difficult times. Many thanks to Bunny Howe, Ollie Ahmuty, Larry Moodry, Seamus Covey, and Dot Sanderson. Our appreciation goes out to all the dedicated volunteers who give unselfishly of their time to assist our seniors. We could never accomplish all we do without them. Congratulations again to Char Priolo, Senior Citizen of the Year 2009.

Respectfully submitted,

Valerie A. Carrano, B.S., M.P.H., G.H.T.

Director

Disability Commission

The goals of our commission are to act as advocates for equal rights and access for people living with disabilities. We want to focus on non-discrimination policies and procedures in the community, to encourage businesses to provide legally required accommodations and modifications, and to increase awareness and understanding of issues faced by the disabled. Over the past year the commission has met with: Library landscaping project, an Outreach and systems advocate for CORD (Cape Organization for the Rights of the Disabled), Parking Department representatives, the Police Department, the Harbormaster, Dog Park representatives, and Town Hall renovation architects.

Throughout the year we have also conducted an accessibility assessment of all town buildings with follow up visits to determine compliance with ADA requirements. We are increasingly receiving more requests to investigate

complaints from both tourists and Provincetown residents concerning accessibility, parking issues, housing and construction problems, and attitudes and treatment by various service and town employees. We try to investigate and follow through on these issues as best we can with our limited resources.

We have been invited to attend trainings and conferences, and have become an active part of networking with other Cape and statewide organizations. We are unable for the most part to participate because of a lack of financial resources. We are in the process of researching ways of generating possible means of allowing us more involvement on this level. We will continue to explore ways to increase our effectiveness as advocates for the disabled community of Provincetown, and encourage the general public to attend our meetings at 2:00 pm every 2nd Wednesday of each month at the Provincetown Public Library on Commercial Street.

Respectfully submitted,

Michelle DeMarco

Chair

Housing Authority

In 2009 the Provincetown Housing Authority 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).

The Provincetown Housing Authority completed the preliminary engineering and site review of the property located at 951R Commercial Street in 2008 to assess the "best use" of the property for the development of affordable housing. The sale of the property was identified as the "best use" and the Board of Commissioners voted to initiate the process to sell the property. The Provincetown Housing Authority working with Massachusetts Housing Partnership in 2009 developed an RFP, inclusive of an appraisal and a purchase and sales agreements to market and sell the property.

The Housing Authority utilized \$20,000 from the Provincetown Affordable Housing Trust Fund approved by the Provincetown Community Housing Council in 2008 to begin the rehabilitation of a vacant 2 bedroom single-family housing unit. Upon completion, this unit will be in compliance with the current building code and ready for occupancy. Applications for the Authority's elderly, disabled, and family housing programs are available at the office or by calling 487-0434. Applications for Foley House are available by calling 487-6440.

Bryan Green, Chair of the Board of Commissioners, resigned in June 2009. We thank Bryan for his service on the Board and his representation on the CPA Committee. Upon his resignation, the Board appointed Commissioner Nancy Jacobsen, to represent the Housing Authority on the Provincetown Community Preservation Act Committee.

The Board of Commissioners elected Dr. Cheryl Andrews to serve as Chair and Molly Perdue as Vice Chair of the Board of Commissioners in November 2009. Molly Perdue also represented the Housing Authority on the Provincetown Community Housing Council in 2009. Commissioner Cathy Reno Brouillet also serves on the Housing Council. The Provincetown Housing Authority is committed to its role as advocates for affordable housing and supports the goal of the Provincetown Selectmen to address the housing crisis confronting the Town of Provincetown.

Respectfully submitted,

Patrick J. Manning

Executive Director

Board of Library Trustees

In July of 2009, after sixteen years at the helm, nine years of which were spent managing the Capital Campaign and the renovation of the building at 356 Commercial Street, Debra DeJonker Berry departed Provincetown for a new post in Halifax, Massachusetts. Prior to her departure, the Library on Heritage Day celebrated the carrying on of an old PPL tradition of moviemaking, with the release of *Safe Harbor: Provincetown – a Community Responds to AIDS*. The Library also held a very successful Wet Dry Auction. Both of these accomplishments were achieved in large part due to the work of Mary Nicolini. And now, with help from the entire staff and the Board of Library Trustees, the Library moves ahead, ever onward. Particular thanks must go to Mary Nicolini, Mick Rudd, and Lyn Kratz.

The Long-Range Plan for FY2010-2014, written with the participation of so many community members, serves as a guide determining the new direction for the Library. In light of this guide, our goals are the following: to provide agile, multifaceted programming that targets the array of diverse components of the community; to offer a panoply of interesting, entertaining, and instructive material in various formats; to host these services in a comfortable, safe, and transcendent “third space” (not home, not work) setting.

To that end, we have broadened and added depth to the Library programming, initiating or reviving author talks, book groups, writers’ group, Tuesday night classic film series, Saturday morning story session for children; and special

programs, such as sea chanteys, children's face painting, and stock certificate assessment. A major venture, planned in 2009 to run in 2010, is the Provincetown Community Learning Project, a program of courses for the community, created in cooperation with the Provincetown Public Schools.

Until the lower level of the Library is completed, having added 3,773 books and audiovisual materials, the very limited space for the collection requires constant weeding of under-used items. Most of these go to the Friends Book Sale. To enhance this process, the Library has partnered with Better World Books to offer these items to a broader audience, raising money for the Friends as well as additional nonprofit literacy partners.

High attendance, circulation, and Internet use statistics earned the Library a Five Star ranking from Library Journal. The national publication awards five, four, and three stars to the best of 7,268 U.S. public libraries, with only ten five-star winners in each spending category. Provincetown is in the \$200,000-399,000 expenditure category, ranking 5th among that category's 1,112 libraries. Congratulations Provincetown, the Library staff, the Board of Library Trustees, the Friends of the PPL, and the Supporters of the PPL – despite change and uncertainty, your Library has had a shining year.

Respectfully submitted,

Jan Voogd

Library Director

Recreation Director

2009 was a year of fiscal challenges for the Recreation Department and the Community Center. The most significant challenge was when the Board of Selectmen put the Recreation budget on a proposition 2 ½ override. With the entire Recreation Department's future hanging on a Town Meeting vote, the Recreation Commission headed up a spirited promotional campaign to save the beloved Recreation Department. The members of the Commission did a great job informing the community of the fiscal challenges for the town related to this issue and of the article that supported the Department. As a result, at Town Meeting and the ballot box, the Town overwhelmingly voted in favor to increase taxes in order to continue the Recreation Department's Fiscal year 2010 budget. We would like to thank the Recreation Commission members for their successful efforts to inform the community of the issues surrounding the override. Most of all, the Department would like to thank all Town voters that supported our budget, even with the poor economy. The first few months of 2009 were stressful on the Department. There is a theory that if hard times don't break you they make you stronger in the end. The Recreation Department's resiliency in the face of pressure is evidence that the theory is correct.

