



# Meeting Agenda

The Provincetown Select Board will begin its regular meeting at 6 pm and hold a public hearing at 7 pm on Monday, September 23, 2019, in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

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

- A. Adopt Economic Development Permit Policy Statement amendments as proposed at the September 9, 2019 meeting. Page 3
  - B. Approve the Town Manager's Position Profile as recommended by the Town Manager's Search Committee Page 5
  - C. Appoint Wendy Laughlin to the Harbor Committee as a regular member with a term to expire on June 30, 2020 Page 16
1. Public Statements – Three (3) minutes maximum. Select Board Members do not respond during public statements Page 20
  2. Select Board Member's Opening Statements – (Votes may be taken) Page 21
  3. Appointments – (Votes may be taken on the following interviews) Page 22
  4. **7 PM** Public Hearings – (Votes may be taken on the following items):
    - A. Economic Development Permit 19-09 – 118 Bradford St Realty Trust, 118 Bradford St, by Kevin Bazarian, Trustee (applicant), on behalf of The Clarendon House Guest House (business) to increase the assigned Title 5 flow to the property by 123 gallons per day to add an additional guest bedroom and massage studio. Page 23
    - B. Economic Development Permit 19-10 – 29 Bradford Street Extension, Foxberry Inn, LLC (applicant), on behalf of The Foxberry Inn (business) to increase the assigned Title 5 flow to the property by 220 gallons per day to add two new one bedroom units of work force housing. Page 48
    - C. Comcast Cable Contract – to determine whether to issue a cable television license to Comcast Cable Communications Management, LLC. Page 71

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

5. Joint Meeting/Presentations/Requests – (Votes may be taken on the following items):
  - A. Mental Health/Substance abuse case management grant and the public health needs assessment – Presentation by Health Director Morgan Clark. Page 212
  - B. Board of Health Sanitation and Disposal System Construction Permit Fee Change Page 233
  - C. Update on MacMillan Pier Wave Attenuator construction project – Presented by Pier Manager Doug Boulanger Page 237
  - D. Wampanoag Memorial Committee Report by Select Board Member Lise King Page 245

6. Town Manager Administrative Matters – Topics to include but not limited to: (Votes May be taken on the following items) Page 246
  1. Staff Biweekly updates
7. Minutes - (Votes May Be Taken) Page 255
  1. September 9, 2019
8. Select Board Closing Matters - Topics to Include but not limited to: (Votes May be taken on the following items) Page 262
  1. Pending Items List

Posted by the Assistant Town Clerk [www.provincetown-ma.gov](http://www.provincetown-ma.gov), 09/18/2019, 3:10 pm AR



**Provincetown Select Board**  
**AGENDA ACTION REQUEST**  
**Monday, September 23, 2019**

**00A**

**ECONOMIC DEVELOPMENT PERMIT CRITERIA**

Adoption of Policy Statement

**Requested by:** Acting Town Manager David Gardner

**Action Sought:** Approve

**Proposed Motion(s)**

Move that the Select Board approve Select Board Policy Statement 2019-09-23 Economic Development Permit Criteria

**Additional Information**

- Acting Town Manager presented the draft policy statement at the Select Board's regular meeting on September 9, 2019.
- The Select Board requested to approve the policy on consent at this meeting.

**Board Action**

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

# DRAFT Policy Statement

**2019-09-23** [This Policy supersedes Policy # 2017-03-13]

## **Economic Development Permit Criteria [General By-laws Section 5-15-4]**

It shall be the policy of the Provincetown Board of Selectmen that the number of permits that will be available in any given year will vary and is not predictable. The Board may choose to reserve some fixed gpd quantity of Economic Development permits for future applications, and is under no obligations to make awards.

Projects that are consistent with the Local Comprehensive Plan and

- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown's year-round economic base and/or
- Feature solutions to known barriers to year-round economic success e.g. Transportation, energy cost, water consumption, housing cost and/or
- Provides a measurable public benefit e.g. public restrooms and/or
- Create, expand or maintain the provision of transient occupancy rooms (commercial) available to visitors and/or
- Create seasonal or year-round employee/business owner housing will be favored.

Due to the Selectmen's current policy on the Sewer System's State of Limited Capacity, smaller projects on the sewer system will be favored over larger ones. ~~and the consideration of the remaining planned gallons dedicated to Economic Development Permits within the remaining sewer capacity could be considered grounds for denial.~~ Any application that cannot be accommodated due to limited capacity shall be placed in a queue and considered once additional capacity is realized.

Request for year round or seasonal employee housing shall be considered a public service use pursuant to Chapter 157 of the Acts of 2000, and under the State of Limited Capacity shall be an eligible use under the Housing Priority Category. Subject to gallons available, an employee housing request of two or less bedrooms may be approved without the need for a hearing.

The Provincetown Board of Selectmen shall require all past and future EDP holders to certify every 3-years in the form of a notarized certification, ~~the form of which shall be provided by the Town Manager,~~ signed under the pains and penalties of perjury, that the EDP use they are approved for is still active without any changes of any kind. ~~Upon approval of this policy, all current EDP holders must provide said certification by June 30, 2017, and then every three years thereafter.~~ If the approved use is no longer being used for the originally approved purpose or any changes have occurred, the Selectmen shall hold a show-cause hearing and the EDP holder may lose all or some rights assigned under the original permit. Further, any sewer betterments paid by the EDP holder shall not be reimbursed by the Town. and all future betterment payments shall remain due to the Town even in the event of the loss or change of the original EDP at a show-cause hearing.

Adopted:  
In favor:  
Opposed:



**Provincetown Select Board**  
**AGENDA ACTION REQUEST**  
**Monday, September 23, 2019**

**00B**

**TOWN MANAGER'S POSITION PROFILE**

Approve submitted profile

**Requested by:** Town Manager's Search Committee Chair Rick Murray

**Action Sought:** Approve

**Proposed Motion(s)**

Move that the Select Board approve Town Manager's Position Profile.

**Additional Information**

- On September 12, 2019 the Town Manager's Search Committee voted  
Move that the Town Manager's Search Committee vote to refer their recommendations to the Select Board for their consideration on the consent agenda for their approval of the Position Profile with the revisions added.  
Move: Robert O'Malley  
Seconded: Marianne Clements  
Vote: 7-0-0

**Board Action**

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

# Memo

**To:** Select Board  
**Cc:** Rick Murray  
**From:** Elizabeth Paine  
**Date:** September 17, 2019  
**Re:** Town Manager's Search Committee – Position Profile.

---

The Town Manager's Search Committee has worked with the Executive Search Consultant over the past month on the attached Town Manager's position profile.

The committee voted on September 12

Move that the Town Manager's Search Committee vote to refer their recommendations to the Select Board for their consideration on the consent agenda for their approval of the Position Profile with the revisions added.

Move: Robert O'Malley

Seconded: Marianne Clements

Vote: 7-0-0

The Committee recommends the Select Board approve the position profile so that the Executive Search Consultants can begin advertising the Town Manager's position on September 24, 2019.

The Committee has scheduled October 24, 2019 to begin reviewing applications and hopes to schedule interviews for Monday, November 4, 2019.



# Provincetown, MA Town Manager



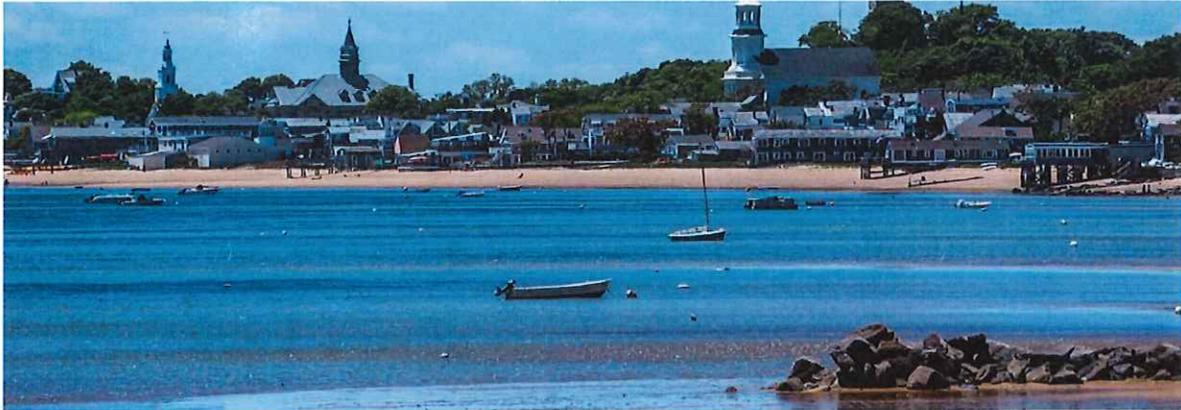
## Community & Position Profile



COMMUNITY PARADIGM ASSOCIATES, LLC

# The Community of Provincetown, Massachusetts

It's a new day in [Provincetown](#), Massachusetts, and the community is poised to take action on its opportunities and its challenges. This vibrant and historic Cape Cod community, located at the northern tip of the Cape Cod peninsula, is seeking an experienced and dynamic management professional with exceptional leadership, communication, and interpersonal skills to serve as its next Town Manager and to help the Town move in a new direction.



**THE TOWN:** Provincetown's origins date back to the arrival of the Pilgrims, who landed the Mayflower here in November 1620 before heading across the bay to Plymouth. Today, tourism is a vital part of Provincetown's economy and the Town is a popular destination for vacationers, artists, and writers. Provincetown is a small, close-knit community that experiences a significant influx of tourists and part-time residents. There are approximately 3,000 year-round residents, soaring to as many as 50,000 in the summer and 60,000 during Carnival in late August. [Provincetown Schools](#) is an International Baccalaureate World School for students in PreK-8. Residents have access to [Outer Cape Health Services](#) which has affiliations with major teaching hospitals in Boston and the Town is home to numerous nonprofits. In the summer, Provincetown is an international tourist hotspot, welcoming all visitors, and is popular with the LGBTQ community. The Town has an active nightlife and a vast array of galleries, restaurants, shops, and lodging options. Provincetown is working to increase its appeal as a year-round destination for tourists and is developing additional events and activities to attract more visitors during the colder months.

**GEOGRAPHY:** Provincetown has a total area of 17.5 square miles and is surrounded by the [Cape Cod National Seashore](#). Approximately 75% of the Town area lies inside the National Park. Provincetown is surrounded by water except due east, where it is bordered by Truro. It is bordered by Provincetown Harbor to the southeast, Cape Cod Bay to the south and west, Massachusetts Bay to the northwest and north, and the Atlantic Ocean to the northeast. It is 45 miles from Boston by air or sea, and 115 miles by road. The community is connected to Boston by seasonal high-speed ferry service and scheduled air service throughout the year. Provincetown has approximately 33 road miles and 21.3 miles of tidal shoreline. [Provincetown Municipal Airport](#) is located 10 minutes from the town center.

**ASSESSED VALUES:** Provincetown's total assessed value in FY2019 was approximately \$3.18 billion, according to the Massachusetts Department of Revenue's Division of Local Services. Residential properties, the majority of which serve as second homes, account for 85.1% of the Town's total assessed value, while commercial properties account for 13.8%, industrial 0.59%, and personal property 1.05%.

**CENSUS DATA:** According to U.S. Census estimates for 2018, Provincetown's racial composition is 86.7% white, 6.3% Hispanic or Latino, 4.1% two or more races, 1.9% Black or African American, and 1.0% Asian. The median household annual income in 2017 was approximately \$45,806. The median age of Provincetown's residents is approximately 56.5 years. Approximately 10.7% of residents live in households with incomes below the poverty level.

## Government and Finance

**SELECT BOARD:** Provincetown's executive branch of government is a five-member [Select Board](#) that serves as the governing body of the Town. The [FY2020 Town Wide Goals and Objectives](#), as voted by the Board, can be reviewed on the Town's website.

**COMMITTEES:** Elected positions include: Board of Library Trustees, Charter Compliance Commission, Housing Authority, School Committee, and Town Moderator. A listing of various committees and respective appointing authorities is contained within Provincetown's [Annual Report](#).



**TOWN MEETING:** In accordance with its [Town Charter](#), Provincetown has an Open Town Meeting form of government. The Charter states that Annual Town Meeting shall be held on the first Monday of April each year, which must be opened with a quorum of at least 100 registered voters.

**TOWN MANAGER:** The Select Board appoints the [Town Manager](#) to serve as the Chief Administrative Officer of the Town, which includes overseeing the daily operations of the Town, implementing the policies adopted, and directing the work of Town staff. The role is also to provide leadership for Town programs and services to promote quality of life. The Town Manager works in partnership with the Select Board and must balance the required administrative duties with supporting and working with the Board to develop and implement a strategic vision for the Town. Provincetown's Assistant Town Manager, Department Heads, and staff provide the technical skills needed to operate the Town, allowing the Town Manager to focus on major projects as well as developing, in collaboration with the Board, the strategic vision. Provincetown has approximately 140-200 full-time and seasonal employees. [Town Manager Reports](#), generally submitted to the Select Board every two to four weeks, can be accessed online as can various [Town Project Updates](#).

**FINANCIAL SNAPSHOT:** The Town has a \$29.6 million [operating budget](#) for FY20, including approximately \$4.5 million for education. Additionally, the Water Enterprise Fund budget is approximately \$2.8 million, and the Wastewater Enterprise Fund budget is about \$4 million. The general fund debt service budget for FY20 is \$1,602,837, which is 5.41% of general fund revenues.

Standard & Poor's upgraded Provincetown to an AA+ rating, with a stable outlook, as stated in an April 2018 rating action. In FY20, local property taxes generated about 48.36% of revenue, while local receipts brought in 31.39%, other available revenue brought in 17.97%, and state aid was approximately 2.29% of the Town's total revenue. In FY19, the Town brought in approximately \$20.84 million in real estate tax receipts, \$203,000 in personal property tax receipts, and nearly \$208,000 in tax titles redeemed. Provincetown took in about \$3.12 million in parking receipts in FY19.

**COUNTY GOVERNMENT:** Provincetown is one of 15 Cape Cod towns in [Barnstable County](#). The [Cape Cod Commission](#) is the County's land use and planning agency. Its mission is to protect the unique values and quality of life on Cape Cod by coordinating a balanced relationship between environmental protection and economic progress. It assists with the development of regional plans, policies, regulations, and infrastructure to guide and manage growth and by supporting Cape Cod towns with professional and cost-effective planning and technical support services.

# Challenges and Opportunities

Provincetown is evolving in myriad ways. Its demographics are shifting from a worker to a managerial community. The diversity of its residents and visitors – age, income, ethnicity – is increasing. The industry of [tourism](#), the economic engine that drives Provincetown, is progressing from a seasonal to a year-round business. The need for housing, particularly workforce housing, has reached a crisis level.

While tourism and housing require the greatest focus in Provincetown, a variety of other challenges and opportunities are tightly intertwined with them, including economic development, coastal resiliency, water, wastewater, and location. Provincetown's next Town Manager will be expected to tackle these critical issues with innovation and enthusiasm.

- **TOURISM**

[Tourism](#), which is a \$200+ million industry annually, plays an essential role in Provincetown's economy and its importance continues to grow. The Town's population booms during the warmer months. There are approximately 3,000 year-round residents, but from Memorial Day through Labor Day, the population can soar to as many as 60,000. The shoulder seasons are also busier nowadays, attracting tourists and seasonal residents during the late spring and early autumn months. Provincetown is striving to develop a sustainable year-round economy by nurturing and expanding the tourist season, increasing the number and types of events, promoting arts-related businesses, and supporting the ongoing development of aquaculture.

Provincetown is an open-minded, diverse community that celebrates individuality and freedom of expression. Tourists enjoy Provincetown's beaches, cultural activities, art galleries, restaurants, live music and artistic performances, and walking and bike trails.

There are 19 motels, 17 inns, two hotels, and numerous guest houses and bed and breakfast establishments in Town. In FY2019, the rooms occupancy tax brought in \$2.2 million in revenue and the meals tax brought in nearly \$654,000 in revenue. [Charts](#) detailing revenue gained via the rooms occupancy tax and meals tax from FY2008 through FY2019 can be found on the Town's website.

A [Tourism Economy Report](#) for calendar year 2018, created by the Provincetown Office of Tourism, can be found online. The report notes that visitor spending, as of 2018, has a three-year average growth trend of 3.5%, lodging 2.5%, and meals 4.1%. The August-October period remained the largest meal and lodging visitor spending with \$38 million spent on meals and \$17.2 million spent on licensed lodging. The Blue Economy is considered a growing opportunity and has sparked increasing activity in the harbor. This must continue to be developed. Moorings had a 26% increase and the Commercial Pier revenue increased by 355% in calendar year 2018.

Trackable consumer spending – including meals, rooms, and retail sales – in Provincetown for the five years from 2012 through 2016 totaled slightly more than \$707 million. The Town's [Five-Year Tourism Plan](#) is available on its website.