The Recreation Commission campaign brought with it a renewed awareness of the Community Center programs, and available spaces for rent. Enrollment in programming has increased from 2008, along with many new programs added to the Community Center's schedule. Now the Department has a wide range of adult programs to offer from yoga, dance, and adult sports, to martial arts and dog training. Other uses of the building include theater rehearsals, town board meetings, and support groups. There are many annual children's programs and events held at the Community Center and other locations around town.

On another positive note, in July, the Recreation Department hired Elizabeth Jackett as the Assistant Recreation Director. The Department was able to add this as a part time position back into the FY 2010 budget after it was cut by selectmen in FY 2009. Elizabeth is a Provincetown High School graduate and oversees the evening adult programs at the Community Center. In addition to these tasks, Elizabeth also helps to coordinate activities for the Afterschool Program. Her abilities and services complement the existing Department, and have made it stronger than it was a year ago.

This past year has been another successful one for the young athletes of Provincetown. Children from kindergarten through fifth grade participated in soccer, basketball, baseball and softball throughout the school year. Youth sports provide the children of Provincetown with a safe activity, where they can learn the fundamentals of teamwork and have friendly competition with neighboring towns including Truro, Wellfleet, Eastham, Orleans, Chatham, and Brewster.

As always, the summer starts off with Portuguese Festival week in June. The Recreation Department hosts the Captain Manny Phillips fishing derby at Fisherman's Warf, and the kids' field games at Motta Field. A lot of fun, prizes, and great food at these events helped to contribute to another successful Portuguese Festival.

The Summer Program remains to be the Department's most coveted and most attended program. Due to the excellent work of the summer staff, our program has one of the best reputations on the cape! This past Summer Program's attendance has been the largest the Department has ever seen, with a total of 100 registered children, and an average of 70 children per day in July alone. We had children attend our camp visiting from as far away as Jamaica, England, and Germany. Children have a wide variety of choices in activities to participate in throughout each day including; drama, dance class, physical education activities, arts and crafts, exciting field trips, and many more. Field trips include visiting McCoy Stadium to attend a PawSox game, Cape Cod Playhouse, Waterwizz, Whale Watches, and weekly trips to the library and beaches and playgrounds. Also a new feature to our Summer Program was the Provincetown Recreation Summer Program vs. Truro Recreation Summer Program Fun Field Day. This special day included; sack races, three legged race, fishing gear relay, tug of war,

and dodge ball. Both towns have agreed to alternate hosting the event each year, and create a tradition within the Summer Program. This event boosts morale for the program, and children look forward to the event all summer long.

The 4th of July parade was an extraordinary success once again. Including around 30 parade floats accompanied by Provincetown and Truro fire trucks and rescue squads, it was seen and heard all throughout the town. We were also honored to have the US Coast Guard Color Guard, and members of the Army National Guard marching with us. Many thanks go to Bob Littlefield, for his expertise and time spent organizing the parade. More thanks goes to the parade marshals who helped organize the staging area: Sarah Maker, Derek Menengas, Caitlyn Tobias, Laurel Felton, Mellissa Lomba, Emma Silva, Kelsey Trovato, Cody Edwards, Caleb Alemany, and Zachary Tobias. Thanks to Sandy Turner and Cass Benson for judging the floats and for their wonderful commentary in front of Town Hall. I would also like to thank the Provincetown Police Department with special thanks going to Glen Enos, Jim Golden, and Ruth Ann Cowing. Jimmy Roderick and Carl Osowski need to be thanked as well for providing the use of their truck for a few days, and providing a ride through the parade.

In September, our annual After School Program started up with great popularity. This program was initially developed in September of 2007. Now in coordination with the Elementary School, the Recreation Department now runs the Afterschool Program at Veterans Memorial Elementary School. Since the initial move to the school, we have seen the number of participants in the Afterschool Program double. Once the school day ends, children are brought to their assigned section based on age group. We now provide different activities for these groups, and each is able to choose 2 activities that are provided daily by the Recreation staff. This eliminates mixing of the different age groups, and allows the staff to be able to plan more efficiently for the day.

Our 4th annual October Skate Competition in coordination with the Knights of Columbus, was a success, and remains a popular event among local and out of town children. This contest provides a chance for Provincetown and surrounding towns' children to show off their talents in skateboarding, and brings the entire community together. I would like to thank Board Stiff (for the great prizes), Wesley Medeiros, Mike Medeiros, Jill Macara, Derek Macara, Rob Cabral, Jim Keefe, Seamen's Savings Bank, the Truro Police Association, Lobster pot, Pixy 103, Ray Duarte, the Highway Department, Lower Cape Ambulance, and the Provincetown Police Department for all their help in this fun event.

The annual Halloween parade remains to be a popular event with little ghosts and goblins, as well as the many onlookers up and down Commercial St. The children marched through Seashore Point and then along Alden St. down to Commercial St. They went through the center of town to Atlantic St. and crossed

Bradford St. to end up at the Community Center. This is where all the young monsters, vampires, firemen, skeletons, and ninjas had snacks and received trick-or-treat bags stuffed with candy. A special thanks goes to the Provincetown Police Department who escorted the parade through town. We wish to thank everyone at Seashore Point for their assistance with the parade, especially Karen Thomas. In addition to the parade, we hosted our other Halloween event, called the Haunted Community Center. For that one night only, the Community Center, transformed into a spooky ghouls' dungeon where all the creatures of the night came to life. Children were able to walk through the Center for some freights and scares, and received a safe trick-or-treat bag at the end. Groups that have held meetings or events at the Community Center throughout the year include; Family Week Training- Collage, Provincetown PTA, Aids Support Group, AA, Alanon, USCG Auxiliary, Outer Cape Health Services, U.S. Census, Highland Fish and Game, American Legion Ladies Auxiliary, Cape Cod Theater, Counter Productions, Provincetown Players, Outer Cape WIC services, Cemetery Commission, Community Preservation Committee, Licensing Committee, Recreation Commission, EDC, Harbor Committee, Recycling Commission, Open space, Provincetown Theater, Provincetown Public Library, Massachusetts Rehab Commission, Community Development Partnership, Women of Color, Provincetown Business Guild, and Provincetown Dog Park Association.

In closing I would like to extend my greatest gratitude for the continued support I have received from parents, town members, and fellow employees. I would also like to extend thanks to all the volunteers, organizations, and community members, for contributing to a successful year in 2009. – The Cabral Family, Provincetown Schools, Seamen's Savings Bank, Far Land Provisions, Fanizzi's by the Sea, Wired Puppy, Angel Foods, Board Stiff, Provincetown Business Guild, James J Roderick, Knights of Columbus, Nelson's Bait and Tackle, Portuguese Festival Committee, Paul and Karen Silva, John Hanlon, Jon Sawyer, Patrick and Shannon Patrick, Kate Burns, Nellie DiPinto, Carissa Silva, Pauline Galipeau, Kai Malicoat, Jerry Costa, Cody Silva, Sean and Sarah Roderick, Emma Natalie and Katie Silva, Bill Jacobs, Evan White, Joe Farroba, Glen Enos, Laurel Felton, Lindsay O'Sullivan, Kathryn Bushey, Sarah Maker, Derek Menengas, and Caitlyn Tobias

I like to end with an invitation for all to come by the Community Center, at 44 Bradford Street, to pick up information on our great programs and see the re-inspired Community Center. Please come by and see what the Recreation Department/Community Center has to offer all residents. Get information on all updates, and newly added programs on our website: www.provincetown-ma.gov/Recreation.

Respectfully submitted,

Brandon Motta

Recreation Director

Visitor Services Board

While not the worst of years and certainly not the best of years from an economic perspective, there is some good news to report related to tourism. Room tax revenues for FY 2009 (July 1 2008 to June 30 2009) were down a marginal 2.13% for a total of \$1,022,728. It's important to note that according to the Cape Cod Chamber, room tax revenue for other Cape towns were off as much as 30%. We expect FY 2010 ending June 30, 2010 to be on par with FY 2009. Also keep in mind that looking at the three year rolling average, a more stable indicator, room tax revenues were up around 2%. These results are due in part to the fact that Provincetown has three entities working together in a coordinated effort to promote tourism. In addition to the tourism office we have the Provincetown Chamber of Commerce and The Provincetown Business Guild. I am happy to report that the three organizations are working on a collaborative basis more so now than ever before. A new Tourism Director, Bob Sanborn, was hired in 2009 and is serving the town well with his professionalism and ability to work effectively with many different stakeholders.

We are mindful that while the number of visitors, as indicated by the marginal drop in room tax revenue, the record number of motor coaches and near record attendance at key events, has been maintained on some level there are trends that have severely impacted many businesses in town. It appears that overnight visitors were here for shorter stays on average and were not spending as much as in prior years, which had a significant impact on retailers, galleries and dining. Accommodation results were mixed with some properties reporting a good year while others were down.

Marketing and Grants are the two key areas of the tourism budget that have the greatest potential to impact results. In the area of marketing we continue to evolve our strategy to meet the changing market place. For example, given the down economy we advertised more on the Cape and 'drive market' to help promote the dining and retail sectors. Additionally, this past fall, the Tourism Office organized the first annual Provincetown Restaurant Week and Gallery Stroll. The event garnered hundreds of thousands of dollars in editorial coverage for Provincetown and will help to grow business as the event gets established. In 2010 we will be doing spring and fall Restaurant events. A 16% increase in marriage licenses issued in town, 93% of which were for same sex couples, is another area that will receive greater focus in the year ahead. According to the Williams Institute of UC Law School, \$5,400 is the average spent on same sex weddings, which could be a great boost to many areas of the local economy.

Grants will again account for a quarter of our overall budget. We feel that the many events that are funded through this program are key to a successful year

as many of them are geared towards the “shoulder season”. We have and will continue to support in-season events that need development as we have seen changes, as noted earlier, in what traditionally was the core business during the summer months.

In the municipal projects area it appears we have reached agreement with the Board of Selectman that expenditures in this area will focus on investments that will enhance the tourist, and in many cases townspeople, experience in Provincetown. For example, last year in a public/private partnership we purchased and installed a number of new bike racks throughout town. This year we will add more bike racks and additional trash and recyclables containers throughout town. Future undertakings may include enhancement to Town Hall Auditorium to make it a better location for events.

The VSB meets every other week at the Tourism Office, former Freeman Library, and welcomes your participation and input. Also look for the Tourism tidbits in The Provincetown Banner column as a way of keeping abreast of how room tax monies are being invested. We will continue to work hard to make sure that we are using these funds prudently with the goal of enhancing and growing Tourism in Provincetown. We hope that 2010 brings great things for all members of this diverse community.

Respectfully submitted,

Robert P. Tosner

Chair



The Provincetown Cemetery Commission is pleased to report that in its second year of renewed operation (and its first full year) it has achieved several of the objectives that it had set for itself when it was first reconstituted. We have adopted a revised set of Cemetery Rules and Regulations, approved by the Board of Selectmen (BOS), reorganizing and clarifying its previous provisions. As an example of substantive changes, the eligibility to acquire a lot has been set at two years residency, current or past, in Provincetown. We have adopted, again with BOS approval, a revised schedule of Cemetery fees and charges, making few substantive changes but setting the required contribution to the Cemetery Perpetual Care Trust Fund, to accompany each sale of a single lot, at \$300. The amount had been set at only \$50 back in 1961, but even that inadequate amount appears not to have been collected in recent years. We felt that it was incumbent upon us, through these required contributions, to rebuild the capital

in this Trust Fund, which had been invaded by questionable Town Meeting appropriations in the past. The \$300 amount is not out of line with comparable towns on, and off, the Cape.

We have provided, once again with the BOS approval, for prudent investment of this Trust Fund, conservatively, but with a view to making a reasonable return, the accumulated amount of which will be available for Cemetery maintenance and improvements. This investment is on the same terms and with the same agent as the Town's school scholarship funds and has already erased a \$4,400 deficit in expendable funds which Town financial officials have insisted was owed to the General Fund, and it has begun to accumulate a positive balance in expendable funds.

With the invaluable initiative and hard work of a former townsman, Dick Keating, we have made great progress in cleaning up the historic Winthrop Street Cemetery. This work must go on, and we hope new volunteers will come forward. Our next objective will be to identify individual grave stones that are in need of placement and restoration so that the Town can be proud of this priceless witness to its history.

Finally, and now most urgently, we are working with the Town Administration, to expand the near zero availability of burial lots available for purchase. We have about 3 acres (of which the plan is to develop 1 ½ acres) adjacent to the presently developed cemetery property, only in need of environmental review and engineering, both of which have been contracted for, and the actual grading, loaming, etc. which can be undertaken by Town crews. In this connection, as in so many others, we wish to express our great appreciation for the work of Tony Lemma and his Building and Grounds crew. In connection with the foregoing, we are investigating the idea of creating an above-ground free standing "Columbarium", for the permanent placement of cremated remains. The Special Town Meeting on December 7, 2009 made appropriation from available Cemetery funds, for the Cemetery expansion's environmental study and engineering costs, as well as for urgently needed new equipment.

During the fiscal year ended June 30, 2009, 15 grave lots were purchased, 5 as singles and 10 as doubles. There were 8 openings and closings of graves and 6 for cremations. Income from sales of lots was \$7,500 (which goes into a Cemetery "Sale of Lots" fund) together with \$600 in required contributions to the Perpetual Care Trust Fund. Income from openings and closings was \$5,450 (which goes into the Town's General Fund). In the coming year we look forward to continuing our work with the Town Administration to improve and clarify the handling, accounting and reporting of various Cemetery related Funds and accounts to assure that Cemetery receipts and investment income are available for maintaining and improving the Town's Cemeteries to the full extent intended by the laws of

the Commonwealth. We extend our appreciation and best wishes to retiring member Dwayne Raymond-Prickett. The Commission is grateful for all the interest shown in the affairs of the Provincetown Cemetery by our fellow citizens over the past year.