- **HOUSING**

The need for new and different types of housing has reached crisis levels in Provincetown. The community recognizes it has a desperate need to develop housing that is financially attainable for year-round residents and local employees. Year-round residents and workers, seasonal hires, tourists, and part-time residents all compete for housing stock in a market that has undergone drastic changes in terms of usage and price in recent years. The Town is striving to increase availability in year-round housing that is attainable for its local workers as well as to incentivize rentals that seasonal workers and year-round residents can afford. Provincetown realizes that a long-term solution for this critical issue requires hiring a Town Manager with creative thinking and out-of-the-box ideas.

A [project](#) now in the predevelopment stage will result in the razing of a former Veterans of Foreign Wars building to be replaced with year-round housing units. Another innovative and ongoing project is the 28-unit Harbor Hill housing complex. Provincetown purchased the complex at auction and is using Year-Round Market Rate Rental Housing Trust funds to renovate it into community-run market-rate housing units, which is the first project of its kind in Massachusetts.

There are 2,448 condominiums and 863 single-family homes in Provincetown as well as 197 two-family homes and 44 three-family homes. There are 4,883 residential parcels in Town. More than 62% of all residences are second homes with tax bills sent to addresses outside of Provincetown. Provincetown's location at the tip of Cape Cod makes it a highly desirable community for those interested in purchasing a vacation home or income property. The lack of developable land also pushes housing prices higher. Locating year-round housing in town could be one of the next Town Manager's first personal challenges and the Board of Selectmen will strive to assist with the successful candidate's relocation efforts. A detailed report on Provincetown's [Housing Needs and Challenges](#) and a 2014 [Housing Action Plan](#) can be reviewed on the Town's website.

- **ECONOMIC DEVELOPMENT**

A [Community Development Action Plan](#) for Provincetown, designed to help it create a more sustainable economy, was completed in July 2019. The 2018 [Harbor Management Plan](#), detailing the importance of the harbor and piers for the Town's future, can be reviewed online. In collaboration with AIA Center for Communities by Design and the New England Municipal Sustainability Network, the Town developed the [Provincetown 365](#) plan, which was completed in November 2014. The plan emphasizes residents' desire to develop a resilient community, with more market-rate and attainable housing and a stronger year-round economy. Incorporated in the Town's recent goals is continuing support for local aquaculture efforts, including improvements to the shellfish nursery program. The goal of building and supporting the Blue Economy in Provincetown includes a strategy of developing and improving resources to provide the region with quality aquaculture products. To accomplish this, necessary improvements involve rebuilding piers and floating docks, expanding ice capacity, additional cranes, and better offloading products sites on the Town pier.

- **LOCATION**

Provincetown has a compact urban character yet can feel somewhat isolated, particularly during the winter months, given its location at the northern tip of Cape Cod. While it is located at the end of the Cape Cod peninsula, residents say it can feel more like living on an island. Provincetown's year-round residents are a close-knit group of people who tend to be highly involved with Town. Residents are dedicated, resilient, have strong opinions, and a deep attachment to the community and region. Year-round residents don't just happen to reside in Provincetown; they are there because they made a conscious decision to make this coastal community their home.

- **COASTAL RESILIENCY**

The impacts of climate change and rising sea levels are of critical importance in Provincetown. The Town already has experienced major flooding problems and the potential for loss of wetlands, ecosystem changes, infrastructure failure, bluff erosion, island breaching, and water quality reduction are real concerns that must be immediately addressed through strategic planning. There is a recognized need to mitigate real and potential impacts, minimize uncertainties, and increase self-sufficiency. The Town Manager needs to be a leader in these efforts. A June 2016 report on [Increasing Coastal Resiliency and Reducing Infrastructure Vulnerability](#) can be accessed online.

- **HARBOR & PIERS**

The Provincetown [Harbor](#), MacMillan Pier, Provincetown Marina, and waterfront are vibrant areas that are of critical importance to residents, workers, and visitors. The Harbor is a natural deep-water harbor that is two miles wide and welcomes ships of all sizes. Ferries, sailboats, motorboats, fishing boats, and yachts all make use of the area. Ferries, recreational and commercial fishing vessels, and whale and seal watching boats often depart from the pier and marina. The Town's [Harbor Management Plan](#) can be viewed online.



- **CAPITAL NEEDS**

There are some current capital needs in Provincetown. The existing police station needs replacement and a site has been determined. The funding mechanism for a new station was narrowly rejected by voters at April's Town Meeting and the issue is expected to be revisited in the near future. Another important project for the Town is the ongoing sewer expansion. Approximately 50% of Provincetown has tied into municipal sewers, but the system is near capacity and creating additional capacity is a challenge. The current lack of capacity is preventing economic development and must be resolved. The Town's FY2020 five-year [Capital Improvement Plan](#) can be reviewed on its website.

- **OPEN SPACE AND RECREATION**

Provincetown has access to an abundance of open space and recreational opportunities. It is a compact, seaside community with expansive coastal sand dunes. Dunes cover approximately 8,500 acres from Provincetown to Chatham. Given the Town's coastal location, fishing, shell fishing, birdwatching, seal and whale watching, boating, surfing, and swimming are popular pastimes as are hiking and bike riding on local trails and in the [Cape Cod National Seashore](#). Provincetown is the cultural and commercial anchor for the Outer Cape, home to numerous shops, galleries, nightclubs, theaters, restaurants, and lodging options. Provincetown's [Open Space and Recreation Plan](#) was completed in 2012 and can be accessed via the Town's website.

- **EDUCATION**

[Provincetown Schools](#) is an International Baccalaureate World School providing both Primary Years and Middle Years Programs for about 100 students in grades PreK-8. Provincetown's high school students may attend [Nauset Regional High School](#), [Sturgis Charter Public School](#) (also an International Baccalaureate school), or [Cape Cod Regional Technical High School](#). Childcare costs for children from ages four weeks through PreK is funded by Provincetown, which helps to encourage young families to locate here.

- **MUNICIPAL AIRPORT & TRANSPORTATION**

Provincetown owns and leases the operation of a municipal airport which link the community to more than 60 North American cities, including Boston. [Provincetown Municipal Airport](#) is a 10-minute ride from Provincetown's center and offers daily 20-minute flights to and from Boston. It is 45 miles to and from Boston by air or sea, and 115 miles by road. The community is also connected to Boston by seasonal high-speed ferry service.

- **SPECIALIZATIONS**

Given its location, Provincetown offers its Town Manager the opportunity to oversee several relatively specialized departments that most communities cannot provide. The Tourism, Shellfish, and Harbor & Pier Departments will allow the next Manager to gain knowledge and experience that is fairly unique in the municipal management field. Additionally, as parking is at a premium in Provincetown, the Parking Department is considerably more active and vital to the community than in many other municipalities.

- **CITIZEN ENGAGEMENT**

Provincetown's citizens are highly engaged with their community. Residents with considerable knowledge and valuable experience in both the private and public sectors serve on boards and committees, making their expertise available to the Town Manager and the community. They are able to provide institutional knowledge and assistance that can help guide the Town Manager in making recommendations and decisions. Many of the Town's board and committee meetings can be viewed [online](#). Maintaining a strong and collaborative relationship among residents, businesspeople, employees, and volunteers is important to the success of the community. The next Town Manager must be politically savvy, a highly skilled communicator, and have a strong belief in transparency.



# Ideal Candidate Qualifications

**COMPETENCIES:** The Provincetown Select Board is seeking a dynamic and innovative Town Manager with adaptive leadership abilities, exceptional communication skills, and municipal management experience. The successful candidate:

- should demonstrate prior success in leading a complex municipal organization and be competent in all areas of municipal management and operations, but especially in communications, finance, economic and community development, personnel administration, and collective bargaining.
- must be an active and engaged listener, willing to hear the ideas, recommendations, and thoughts of officials, residents, visitors, business owners, and staff members and is expected to maintain an open-door policy and willingly engage in meaningful dialogue with officials, residents, visitors, business owners, and staff members.
- should have experience with a tourism-based economy and dealing with housing challenges; should have experience developing and working with public/private partnerships.
- must have exceptionally strong verbal and written communication and presentation skills; must be able to speak articulately, clearly, and concisely.
- must be a visionary problem-solver who comes up with bold ideas for the staff to implement and be an innovative, strategic, and dynamic leader who employs a teamwork approach.
- should be enthusiastic and strive to build morale and is expected to be inclusive, collaborative, ethical, and committed to transparency in government.
- must be politically savvy and skilled in developing relationships and team building and is expected to be knowledgeable about municipal management best practices.
- must be able to develop and sustain credible relations with year-round and part-time residents, staff, business owners, and board/committee members and must treat all staff, residents, and board and committee members fairly and equally.
- must be able to delegate effectively, mentor department heads, and provide support and motivation to ensure continued high performance and professional growth for Town employees.
- must be compassionate, dedicated, organized and patient, have a strong work ethic, and inspire trust and confidence; and must lead by example, have effective conflict resolution skills, and be motivated and respectful.
- must have the ability to effectively explain complex issues to individuals, committees, and citizens and be a creative problem-solver who is accessible, open to new ideas, and a consensus-builder.
- must be a strategic thinker, particularly in regard to housing, tourism, economic and community development, community engagement, and project management.
- should be a community unifier who manages projects in a participatory manner and must enjoy engaging with community members, including working alongside volunteers and helping to develop, and attending, Town events and activities.