Respectfully submitted,

Richard B. Olson

Chair

Conservation Commission

The Provincetown Conservation Commission's responsibility is the administration and enforcement of the Massachusetts Wetland Protection Act and the local Provincetown Wetland Protection Bylaw. In addition, the Commission is responsible for the management of several Town-owned conservation and open space lands. Five Commissioners and two Alternate Commissioners comprise the Provincetown Conservation Commission. During most of 2009 the Commission had two alternate vacancies. The Commission holds its meetings the first and third Tuesday evenings at 6:30 p.m. at the Grace Gouveia Building. Meetings are posted and public comments are welcome before each meeting agenda.

During 2009, the Commission approved 20 Notices of Intent, 5 Determinations of Applicability, granted 3 Certificates of Compliance and 1 Partial Certificate of Compliance. In addition, 8 Extensions, 2 Amended Order of Conditions and 20 Administrative Reviews were approved.

The Commission's goals and objectives include increasing open space and conservation lands; encouraging environmentally sound construction, smart growth, and use of "green" living principles; promoting awareness, appreciation and understanding of the Wetland Protection Act, Provincetown Wetlands Bylaw and its regulations; promoting and participating in constructive interdepartmental communication; passing and implementing effective definitions and regulations; effectively managing Conservation properties; maintaining consistency in permitting and compliance; continuing to collaborate with the Open Space Committee and the Provincetown Conservation Trust on implementing land management plans; utilizing the important Land Bank Funds to maintain and enhance open space and conservation lands; continuing to grow in competence through education and training; continuing to assess and expand conservation agent services to support the fulfillment of the Commission's mission; and continuing to develop avenues of funding and grant opportunities to support the Town's conservation and natural resources program.

The Commission is very pleased to have the services of a part-time Conservation Agent. This position has allowed the Commission to expand its programmatic

initiatives and to address the conservation needs of the community more efficiently. With the expanded services provided through this position, the Commission has been able to apply for and receive several grant awards in 2009. Most notable is a grant awarded for an AmeriCorps Individual Placement in the amount of \$8,064. This grant provides for the services of Ryeon Corsi, an AmeriCorps service member. Ms. Corsi works with the Conservation Agent and the Commission to implement various land management plans and works on several environmental projects such preparing the Town for compliance with the Green Communities Act and acceptance as a recognized Green Community. Ms. Corsi has also been instrumental in developing the new community garden off Browne Street. Ms. Corsi's service contract covers two days a week through the end of FY 2010.

The Commission has had a very busy and successful year. Several projects have been completed and several new initiatives are underway. In 2009, the Commission increased access to the Shank Painter Pond Wildlife Sanctuary and to Nicky's Park. With the installation of property signs, educational signs, park benches and new walking trails, these Town park lands are an inviting place to spend an afternoon relaxing outdoors enjoying Provincetown's beautiful natural resources and wildlife.

The Commission also received two land management grants from the Barnstable County Land Management Grant Program to support efforts implementing the Town's land management plans. A grant for the Shank Painter Pond Wildlife Sanctuary in the amount of \$5,450 was awarded to increase the Commission's ability to remove invasive species from the property and to introduce thousands of native plant species such as bearberry, little blue stem grass, beach plumb, Pennsylvania sedge, and low bush blueberry. The second grant award was made in the amount of \$3,500 to support development of the new community garden and paid for materials to build raised garden beds and compost bins.

The Commission was awarded a Local Acquisitions for Natural Diversity (LAND) grant in the amount of \$93,600 to aid in the purchase of the new Provincetown community garden located off Browne Street. This community garden site consists of 2.29 acres of land, much of which is now protected wetlands and an open water pond body. The community garden portion of the site is slated to open for gardening in May 2010. A grant from the New England Grassroots Environmental Fund in the amount of \$1,000 was also awarded to help foster community service opportunities centered on the stewardship of our natural resources. The community garden advisory group is comprised of the following volunteers: Ryeon Corsi, Dave Hale, Sherry Dranch, David Moulton, Matt Girard, Jim McGuire, Justin Post, Dennis Minsky, Brian Carlson and Mark Phillips.

The Norcross Wildlife Foundation, Inc. awarded the Conservation Commission \$2,000 to expand its technological capabilities and to purchase a new computer to operate new geographic information system (GIS) software to aid in land use planning and natural resource initiatives.

The Commissioners continue to attend trainings and seminars sponsored by the Massachusetts Association of Conservation Commissions to broaden individual knowledge of the Wetlands Protection Act and to gain experience in effectively managing and implementing their regulatory duties and to enhance the Commission's functionality at the local level. The Provincetown Conservation Commission looks forward to another productive year in 2010.

Respectfully submitted,

Dennis Minsky

Chair

Harbor Committee

The Provincetown Harbor Committee has met for most of the year. We had trouble meeting a quorum for some regularly scheduled meetings due to open positions on the committee. These positions have now been filled and the only opening is an Alternate Position.

We are still negotiating with the Wetlands and Waterways Division of the Department of Environmental Protection on the amended Municipal Harbor Plan approved by the Town in April 2006. The Town needs to update the Appendices which list the waterfront properties, the percentage of property encroaching into state jurisdiction and an easily understandable formula used to calculate the fee required. We continue to try to balance the needs of the waterfront property owners with the needs of the upland community. The DEP is currently reviewing our most recent changes and it appears we may issue a revised Plan in 2010.

We are continuing to review and process a number of Chapter 91 license applications. Many of these are complicated and after review is complete we make recommendations to the DEP on each application. More work has been done on improving public access to the waterfront beach within the Chapter 91 process. We recommended and partially funded the Town's participation in the water quality estuarine project with the US National Park Service and the Town of Truro. The two week sampling program has been completed and we await the results from the state.

Clean-up of the beaches has always been a problem due to manpower and funding. We were able to get a demonstration of a beach surf rake by a manufacturer that seems to be the type that the Town needs. We have funding for the purchase of a beach rake and tractor for towing and hope to purchase the

equipment in 2010. We will be processing a Notice of Intent with the Conservation Commission early in 2010 to get guidance in cleaning the waterfront beach. The Public Works Department also needs to add a person to their budget which the Harbor Committee supports to operate the equipment. We also approved funding of the refurbishment of the west end boat ramp with money from the Harbor Access Gift Fund at no cost to taxpayers.

Respectfully submitted,

Gerard Irmer

Chair

Open Space Committee

The Open Space Committee is composed of a group of appointed volunteers whose primary responsibility is the recommendation of expenditures from Land Bank funds, which result from a 3 % surcharge on Provincetown property taxes. These Open Space recommendations, which are presented to voters at Annual and Special Town Meetings, involve the acquisition of undeveloped land in Provincetown for the purposes of conservation and passive recreation.

The Open Space Committee investigates undeveloped properties within the town, and evaluates their relative merits for acquisition. The criteria that the committee employs in these evaluations include the following: the wildlife habitat value of a given property, the adjacency of a given property to other conservation land or “greenways” (connected conservation lands), and the risk of development. The committee also attempts to achieve a balance of conserved land in terms of their location throughout the town, that is in both east and west ends of town.

In 2009 the Open Space Committee was instrumental in the acquisition of two significant properties, Suzanne’s Garden in the east end and the Community Garden in the west end. Suzanne’s Garden is a much needed “pocket park” with a history of providing not only open space but an opportunity for artistic inspiration, relaxation, and passive recreation, and is especially important because of its proximity and accessibility. The Community Garden not only provides an important 2.3 acre buffer to Shank Painter Pond, but will provide the exciting prospect of individual garden plots for people in town, thus enhancing the sense of community in Provincetown.

The Open Space Committee cooperates with other town boards and related groups in its efforts, including the Provincetown Conservation Commission, the Provincetown Community Preservation Committee, and the Provincetown Conservation Trust. In particular, the committee works in conjunction with the Commission and the Trust in the stewardship and maintenance of land acquired with Land Bank funds; 3% of this fund (that is 3% of the 3% surcharge) each year is reserved for this purpose. Accomplishments in the past year in this category

have included signage, plantings, and trail betterment efforts at the Shank Painter Nature Sanctuary, Whistle Path Woods, Fox Run, and Nicky's Park, off Harry Kemp Way.

Respectfully submitted,

Dennis Minsky

Chair

Water & Sewer Board

In 2009, total water withdrawals increased 3.8% to 263,800,234 gallons. Although the Town remains in full compliance with its DEP permit to withdraw up to 850,000 gallons per day, the increased pumpage reflects a continuing rise in unaccounted-for water. Initial forensics indicate that the leaks are not in the major transmission mains, but rather in numerous private connections where substandard materials that were used in the 1970s and 1980s are now failing. The Town has received a \$75,000 grant from DEP for a "water audit" that will assist staff in locating these private-connection leaks. It is expected that this will be a spring 2010 activity.

As of the end of 2009, approximately 92% of the department's accounts have been equipped with radio-read meters. It is projected that the remaining 250+ accounts will be converted by the end of 2010.

Faced with several years of structural deficits in which user fees failed to meet operating costs, the Board conducted a water-rate study and increased rates approximately 12%, the first such increase since 2003. Apart from eliminating the former \$50 minimum bill, the same rate structure was kept in place, with the addition of a new basic service charge based on meter size. Concurrent with the water rate increase, the Board adopted an elderly low-income water exemption for those ratepayers who qualify for a clause 41C property tax exemption as administered by the Board of Assessors. In 2009 the Board granted 33 such exemptions for a total of \$2,650.35.

During 2009 another 22 properties were connected to the sewer bringing the total number of connections to 641.

Finally, the Board would remind water and sewer customers that potable water is a precious commodity and would urge people to be aware of water consumption. Every year hundreds of thousands of gallons of water are wasted through leaking toilets, faucets left running, and undetected leaks. It remains the Board's policy that abatements will not be granted for fixture-related leaks. Water and sewer customers are reminded that they are responsible for all water consumption recorded by their water meter. Most water meters are equipped with a small red triangle that spins around whenever water is flowing through the meter. If the red triangle is moving and you are unaware of any water being used in your

house, it is likely that a leak exists. If you have a meter pit, you may request that the Water Department send someone out to check the meter. Please call the Water Department at 508-487-7064 to have water personnel investigate the possibility of a leak. In addition, leak detection tabs that indicate whether a toilet is leaking are available free of charge from the Water Department.

Respectfully submitted,

Jonathan Sinaiko

Chair



Each year the Provincetown School System faces more and more challenges. In my eight years experience, these challenges become ever so much more difficult. There is never an easy solution or less painful decision to be made. We have had principals come and go, superintendents come and go, but never both in the same year. A daunting situation at best.

We hired a new superintendent, Dr. Beth Singer, and a new district principal, Ms. Kim Y. Pike, to take charge of our schools and lead us over the humps and bumps of the road to a healthy and viable school system for our community. This is an unenviable task for an administration with little knowledge of the problems that our schools face, not in the least of which is the challenge to raise our MCAS scores in some areas.

I can proudly say that at this point this administration has hit the ground running and has shown both staff and my committee that there is a new sheriff in town and this is how it is going to be. Their combined profound adherence to what is best for our students and how to accomplish it has been astounding and breathtaking. They have made changes (with more to come), adaptations, corrections, deletions, and implementation of ideas never seen in our schools before.

They, of course, cannot do this alone. With a strong hand they have had to show the staff that whatever changes are made, they are done for a reason and the reason is it is best for our students, best for the system and best for our town. In my speaking with some staff morale seems to be higher than ten years past. This is a healthy situation for any system to work. Case in point is that last year when the Town was in a financial crunch, they asked if the teachers would forgo (not delay!) their raises. At this point I told the Finance Committee that negotiations were over and the School Committee could not renegotiate their

raises. At best all I could do was ask the teachers to voluntarily give them up. The union had their meeting and agreed to do so. Word of this spread through the system and not only did the union members (teachers, paraprofessionals, administrative assistants and secretaries), other union members (AFSCME) and non-union personnel also volunteered to forgo their raises. This alone was a savings of \$78,900

During the course of my tenure, we have oftentimes under level funded the school budgets. With rising costs this is not an easy thing to do. This year was especially painful given that we have had to lay off some personnel. This has always been the last thing we want to do under normal circumstances, however, this year we had no choice and to run our schools effectively and maintain a financial responsibility to the Town, this option was necessary. As of this writing we plan to present our proposed budget at approximately \$200,000 under level funding. We hope for your support.

Respectfully submitted,

Peter Grosso

Chair

School District Regionalization Planning Com.

At last years Town Meeting a committee was created to study the possibilities (and ramifications) of regionalizing our school system. The newly created committee consisting of Mr. Alex Brown, Ms. Barbara Rushmore, and myself was formed to seek estimated costs of restructuring the schools, what options are available, what impact this will have on our students and what ramification (if any) this will mean to the parents of students, if they are to be bussed to another school.

As it stands now there is the existence of what we feel are the only viable options. We can regionalize or we can tuition our students to another school(s). These are two distinctly different options. Costs can only be guesstimated as they are all the product of negotiations between the school systems. Also, at this point it is the consensus of this committee that if we do anything to restructure we feel that it would be to combine grades PreK-8 into one building then bus grades 9-12 to another school(s). In our opinion this is our best recommendation at this time with respect to the families in Provincetown and to the town in general.

What is Regionalization: Students 9-12 will attend Nauset Regional (possibly). A per pupil cost will be assessed (maybe \$16,000). Capital costs will be assessed by per pupil enrollment and must be negotiated. We will have one seat on the regional school committee. Bussing will be part of assessed costs. All towns in

the region must vote to accept Provincetown. The Department of Elementary and Secondary Education must approve. Other town costs do not disappear, i.e. cost to pay for Cape Cod Regional Technical students, health insurance for retirees, unemployment costs, etc. The fate of whichever building is closed (if not used for educational purposes) remains in the hands of negotiations with the state. That is, the money for the renovations on that particular building may have to be paid back in one lump sum (several million dollars), and keep making payments on any subsidiary agreement proposed by the state.