## EDUCATION AND EXPERIENCE:

- The successful candidate will possess a bachelor's degree, and preferably a master's degree, in public administration, business management, or a related field.
- A minimum of three years of experience in a compensated managerial municipal position is required, and experience serving as a municipal department head, Assistant Town Manager, or Town Manager is preferred. If the educational qualification is waived by the Board of Selectmen, the professional qualification must include at least nine years compensated service in public administration with at least six at a managerial level, and experience serving as a department head, Assistant Town Manager, or Town Manager is preferred.



# Compensation Package

The Town of Provincetown will offer an employment agreement and compensation package that is competitive with comparable area communities, with an annual salary of \$185,000 to \$195,000, commensurate with qualifications. An attractive benefits package, including health and retirement plans, is part of the Town Manager's total compensation. Residency within Provincetown is required. The Town is prepared to negotiate a housing allowance as part of the compensation package.



## How To Apply

Interested applicants should submit a cover letter and résumé, in confidence, by October 19, 2019, 5:00 p.m., via email to:

[Apply@communityparadigm.com](mailto:Apply@communityparadigm.com)

**Subject: Provincetown Town Manager Search**

Please submit a single PDF containing both cover letter and résumé.

Following the closing date, résumés will be reviewed according to the outlined qualifications. The Provincetown Town Manager Search Committee will interview the most qualified candidates in confidence. Based upon these interviews, finalists will be chosen for further evaluation and reference checks and will then be forwarded to the Select Board. Finalists will be contacted for references and approval of background reviews before their selection is advanced to the Select Board. The Provincetown Select Board will select the Town Manager.

Questions regarding the position should be directed to:

Bernard Lynch, Principal  
Community Paradigm Associates  
[Blynch@communityparadigm.com](mailto:Blynch@communityparadigm.com)  
978-621-6733

The Town of Provincetown, Mass., is an Equal Opportunity Employer.



**Provincetown Select Board**  
**AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**00C**

# SELECT BOARD APPOINTMENT

## Harbor Committee

**Requested by:** Town Clerk Darlene Van Alstyne

**Action Sought:** Appoint

### Proposed Motion(s)

Move that the Select Board vote to appoint Wendy Loughlin as a regular member on the Harbor Committee with a term to expire on June 30, 2020

### Additional Information

- Please see attached

### Board Action

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



# TOWN OF PROVINCETOWN

## Application for Town Board Membership

Name: Wendy Loughlin Please type or print

Resident Address: 11 Oppen Lane Provincetown, MA 02657

Mailing Address (if different): \_\_\_\_\_

Telephone #: 860 331 3642 Work # (\_\_\_\_)

Email address: wendyloughlin@yahoo.com

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

1. harbor Comittee

2. \_\_\_\_\_

3. \_\_\_\_\_

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

intelligent, willing to learn, I care

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

W Loughlin 8/26/19  
Signature of Applicant Date

### TO THE APPLICANT: FILE COMPLETED FORM WITH THE TOWN CLERK

<p>Town Clerk Certification: Applicant is a registered voter:  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  <u>Van Matre</u>  Name of Town Clerk</p>	<p>This application will remain on file in the Town Clerk's Office for 364 days from the date received.  Application Termination Date: <u>8.25.2020</u></p>
--	---

Date Received by Board of Selectmen

Date Received by Town Clerk

RECD TOWN CLERK  
AUG 26 2019 PM 2:05



*Certificate of Appointment*  
**Town of Provincetown**  
PROVINCETOWN, MASSACHUSETTS 02657

To: Wendy Loughlin  
11 Oppen Land  
Provincetown, MA 02657

Date: September 23, 2109  
Phone: 860-331-3642  
Email: [wendyloughlin@yahoo.com](mailto:wendyloughlin@yahoo.com)

In accordance with the Charter of the Town of Provincetown by the voters on April 2, 2018,  
You are hereby appointed a member to \_\_\_\_\_ Harbor Committee  
for and within the Town of Provincetown for a term expiring June 30, 2020 .

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Select Board

Barnstable, ss.

Date: \_\_\_\_\_

Personally appeared the above-named Wendy Loughlin appointee to the  
Harbor Committee and took the oath necessary to qualify  
him/her for said office.

\_\_\_\_\_  
TOWN CLERK

I hereby accept this appointment.

\_\_\_\_\_  
Signature of Appointee

Harbor Committee		Position	Term End
First	Last		
Laura	Ludwig	Regular	06/30/21
BL 9/13/19		Regular	06/30/20
David	Flattery, Chair	Regular	06/30/21
Susan	Avellar	Regular	06/30/20
Francis J.	Santos	Regular	06/30/20
Elise	Cozzi	Alternate	06/30/21



Provincetown Select Board  
**AGENDA ACTION REQUEST**

Monday, September 23, 2019

1

## PUBLIC STATEMENTS

Requested by: Select Board

Action Sought: Open

### Proposed Motion(s)

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

### Additional Information

### Board Action

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



Provincetown Select Board  
**AGENDA ACTION REQUEST**

Monday, September 23, 2019

2

## BOARD MEMBER'S STATEMENTS

Requested by: Select Board

Action Sought: Open

### Proposed Motion(s)

*Motions may be made and votes may be taken.*

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

### Additional Information

### Board Action

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



Provincetown Select Board  
**AGENDA ACTION REQUEST**

Monday, September 23, 2019

3

# SELECT BOARD APPOINTMENT

Requested by: Town Clerk Darlene Van Alstyne

Action Sought: N/A

Proposed Motion(s)

None

Additional Information

- 

Board Action

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



**Provincetown Select Board**  
**AGENDA ACTION REQUEST**  
**Monday, September 23, 2019**

**4A**

**PUBLIC HEARING**

EDP 19-09 118 Bradford Street – The Clarendon House Guest House

**Requested by:** Kevin Bazarian, applicant

**Action Sought:** Discussion/Approval

**Proposed Motion(s)**

**Move that the Select Board vote to approve Economic Development Permit 19-09 for The Clarendon House Guest House by 118 Bradford Street Realty Trust, Kevin Bazarian, Trustee (applicant), based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2019-09-23, specifically:**

- Projects that are consistent with the Local Comprehensive Plan and
- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown’s year-round economic base and/or
- Create, expand or maintain the provision of transient occupancy rooms (commercial) available to visitors,

**subject to the attached permit with conditions [as submitted] [as revised].**

**Additional Information**

See attached application along with plans for the proposed improvements and draft permit. Existing and Proposed flow chart included in the packet.

Existing flow = 770 gpd  
 Proposed flow = 880 gpd  
 Guest Rooms (1 new): 770 gpd  
 Owner Bedroom (existing): 110 gpd  
 Total proposed additional flow: 110 gpd

Please note that the applicant had applied for gallons for a massage studio to be located in the basement of the guest house as part of this Economic Development request, which is cited within the enclosed materials. It was determined after the application was submitted that the massage studio cannot be located as requested and thus the additional gallons requested are not in the enclosed covenant.

**Board Action**

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



Select Board

# Public Hearing

## Economic Development Permit:

The Provincetown Select Board will hold a Public Hearing on **Monday, September 23, 2019 at 7:00 p.m.** in the Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657 to receive comments from the public on the following Economic Development Permit request:

1. Economic Development Permit 19-09 – 118 Bradford St Realty Trust, 118 Bradford St, by Kevin Bazarian, Trustee (applicant), on behalf of The Clarendon House Guest House (business) to increase the assigned Title 5 flow to the property by 123 gallons per day to add an additional guest bedroom and massage studio.
2. Economic Development Permit 19-10 – 29 Bradford Street Extension, Foxberry Inn, LLC (applicant), on behalf of The Foxberry Inn (business) to increase the assigned Title 5 flow to the property by 220 gallons per day to add two new one bedroom units of work force housing.

Comments may be submitted in writing to the Office of the Select Board, 260 Commercial Street, Provincetown, MA 02657 or [selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov) by Tuesday, September 17, or in person at the hearing.