What is Tuition: The town will pay a tuition fee each year per pupil (to be negotiated). Town is responsible for bussing students to and from school(s) (approximately \$200,000). Town has no voice on school committee. Town expenses remain for Cape Cod Tech, insurances, etc. State still has say as to payment of renovation money. DESE must approve tuition agreements. Town still responsible for special education placement and transportation.

We have a work in progress and information gathering takes time. We hope to have more information for you at Town Meeting.

Respectfully submitted,

Peter Grosso

Chair

Superintendent of Schools

As the newly appointed Superintendent of Provincetown Schools, I accomplished one of my long time career goals. For about twenty years I had followed the achievements and challenges of this District with the hope and aspiration of one day working here. The spirit and perseverance of the students of this community have always impressed me and as a continuous visitor, I have a strong appreciation for Provincetown. Thus it is with a sense of humility and caring that I submit my first Annual Town Report.

The very first task needing completion was the hiring of a District Principal. Although I was not involved in the screening of candidates, nor in the first round of interviews, the outcome of the process resulted in our bringing Kim Pike on board. It is an outcome that all participants should be very proud of and that brings a talented, dedicated, and enthusiastic educator to our community. Joining Beth Francis, the Assistant to the Principal, Linda Koelbel, the Special Education Director, our new administrative team was completed with the addition of Lou Preziosi as Athletic Director and we set to work on developing a new direction for Provincetown Schools.

Our focus has been the **development of a community of learning through partnerships**. Working with the **Recreation Department**, we have expanded the

after-school program for elementary school students to a five day program at VMES that utilizes the school facilities and the Recreation department personnel. Participation for the first half of the year included about 50 Pre K – grade 6 students daily in the program. Beginning in January, a \$5.00 daily fee for the first child and a \$2.00 fee for the second child was initiated by the Recreation Department to cover some costs. This resulted in a decrease in participation to 35 children.

The VMES after- school program was further developed to include **Enrichments**. These are mini courses in a variety of adventurous topics. This year we have offered 14 different Enrichments out of which 10 had successful enrollment. Many of the Enrichments are provided by community members with special talents and skills which they are interested in sharing with children. VMES applied for and was granted a \$2000 Multi Cultural Grant to help fund the start up of this program. The Enrichment Program is intended to be self sufficient and is supported by small participation fees accompanied by scholarships. Finally, the after school program offers a homework club opportunity to youngsters who want to complete their homework after school. The High School also offers assistance to students after school in the library and in individual teacher's classrooms.

The Provincetown Community Learning Project is the result of our partnership and collaboration with the Public Library. The Project provides evening and late afternoon classes to the community in a variety of subjects. Computer courses included Microsoft word, Introduction to the Internet, Quicken: financial literacy, Microsoft publisher, and Digital Photography. Mango, a computerized method of learning a foreign language was also taught. These and other computer courses were held in the new, state of the art, MAC Lab at Provincetown High School. Additionally, classes were offered in Crazy Quilting, reading short stories, and starting a business. All classes were held at either PHS or the VMES. By the time of this writing, total enrollment in the program equaled 90 community participants.

Provincetown Schools and PAAM expanded their partnership this year. In addition to the continuation of the Art Reach out-of-school arts and humanities program for high school students, and the student Curating Program at VMES, in which the third and fourth graders participated this year, a group of 14 faculty members and administrators participated in the Curating Program in February and exhibited their work in the museum as well. It was very courageous.

There are several **additional partnerships** developing. We are working with members of **AmeriCorps** on a community garden, with the **Monument Museum** on an anniversary celebration that invites the Obama's to come to Provincetown. For Thanksgiving, the school community helped the **PTO** bake and sell pies

throughout town raising record breaking amounts of money for the PTO and providing amazing desserts for the holiday. The **Police Department** and Provincetown Schools have signed a Memorandum of Agreement for cooperation and continue to offer the DARE Program at VMES. This year our school campus, grades K-12 also included community members in our annual musical production of *The King and I*. **Cape Cod 5** has again supported teacher initiated requests for special activities by awarding 5 mini grants in FY 10. The pre school summer program had a very successful season at VMES. Provincetown Schools has been approved for subsidized pre school tuition through a **Bailey Boyd grant** which will help working families provide day programs for their children year round, and will help Provincetown Schools provide quality pre school education.

In addition to our partnerships in town, **community** is a strong theme in Provincetown Schools these days. We have moved towards a **School Campus** in several ways including bringing both schools into the same daily schedule of starting and ending times, sharing a common lunch time, having joint monthly faculty meetings, promoting teachers and students moving between the buildings and sharing resources, facilitating high school students mentoring and tutoring younger students, and supporting the development of a middle school program that bridges the schools. Our PHS **National Honor Society** students even took the 5th and 6th graders bowling! We have shared “mix it up day”, a whole campus photo, and a holiday buffet and sing-along.

Multi-age grouping is thriving at VMES. The 4th, 5th, and 6th graders began the year on the **Alabama** learning about life at sea on a two day cruise. Students in grades 5,6,7,and 8 learned to collaborate and trust while team building at the ropes course. The entire VMES community studied the **Caribbean Islands** and participated in several Haitian relief efforts. They celebrated a fabulous culminating event for this global studies project. The first **Annual Alumni Panel** was held at PHS where high school students learned from previous graduates what college life is like, how to get there, and how to be successful there. Finally, a joint, **all Campus Site Council** is working on a newly revised Student Handbook

Related to our partnership agenda, is the special attention we are paying to **developing positive relationships**. This includes teacher to teacher, student to student, and student to teacher relationships. We are especially interested in building relationships with our families, our neighbors, and our community. For example, our students have developed relationships with senior citizens as they have sung to them, read to them, and written to them. We have also read to our visiting therapy dogs this year. Our **Academy** students and interns continue to work diligently with community mentors in common areas of interest and curiosity much to the benefit of all involved.

We are focused on **increasing rigor**. To that end we have initiated a new math curriculum for grades K-6, known as **Envisions**. We are re-emphasizing the **Empowered Writing** curriculum and have begun training in the **Responsive Classroom**, a character and communication curriculum for elementary schools. Spanish is being immersed into the fifth and sixth grade academic program. **Instrumental music lessons** are available to individual students in grades 3 through 12, as an additional after school activity. Additionally, third and fourth graders are learning to play the recorder in school. We have trained and prepared for the addition of a second **Advanced Placement English** course at PHS (English Language) so that Juniors and Seniors will have the opportunity to select two AP English courses on a rotating basis. Amy Rokicki has taken leadership of studying our **MCAS** performance and developing a plan for improvement District wide. We have prepared for the expense of applying to be an **International Baccalaureate** school. This year resurrects the **Senior Project**; the culminating public school learning activity that is individually designed and developed, and communally evaluated. This year we celebrate our students' successes in the Lion's Club Speech Contest and the Peace Poster, rewards of high expectations and hard work by our celebrated students. We also congratulate our athletes on their sportsmanship, their dedication and their perseverance in competitions.

Veteran's Memorial Elementary School & Provincetown High School are working together as one for the good of our students, staff, families and community. As we reflect on the accomplishments of public education in Provincetown, it is important to acknowledge that it is the combined efforts of our schools' staff that attend to the needs of the students and move us forward in achieving a vision of excellence for our schools. There are a myriad of ways that town and school employees, elected officials, and community volunteers have contributed to our children's learning and enhancing the school's performance and efforts this year. To each of you we say "Thank You".

Respectfully submitted,

Beth Singer

Superintendent of Schools

Report of School Employee Earnings			
Name	Began Service	Education	FY 2009-10 Salary

Superintendent of Schools

Dr. Beth Singer	2009	Univ. of Toledo B.S. Central Conn.State Univ. MS Spec. Ed. Univ. of Mass. Ed.D.	24,811
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Name	Began Service	Education	FY 2009-10 Salary
District Principal			
Kim Y. Pike	2009	Univ. of Vermont B.A. Lesley Univ. M.Ed. Worcester State College Ed Admin Certificate	40,134
Special Education Dept/Student Services			
Linda Koelbel	2007	Westfield State College B.S. Ed. Western New Mexico Univ. M.Ed.	37,187
District Social Worker			
Maryann Campagna	2002	Lesley College B.S. Rhode Island College MSW	64,604
School Psychologist			
Margaret Donoghue	2007	Boston College B.A., M.Ed. St. Michael's College C.A.S. (Funded by Special Ed. Entitlement Grant)	31,522
School District Nurses			
Lead School Nurse			
Donna O'Brien	2005	Worcester State College B.S. University of Lowell M.S.N. (Funded by the Enhanc Sch Health Serv)	45,772
Nurse:			
Kristen Shantz	2009	Cochise College, R.N., A.S.	7,273
Superintendent's Office:			
Administrative Assistant/Human Resources			
Alma M. Welsh	1979	Burdett Junior College Longevity	70,266 3,000
Administrative Assistant/Business & Finance			
Betty White	1986	Longevity	70,266 2,300
Veterans Memorial Elementary School			
Bldg. Based Adm. Assistant			
Judy Ward	1998	Mohegan Community College Longevity	42,455 1,000
Kindergarten Teacher/Assist to School Principal			
Elizabeth Francis	1994	Boston College B.A. Lesley College M.Ed. Longevity	85,838 800
Title I Reading Specialist			
Barbara Losordo	1976	Kent State B.S. (Funded Title I: 70%) Longevity	61,052 3,200
Teachers			
Judy Ainsworth	1983	Keene State College B.S. Longevity	61,052 2,400
Rebecca Yeaw	2008	Univ. of Rhode Island B.A. Rhode Island College MAT	44,295
Mary Beck	1971	Westmar College B.S. Longevity	61,052 2,400
Nellie Lukac	2008	Bridgewater State College B.S. Bristol Comm. College A.A.	36,885
Helena Ferreira	2000	Smith College B.A.	52,030

Name	Began Service	Education	FY 2009-10 Salary
M. Valerie Valdez	1999	Univ. College of Dublin B.C.L. Lesley College M.Ed.	59,603
Sandra Bostwick	1979	Corning Community College A.A. SUNY Cortland B.A. Longevity	61,052 3,200
Kelly Lindsay	2006	Ohio State University B.S. Ashland University M.Ed.	54,848
Physical Education			
Lisa Colley	2002	Salem State B.S. Fitchburg State College M.Ed.	52,910
Library Assistant			
Valerie Kepler Golden	2001		20,275
VMES Cafeteria			
Claudia Colley	2000		21,765
Lawrence DeCosta	2000		15,276
VMES Custodial Staff:			
Coordinator Buildings and Grounds			
Larry Brownell	1975		51,147
		Overtime:	4,095
		Longevity	3,075
Jill Sawyer	1999		42,224
		Overtime:	2,850
		Longevity	100
Provincetown High School			
School Based Administrative Assistant			
Barbara Grandel	2005	Cape Cod Community College AA	38,142
Guidance Counselor			
Petra L. Farias	2006	Brandeis University B.A. University of Mass. M.A. Framingham State College M.A.	72,023
Teachers			
John Hanlon, Jr.	2000	Cornell Univ. B.S., Boston Univ. M.Ed. Bridgewater State College, M.Ed.	67,077
Genevieve Martin	1998	Univ. of Mass. @ Amherst B.A., M.A.	64,750
Amy Germain	2008	Univ. Mass. @ Amherst B.A.	51,240
Nathaniel Bull	2003	State Univ. of NY College @ Oswego B.S.	55,602
Amelia Rokicki	1995	Univ. Mass. B.A. Simmons College M.S. Salem State College, CAGS Ed. Leadership	70,209
Margaret Phillips	1989	Indiana Univ. B.A., M.A. Longevity	68,448 1,600
Carol D'Amico	1988	Emmanuel College B.A. Cambridge College M.Ed.	61,947
Victoria Hatch	2008	Westfield State College, B.A.	48,152
Dawn Butkowsky	2002	Oneonta State B.A.	50,267
Nancy Flasher	1997	Lesley College B.S. Antioch New England M.Ed.	61,187

Name	Began Service	Education	FY 2009-10 Salary
		Salem State College, CAGS Ed. Leadership (Funded by School Choice)	
David C. McGlothlin, Jr.	2006	Emory and Henry College B.A. George Mason University M.A.	61,932
Emily Edwards	2007	Wheaton College B.A.	42,715
Lorie L. Welch	2005	Univ. of Toledo B.S. Univ. of Phoenix, M.Ed.	16,928
Melanie LaPlume	2008	Plymouth State University B.S. Suffolk University MBA	36,511
Physical Education Teacher/Athletic Director			
Louis Preziosi	2009	Southern Conn. State Univ. B.S. Southern Conn. State Univ. MS	15,366
District Library Media Specialist			
Fran Manion	2002	Univ. of Toronto B.Ed. Syracuse Univ. B.A.	61,052
District Music Teacher			
Casey Sanderson	2004	Westfield State College B.A.	42,725
District Art Teacher			
Lisa B. Fox	1977	Univ. of Mass B.F.A. in Ed. and Art Longevity	61,052 3,200
PHS Cafeteria			
Brenda Costa	1984	Longevity	21,736 2,500
Cynthia Lambrou	2002		15,727
PHS Head Custodian			
Michael Smith	1977		46,497
		Overtime:	1,112
		Longevity	3,075
Kevin Littlefield	2000		41,078
		Overtime:	2,920
Michael Luster	2005		29,973
		Overtime:	3,454
Special Needs Department			
Special Needs Secretary:			
Ella Holst	2009	Valparaiso Univ. B.A.	9,500
Special Needs Teachers:			
Marcia Rose-Packett	1981	Lesley College B.S. Longevity	61,052 2,400
Jeanie Peterson	2000	Plymouth State College B.S. Simmons College M. Ed. (Funded through School Choice)	61,932
Judith Stayton	1998	Pennsylvania State Univ. B.S.	61,912
Speech Therapist			
Margaret Millette-Loomis	2006	University of Mass. @ Amherst B.A. Bouve College @ Northeastern Univ M.S.	61,932
VMES Paraprofessionals			