*David Abramson, Chairman*

Posted: Town Hall, <http://www.provincetown-ma.gov>, 08/27/2019, 11:10 am AR  
Published: Banner: September 5 and September 12, 2019

# DRAFT Policy Statement

**2019-09-23** [This Policy supersedes Policy # 2017-03-13]

## Economic Development Permit Criteria [General By-laws Section 5-15-4]

It shall be the policy of the Provincetown Board of Selectmen that the number of permits that will be available in any given year will vary and is not predictable. The Board may choose to reserve some fixed gpd quantity of Economic Development permits for future applications, and is under no obligations to make awards.

Projects that are consistent with the Local Comprehensive Plan and

- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown's year-round economic base and/or
- Feature solutions to known barriers to year-round economic success e.g. Transportation, energy cost, water consumption, housing cost and/or
- Provides a measurable public benefit e.g. public restrooms and/or
- Create, expand or maintain the provision of transient occupancy rooms (commercial) available to visitors and/or
- Create seasonal or year-round employee/business owner housing will be favored.

Due to the Selectmen's current policy on the Sewer System's State of Limited Capacity, smaller projects on the sewer system will be favored over larger ones. ~~and the consideration of the remaining planned gallons dedicated to Economic Development Permits within the remaining sewer capacity could be considered grounds for denial.~~ Any application that cannot be accommodated due to limited capacity shall be placed in a queue and considered once additional capacity is realized.

Request for year round or seasonal employee housing shall be considered a public service use pursuant to Chapter 157 of the Acts of 2000, and under the State of Limited Capacity shall be an eligible use under the Housing Priority Category. Subject to gallons available, an employee housing request of two or less bedrooms may be approved without the need for a hearing.

The Provincetown Board of Selectmen shall require all past and future EDP holders to certify every 3-years in the form of a notarized certification, ~~the form of which shall be provided by the Town Manager,~~ signed under the pains and penalties of perjury, that the EDP use they are approved for is still active without any changes of any kind. ~~Upon approval of this policy, all current EDP holders must provide said certification by June 30, 2017, and then every three years thereafter.~~ If the approved use is no longer being used for the originally approved purpose or any changes have occurred, the Selectmen shall hold a show-cause hearing and the EDP holder may lose all or some rights assigned under the original permit. Further, any sewer betterments paid by the EDP holder shall not be reimbursed by the Town. and all future betterment payments shall remain due to the Town even in the event of the loss or change of the original EDP at a show-cause hearing.

Adopted:

In favor:

Opposed:



Town of Provincetown  
Department of  
Community Development

Town Hall, 260 Commercial Street  
Provincetown, MA 02657  
Telephone (508) 487-7020 Facsimile (508) 487-0032

# Economic Development Sewerage Gallons Permit

Subject Property Address	Assessors Data
118 BRADFORD ST.	Map Parcel

Owner of Record	Name and address
118 BRADFORD ST REALTY TR. KEVIN BAZARIAN TRUSTEE	KEVIN BAZARIAN PO Box 5 PROVINCETOWN, MA 02657
Signature: <i>John Dwyer</i>	Date: 8-16-19

Business Contact Information		office	
company	THE CLARENDON HOUSE GUEST HOUSE	fax	
contact	KEVIN BAZARIAN	mobile	508-566-2555
address	118 BRADFORD ST. PROVINCETOWN MA 02657	pager	
		email	

Sewerage Information	
Property on sewer?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, assigned flow	_____ gpd
Proposed sewer flow	_____ gpd
Additional flow requested	_____ gpd
Property on septic?	Yes _____ No <input checked="" type="checkbox"/>
Current flow	_____ gpd
Proposed additional flow	_____ gpd

Brief and Accurate Description of Proposed Project
REMODEL AND ADD ONE GUEST ROOM TO EXISTING GUEST ROOMS AT THE CLARENDON HOUSE. ADDITIONAL ROOM WOULD BE ADDED TO FREE STANDING COTTAGE. ADD MASSAGE ROOM IN BASEMENT OF CLARENDON MAIN HOUSE

Economic Development Checklist	
Is project consistent with Local Comprehensive Plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does it help support year-round employment?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does it help support an extended employment season?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Help diversify local economic base?	Yes _____ No <input checked="" type="checkbox"/>
Feature solutions to barriers to year-round economic success? -e.g. transportation, energy, water use, affordable housing	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Provide measurable public benefit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Brief narrative about potential economic benefits to Town -
ADDITIONAL GUEST ROOM WILL ENABLE MORE PEOPLE TO VISIT PROVINCETOWN AND BRING MORE REVENUE TO THE TOWN OFFERING MASSAGES TO GUESTS MAKES CLARENDON HOUSE A DESIRED DESTINATION.
RECEIVED BOS AUG 19 2019 CC: BOS/TM/ATM.
RECEIVED AUG 16 2019 By _____

Other Municipal and State Approvals received to date (for reference only)	
	date _____

Plan Submittal Checklist (use all that apply)	
<input checked="" type="checkbox"/>	Site Plan (including property line survey and utilities as required by Building Commissioner and Health Agent)
<input checked="" type="checkbox"/>	Existing floor plan (to scale)
<input checked="" type="checkbox"/>	Proposed schematic floor plan (to scale)
<input type="checkbox"/>	Existing equipment / fixture / seating plan (to scale)
<input type="checkbox"/>	Proposed schematic equipment / fixture / seating plan (to scale)
<input type="checkbox"/>	Condominium/Co-op/ Landlord authorization (if applicable)
<input type="checkbox"/>	
<input type="checkbox"/>	

**For Official Administrative Use Only**

Board Vote at Public Meeting held on _____ date _____			
Sitting Board Member	For	Against	Abstained
Approve and assign an Economic Development Permit for _____ gallons		Deny request of assigned gallons	

**Conditions of Approval (insert all that apply)**

1. Subject to approval from all applicable local, state and federal regulatory agencies
2. If no building permit has been submitted to the building department within one year from this approval, then approval for the assignment of gallons is not longer valid.
3. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