Name	Began Service	Education	FY 2009-10 Salary
Sheree Silva	1988	Cape Cod Community College Longevity	20,239 1,900
Mark Peters	2002	Wesleyan Univ. B.A. (Funded through School Choice)	20,238
Jill Macara	1996	(Funded through School Choice) Longevity	20,275 1,100
PHS Paraprofessionals			
Susan LaBree	2000	Fisher Junior College (Funded through School Choice)	20,287
Melissa Youngblood	2003		19,946
Robert Biancuzzo	2008	Cambridge College Cambridge College M.Ed.	18,407
Veronica Londergan	2008	Univ. Bridgeport Connecticut B.S. (Funded through School Choice)	15,522
Coordinator of Transportation and School Bus Driver:			
Lucy Hamilton	1998		26,940

School Committee Members	Term Expires
Peter Grosso, Chairperson	2011
Kerry Adams, Vice Chairperson	2010
Debra Trovato	2010
Shannon Patrick	2012
Carrie Notaro	2012

School Year 2009-10 Calendar

Sept. 7	Labor Day	Feb. 15	Presidents' Day
Sept. 8	Prof. Dev. Day	Feb. 15-19	Winter Recess
Sept. 9	School Opens	Feb. 22	School Re-opens
Oct. 12	Columbus Day	Apr. 16	Close End of Day
Oct. 13	Prof. Dev. Day	Apr. 19	Patriot's Day
Nov. 11	Veterans Day	Apr. 19-23	Spring Recess
Nov. 24	Close End of Day	Apr. 26	School Re-opens
Nov. 25-27	Thanksg Recess	May 31	Memorial Day
Nov. 30	School Re-opens	June 24	Prof. Dev. Day
Dec. 23	Close End of Day		
Dec. 24-1/3	Christmas Recess		
Jan. 4	School Re-opens		
Jan. 15	Prof. Dev.t Day	Graduation Day: June 11, 2010	
Jan. 18	Martin Luther King Day	180th School Day: June 23, 2010	
Feb. 14	Close End of Day	185th School Day: June 30, 2010	

	Enrollments	Projected Enrollments
	2009-10	2010-11
Pre-K	30	30
Kindergart	8	14
Grade I	11	8
Grade II	7	11
Grade III	11	7
Grade IV	6	11
Grade V	12	6
Grade VI	5	12
Totals:	90	Projected: 99
Grade VII	2	5
Grade VIII	13	2
Grade IX	14	13
Grade X	6	14
Grade XI	16	6
Grade XII	15	16
Totals:	66	Projected: 56
Grand Totals:	156	Projected: 155

Cape Cod Regional Technical High School Enrollments

1995-96: 6	2000-01: 2	2005-06: 9
1996-97: 4	2001-02: 4	2006-07:10
1997-98: 4	2002-03: 3	2007-08: 9
1998-99: 4	2003-04: 2	2008-09: 5
1999-00: 5	2004-05: 4	2009-10: 3

Cape Cod Regional Technical High School

Cape Cod Regional Technical High School was established in 1973 as a public technical high school and provides an opportunity to acquire high quality technical, academic and social skills preparing students for success in our changing world. For our school year 2008-2009, we had 703 students enrolled in 18 different technical programs from our sending school district that comprises 12 towns from Mashpee to Provincetown with an operating budget of \$11,903,693.

- Cape Cod Regional Technical High School graduated 158 students in June of 2009.
- In addition to our renewable energy program, our tri-generation system has saved the district over \$160,000 this past year. This new concept demonstrates Cape Cod Tech's commitment to reducing annual energy consumption and that we are doing everything we can to reduce our energy costs.

- Capital improvements for the FY '09 included repaving of Cape Cod Tech's roadways and parking lots phase 1 and the installation of a security and camera surveillance system with the help of a \$50,000 Department of Justice grant through the Harwich Police Department.
- Due to a lack of enrollment over the last 5 years, the Masonry Program was closed.
- This was quite a year for two of our Science Instructors, Charlie Bresnahan and Lynn Fleischer. Mr. Bresnahan was recognized for Outstanding Leadership in Energy Education by three prestigious organizations: Cape Light Compact, The Barnstable County Commission, and the Commonwealth of Massachusetts, House of Representatives. Both Science teachers and Cape Cod Tech were recognized by the Commonwealth and received the 2009 Secretary's Award for Excellence in Energy and Environmental Education. The House of Representatives further recognized Cape Cod Tech's Environmental Studies/Tech Prep Program and the Renewable Energy Education and Awareness Program. Two of our Administrators were asked to present our energy initiatives at a national conference in Arizona last fall.
- SkillsUSA is a national organization serving students enrolled in technical programs. This year our students brought home 3 gold, 5 silver, and 11 bronze medals in the district competition (all 3 gold medal winners are from the Town of Barnstable); 2 gold, 3 silver, and 3 bronze in the state competition; and in the national competition, we brought home a bronze medal in Marine Service Technology and first place in the 2009 National Sustainability Solutions Competition. In addition, 6 students received a first place in the Agri-Science Fair at the Future Farmers of America (FFA) State Convention.
- Cape Cod Tech provides money saving projects for our district and community and these projects not only save thousands of dollars, but also provide our students with real life work experience in a supervised setting. For the 2008-2009 school year, the total estimated value of the savings to our sending towns from work completed by Cape Tech's technical shops was in excess of \$900,000.
- Please visit our website: www.capetech.us for more information.

Respectfully submitted,

Christopher Enos

Provincetown Representative,

Cape Cod Regional Technical High School District

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Treasurer
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Commemorative Poster On Sale Now



In an effort to help fund the Town's restoration of Town Hall, a poster of this year's Annual Town Report has been created from the architectural rendering of this historic building revealing the original colors as they appeared when Town Hall was built in 1886. Created by artist Peter Whitman from the architectural firm of McGinley Kalsow & Associates, this 30" x 24" color poster can be yours for only \$25.00 - all proceeds to go to the Town Hall Restoration Gift Fund.

Ordering Made Easy

Simply call the Town Clerk's Office at 508-487-7013 to phone in your order.

Visa and Mastercard accepted!

Mail Order Forms Available online at the Town's website www.provincetown-ma.gov

Or pick up a poster at the Town Clerk's Office!

Your Purchase Helps Us Restore Town Hall

A nice addition to your home decor or a thoughtful gift for someone who loves Provincetown as much as you do!