The Honorable Board of Selectmen \_\_\_\_\_

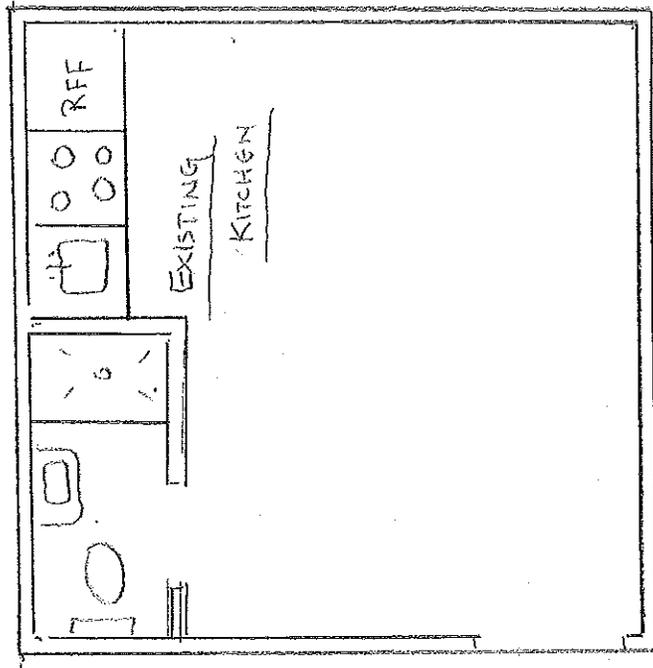
\_\_\_\_\_

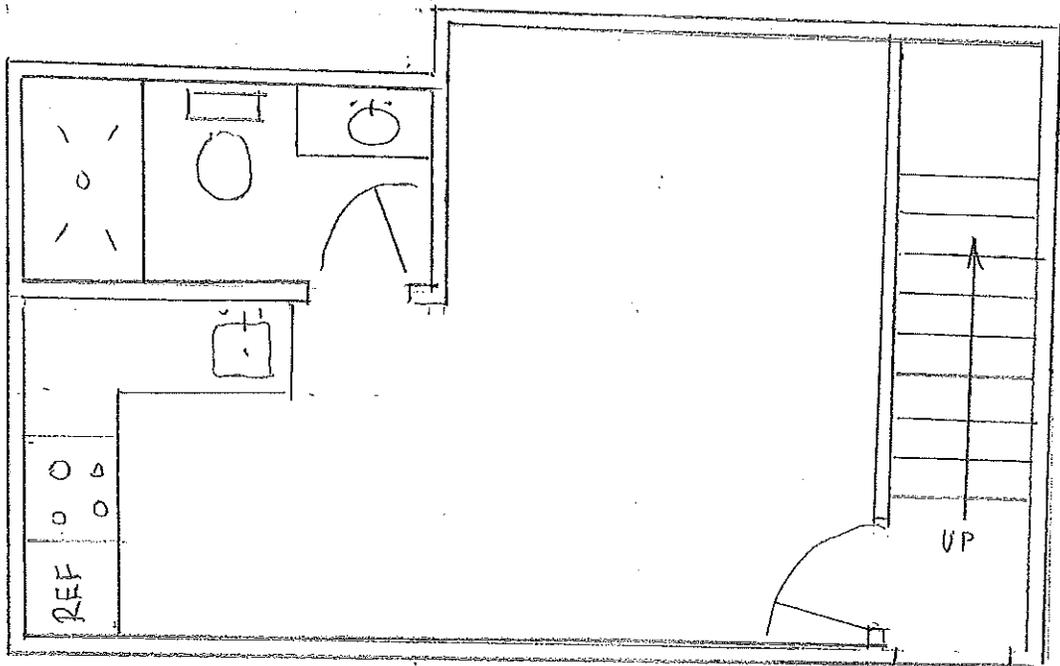
\_\_\_\_\_

chair \_\_\_\_\_

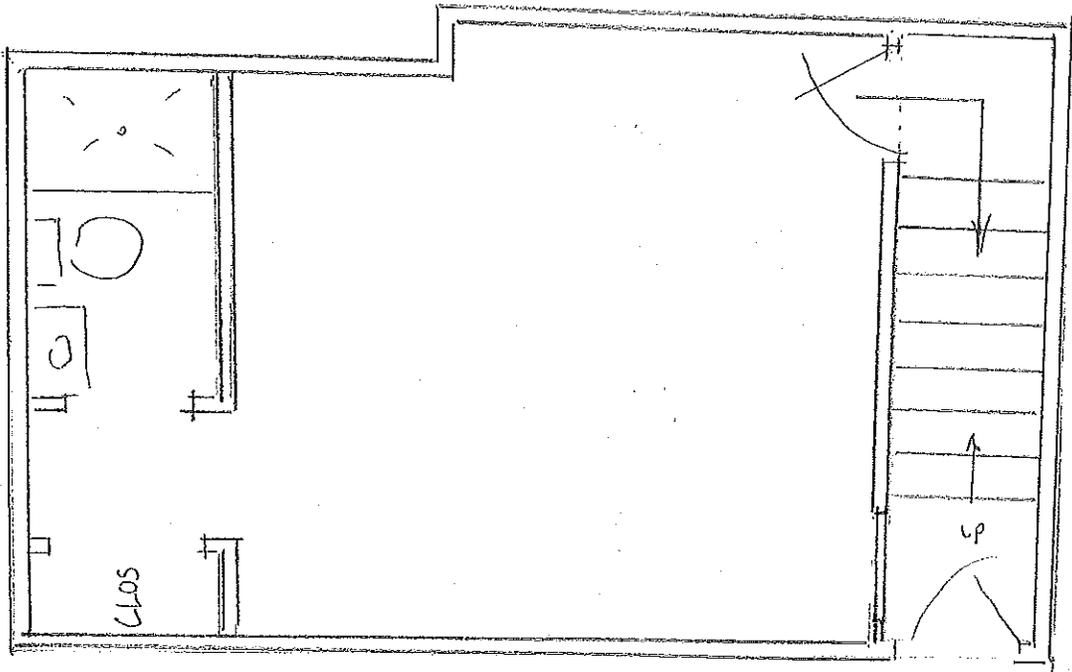
EXISTING

FLOOR PLAN





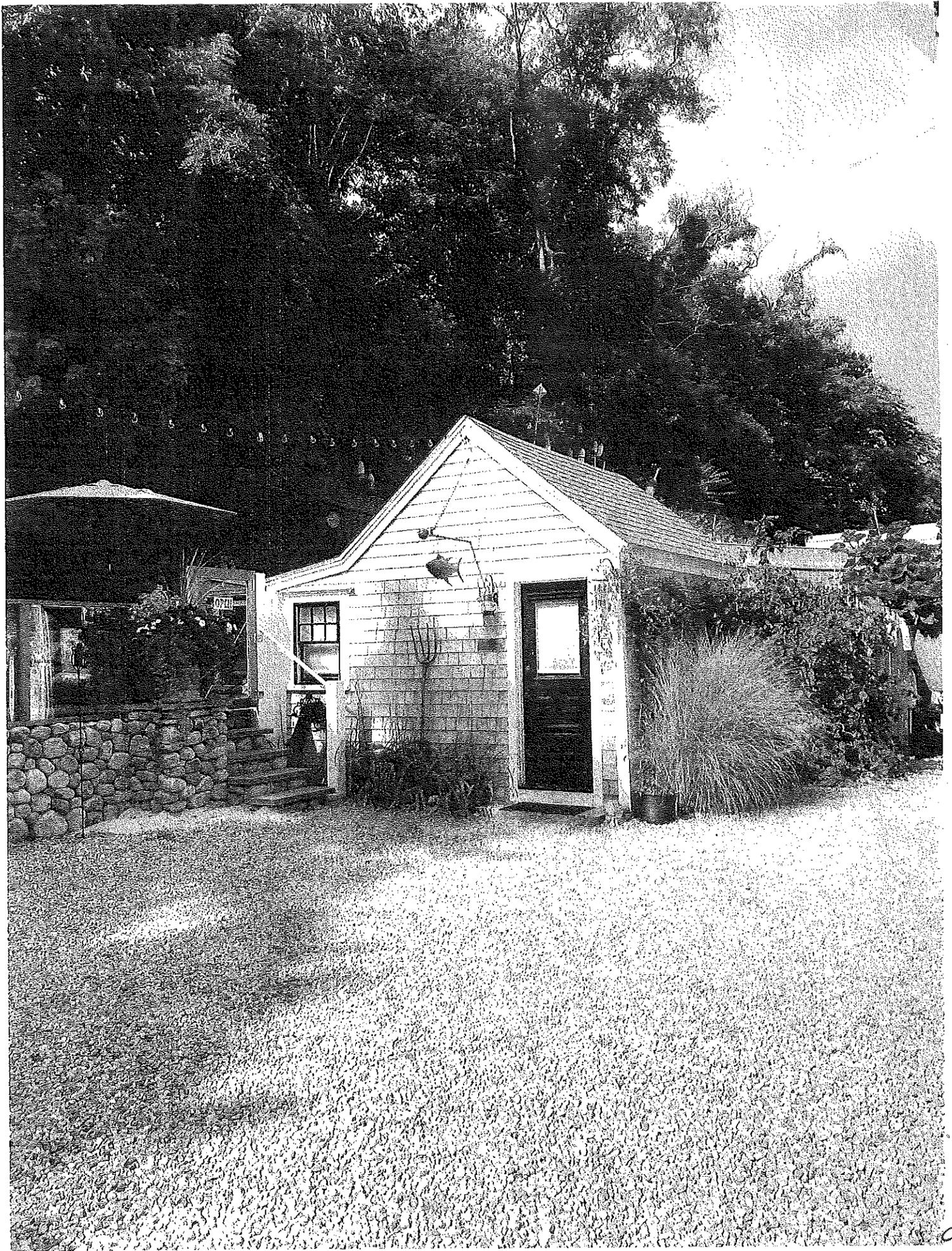
PROPOSED  
FIRST FLOOR



PROPOSED

SECOND FLOOR





## Memorandum

---

Date: September 16, 2019

To: Morgan Clark, Director, Department of Health

From: Rob Adams, Project Director

Cc: Richard Waldo, DPW Director

Subject: **Economic Development Permit No. 19-09**  
118 Bradford Street (Clarendon House)  
Current Flow: 770 gpd (Title 5)  
Requested Additional Flow: 123 gpd (Title 5)  
Proposed New Total Flow: 893 gpd (Title 5)

---

Per your request, we have reviewed the subject Economic Development Permit (EDP) request and offer the following comments for your review and consideration.

The property at 118 Bradford Street is located on parcel #11-3-087. The parcel currently contains a total of 7 bedrooms. The current Title 5 flow assigned to this property is 770 gpd.

The applicant, 118 Bradford St. Realty Trust (dba The Clarendon House Guest House), is proposing to add one (1) guest room in the free standing cottage building and a massage room in the basement of the Clarendon Main House which would result in a new total Title 5 flow of 893 gpd for the property. A summary of these flows is presented in Attachment A.

This property is served by the vacuum sewer system and is located on the Bradford Vacuum Main. The property is served by a single buffer tank (SBT) which does have adequate capacity to accommodate the additional requested flow.

It should be noted that any further consideration of this request should be contingent upon BOH review of the property's existing grease trap to confirm it is adequately sized to handle the additional flow and properly maintained.

The WWTF is currently permitted to treat up to 750,000 gpd (max day flow). Since February 9, 2015 the WWTF has been in a "state of limited capacity". At the February 9, 2015 Board of Selectmen's (BOS) meeting a remaining/available capacity limit of 50,000 gpd was established. Of this amount, the BOS allocated the following amounts for the uses specified below:

- EDP requests (12,500 gpd)
- Public health needs for failed septic systems (15,000 gpd)
- Community housing (17,500 gpd)
- Municipal needs (5,000 gpd)

In January 2018, the BOS increased the EDP allocation by 8,282 gpd from 12,500 gpd to 20,782 gpd. At the same time, the BOS decreased the Housing allocation by 1,639 gpd from 17,500 gpd to 15,861 gpd. A summary of sewer flow revisions made since February 9, 2015 is provided below. A detailed list of these revisions is provided in Attachment B.

	BOS Allocations (gpd T5)						Totals
	EDP	Public Health	Housing	Municipal	Correction	Reductions	
Original Allocation (2/9/15)	12,500	15,000	17,500	5,000	0	0	50,000
BOS Adjustments (1/22/18)	6,643	0	0	0	0	0	6,643
<b>Current Allocation</b>	<b>19,143</b>	<b>15,000</b>	<b>17,500</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>56,643</b>
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
<b>Remaining</b>	<b>1,277</b>	<b>6,426</b>	<b>11,399</b>	<b>5,000</b>	<b>(5,802)</b>	<b>4,753</b>	<b>23,053</b>

As shown above, at this time there is only 1,277 gpd remaining for EDP requests and there are a number of other EDP requests which are currently pending or under review. The total amount of these EDP requests far exceeds the remaining available gallons for EDPs. A summary of these EDP requests is shown in the table below.

EDP#	Address	Name	EDP Gallons Requested (gpd)
<b>Current Requests</b>			
19-09	118 Bradford Street	The Clarendon House Guest House	123
19-10	29 Bradford Street Extension	Foxberry Inn	220
<b>Requests on Hold</b>			
19-03	193A Commercial Street, #6	A Lea Delaria Joint	770
<b>Subtotal</b>			<b>1,250</b>
<b>Pending USDA Grant Funding</b>			
18-02	315A Commercial Street	Surf Club	6,370
18-06	9 Ryder Street Extension	Fisherman's Wharf	24,500
<b>Subtotal</b>			<b>30,870</b>
<b>Total</b>			<b>32,463</b>

Although we are working on a project to increase the WWTF capacity by 155,000 gpd, this project is still in the preliminary planning/design phase because the Town has still not yet received notification on their USDA grant application. In addition, even if/when this project is approved, it will be several years before these gallons will be available.

If you have any questions or concerns, please do not hesitate to ask.

11

**Attachment A**  
**118 Bradford Street - Flow Summary**

Use	Unit of Measure	Quantity	Type of Gallons	Flow (GPD)
<b>EXISTING FLOW</b>				
BEDROOMS	Bedrooms	7	110	770
<b>TOTAL EXISTING FLOW</b>				<b>770</b>
<b>REQUESTED FLOW</b>				
BEDROOMS	Bedrooms	8	110	880
MASSAGE ROOM	SF	169	0.075	13
<b>TOTAL REQUESTED FLOW</b>				<b>893</b>
SUBTRACT EXISTING BETTERED FLOW				-770
<b>TOTAL BETTERMENT CHANGE</b>				<b>123</b>

**ATTACHMENT B - SEWER FLOW REVISIONS SINCE FEBRUARY 9, 2015 - STATE OF LIMITED CAPACITY**

SUMMARY	GPD T5						
	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
Original Allocation (2/9/15)*	12,500	15,000	17,500	5,000	0	0	50,000
Board of Selectmen Adj (1/22/18)	6,643	0	0	0	0	0	6,643
Current Allocations	19,143	15,000	17,500	5,000	0	0	56,643
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
Remaining	1,277	6,426	11,399	5,000	(5,802)	4,753	23,053

Date Issued	Parcel ID	Address	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
19-Mar-15	11-3-015-0-00A	293 Commercial St-Unit A	140						140
	11-3-015-0-00D	293 Commercial St-Unit D	240						240
	11-3-032-0-02	237 Commercial Street #25	945						945
	12-1-034	26 Alden Street			62				62
7-May-15	12-4-008	463 Commercial Street						(1,900)	(1,900)
	12-4-008	463 Commercial Street						(450)	(450)
	11-1-004	205-209 Commercial St	400						400
18-Jun-16	06-2-015-1-00	67 Commercial Street Unit 1					110		110
	06-2-015-2-00	67 Commercial Street Unit 4					110		110
13-Aug-15	15-3-074	341 Bradford Street		880			0		880
	19-2-003	951R Commercial Street					330		330
	15-1-015	509 Commercial Street		550					550
	07-2-178	16 Carver Street		440					440
	12-2-005-2-00	415 Commercial Street					(110)		(110)
	12-2-023-1-00	361A Commercial Street					(20)		(20)
	12-2-023-2-00	361A Commercial Street					(20)		(20)
	12-2-023-3-00	361C Commercial Street					40		40
	06-4-167	34 Bradford Street					220		220
	06-1-014-B	162 Bradford Street Ext					330		330
	06-1-014-C	164 Bradford Street Ext					110		110
	06-2-003-1-00	99 Commercial Street	(700)						(700)
17-Sep-16	06-4-109	120 Commercial Street					44		44
	07-2-167	188 Commercial Street					154		154
	06-2-078	5 Nickerson Street		330					330
	15-3-058-1	600 Commercial Street Unit 1		110					110
	15-3-058-1	600 Commercial Street Unit 2		220					220
	15-3-058-1	600 Commercial Street Unit 3		110					110
	15-3-058-2	600 Commercial Street Unit 4		110					110
	15-3-058-2	600 Commercial Street Unit 5		110					110
10-Dec-15	06-4-171	4 Conant Street						(330)	(330)
14-Jan-16	07-2-036	30 Montello Street					110		110
	07-2-138	1 Winthrop Street					(90)		(90)
	07-3-020	52 Ships Way Road			330				330
	11-3-015-0-00C	293 Commercial Street	98						98
5-May-16	07-4-008	80 Bradford Street					(440)		(440)
	07-4-009	82 Bradford Street					(110)		(110)
	11-3-019-A	9 Ryder Street Ext					1,062		1,062
	12-1-134	141 Bradford Street					287		287
	12-2-027-0-001	374 Commercial Street					(67)		(67)
	12-2-027-0-002	374 Commercial Street					(40)		(40)
	12-2-042	384 Commercial Street	(659)						(659)
	12-2-043	386 Commercial Street					14		14
	12-2-044	394 Commercial Street					111		111
23-Jun-16	11-1-006-3-009	199 Commercial Street #9	1,096						1,096
	11-1-006-3-010	199 Commercial Street #10	(140)						(140)
	11-3-069-0-00	96-98 Bradford Street					587		587
	12-1-015	328 Commercial Street					330		330
	12-1-142-2-00	336 Commercial Street					95		95
8-Sep-16	11-3-020	227 Commercial Street					1,082		1,082
	11-3-019-A	9 Ryder St. Ext	1,175						1,175
	11-3-019-A	9 Ryder St. Ext			440		30		470
3-Nov-16	07-4-021	14 Prince Street						(110)	(110)
	15-3-077	307 Bradford Street					550		550
	11-3-086-0-001	116 Bradford Street						(660)	(660)
	11-3-043	226-228 Commercial St					(350)		(350)
	06-2-017-A	65 Commercial Street					220		220
7-Dec-16	11-3-053	101 Bradford Street					(110)		(110)
	12-1-025-0-001	129 Bradford Street					(90)		(90)
	17-1-011	641 Commercial Street					(110)		(110)
19-Jan-17	12-4-147	202 Bradford Street					110		110
	15-3-061	295 Bradford Street					110		110
9-Mar-17	11-3-080	258 Commercial Street					300		300
11-May-17	15-1-039	212 Bradford Street	74		440				514
	06-3-050	31 Creek Road					(110)		(110)
	11-1-006-3-001	199 Commercial Street	58						58
	06-2-029-1-002	52A Commercial St					(110)		(110)
	11-3-035	225 Commercial Street	3,035						3,035
	11-3-001-A	335 Commercial Street	490						490
	11-3-002-2-OR6	333R Commercial Street					(110)		(110)

**ATTACHMENT B - SEWER FLOW REVISIONS SINCE FEBRUARY 9, 2015 - STATE OF LIMITED CAPACITY**

SUMMARY	GPD T5						
	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
Original Allocation (2/9/15)*	12,500	15,000	17,500	5,000	0	0	50,000
Board of Selectmen Adj (1/22/18)	6,643	0	0	0	0	0	6,643
Current Allocations	19,143	15,000	17,500	5,000	0	0	56,643
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
Remaining	1,277	6,426	11,399	5,000	(5,802)	4,753	23,053

Date Issued	Parcel ID	Address	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
	12-2-042-0-00C	384 Commercial Street	98						98
	12-2-042-0-002	384 Commercial Street					(220)		(220)
	12-2-042-0-003	384 Commercial Street					220		220
	06-2-085	88 Commercial Street					(110)		(110)
	12-1-048	130 Bradford Street					150		150
	12-1-048	130 Bradford Street			220				220
12-Jun-17	11-1-007	212 Commercial Street			209				209
8-Jun-17	12-4-064	199 Bradford Street		330					330
18-Sep-17	11-3-098-U1-6	284B Commercial Street		880					880
22-Jan-18	07-2-062	46 Bradford Street	83						83
22-Jan-18	12-2-024-2-00H	359 Commercial St Unit H						(753)	(753)
15-Mar-18	06-2-047	8 West Vine St		440					440
	12-2-037	9 Pearl Street					220		220
	07-2-118	58 Bradford Street					110		110
	19-1-018	15 Hobson Avenue		220					220
	05-4-001	53 Commercial Street		660					660
	11-3-015-0-00C	293 Commercial Street	(98)						(98)
3-May-18	12-1-011	347 Commercial Street					353		353
	11-3-044	230 Commercial Street					214		214
	08-1-001	20 Province Road	606		1,100				1,706
14-Jun-18	07-2-069	30 Shank Painter Road		324					324
	11-3-094	115 Bradford Street					47		47
2-Aug-18	07-1-044	38 Pleasant Street					110		110
	11-3-048	242 Commercial Street					(180)		(180)
	12-1-114	358-360 Commercial Street					329		329
	08-2-001	55 Capt. Bertie Way		330					330
1-Jan-19	12-2-001	425 Commercial Street						(110)	(110)
	06-4-045	16 Cottage Street		770					770
	11-3-003	331 Commercial Street	(410)						(410)
14-Mar-19	12-4-048	466 Commercial Street		880					880
11-Mar-19	11-1-007	212-214 Commercial Street	4,671						4,671
	07-2-043	24 Conant Street					110		110
	19-1-014	14 Garfield Street					(110)		(110)
11-Apr-19	15-1-021	487 Commercial Street						(220)	(220)
	06-2-041	15 Atwood Street						(220)	(220)
5/9/2019	05-3-0138E	8 Harbor Hill Road			1,210				1,210
	05-3-038C	37 Bradford Street Ext			1,980				1,980
	12-1-134	141 Bradford St	3,140						3,140
	07-2-122	170 Commercial St	257						257
14-Aug-19	11-3-1-A	335 Commercial Street-Squealing Pig	(490)						(490)
11-Jul-19	06-4-056	10 Bradford Street		550					550
9/5/2019	06-4-046	18 Cottage Street (ACO)		330					330
WSB date	12-1-141-003	334 Commercial St - Purple Feather	480						480
WSB Date	12-2-022	361 Commercial St - Coffee House	290						290
WSB Date	11-3-080	258 Commercial St - Saki/Toko	560						560
WSB Date	6-2-005	93 Commercial St - Relish	32						32
WSB Date	12-1-153	350A Commercial St. - Captain's House			110				110
WSB Date	12-1-142	336 Commercial St - Pilgrim House	2,395						2,395
									0
		<b>TOTAL FLOW REVISIONS</b>	<b>17,866</b>	<b>8,574</b>	<b>6,101</b>	<b>0</b>	<b>5,802</b>	<b>(4,753)</b>	<b>33,590</b>
		<b>REMAINING GALLONS</b>	<b>1,277</b>	<b>6,426</b>	<b>11,399</b>	<b>5,000</b>	<b>(5,802)</b>	<b>4,753</b>	<b>23,053</b>
		<b>OVERALL TOTAL</b>	<b>19,143</b>	<b>15,000</b>	<b>17,500</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>56,643</b>

# TOWN OF PROVINCETOWN - PROPERTY SUMMARY REPORT

<b>PARCEL</b>	11-3-87-0	<b>KEY:</b>	2021	<b>LOCATION:</b>	118 BRADFORD ST
---------------	-----------	-------------	------	------------------	-----------------

CURRENT OWNER	FY' 2015 PARCEL VALUE	
118 BRADFORD ST REALTY TR, KEVIN BAZARIAN ET AL TTEES	LAND VAL:	\$365,600.00
P O BOX 5	BUILDING VAL:	\$463,600.00
	DETACH VAL:	\$0.00
PROVINCETOWN, MA 02657	APPR VAL:	\$829,200.00
	TAX VAL:	\$829,200.00



<b>STATE CLASS:</b>	0310	<b>ZONING:</b>	Res3
<b>DESCRIPTION:</b>	MULTI-USE COM	<b>BILL SQ FT:</b>	5505

## SALES HISTORY

OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE
118 BRADFORD ST REALTY TR	F	29176 / 131	01-Oct-2015	\$ 1
BAZARIAN KEVIN A	O	28768 / 41	30-Mar-2015	\$ 647,000
118 BRADFORD LLC	F	28157 / 67	21-May-2014	\$ 100
FURLONG JAMES P ET AL	QS	15152 / 60	14-May-2002	\$ 600,000
DORANTES INC	C	9573 / 316	01-Mar-1995	\$ 315,000
KELLY, JOHN F	QS	3367 / 200	28-May-1981	\$ 60,000
CRONIN HERBERT R	H	N/A / N/A	13-Jan-1978	\$ 0
BROWNE ELOISE	QS	549 / 202	23-Feb-1939	\$ 0

<b>BUILDING</b>	1	<b>KEY:</b>	2021	<b>LOCATION:</b>	118 BRADFORD ST
-----------------	---	-------------	------	------------------	-----------------

YEAR BUILT	1830
STYLE	ANTIQUE
QUALITY	A-
NET SF	1848



DATE MEASURED	20-Mar-2019
DATE LISTED	07-Jul-2015

ELEMENT	DESCRIPTION	CD	CAPACITY	UNIT	CONDITION	DESCRIPTION	CD
FOUNDATION	BSMT WALL	4	STORIES	2	EXTERIOR	AVERAGE	A
EXT. COVER	CLAPBOARD	2	ROOMS	10	INTERIOR	AVERAGE	A
ROOF SHAPE	HIP	2	BEDROOMS	6	KITCHEN	AVERAGE	A
ROOF COVER	ASPHALT	1	FULL BATHS	4	BATHS	AVERAGE	A
FLOOR COVER	SOFTWOOD	2	HALF BATHS	0	HEAT	AVERAGE	A

# TOWN OF PROVINCETOWN - PROPERTY SUMMARY REPORT

ELEMENT	DESCRIPTION	CD
INT. FINISH	PLASTER	1
HEATING/COOL	HOT WATER	2
FUEL SOURCE	OIL	1
SEPTIC FIELD	SEWER	1

CAPACITY	UNIT
TOT	23
# OF UNITS	1
KITCHENS	1
AFFORD.HSG	0

CONDITION	DESCRIPTION	CD
ELECT	AVERAGE	A

<b>BUILDING</b>	2	<b>KEY:</b>	2021	<b>LOCATION:</b>	118 BRADFORD ST
<b>YEAR BUILT</b>	1950				
<b>STYLE</b>	COTTAGE/BUNG				
<b>QUALITY</b>	A				
<b>NET SF</b>	169				



<b>DATE MEASURED</b>	01-Apr-2015
<b>DATE LISTED</b>	01-Apr-2015

ELEMENT	DESCRIPTION	CD
FOUNDATION	SLAB	2
EXT. COVER	WOOD	1
ROOF SHAPE	GABLE	1
ROOF COVER	ASPHALT	1
FLOOR COVER	TILE	4
INT. FINISH	DRYWALL	2
HEATING/COOL	FL./WALL	7
FUEL SOURCE	GAS	2
SEPTIC FIELD	SEWER	1

CAPACITY	UNIT
STORIES	1
ROOMS	1
BEDROOMS	1
FULL BATHS	1
HALF BATHS	0
TOT	5
# OF UNITS	1
KITCHENS	1
AFFORD.HSG	0

CONDITION	DESCRIPTION	CD
EXTERIOR	AVERAGE	A
INTERIOR	GOOD	G
KITCHEN	AVERAGE	A
BATHS	GOOD	G
HEAT	AVERAGE	A
ELECT	AVERAGE	A





Town of Provincetown  
ECONOMIC DEVELOPMENT PERMIT  
(Town of Provincetown General By-laws Section 5-15-4)  
and  
DECLARATION OF COVENANTS

Property Owner: 118 Bradford St Realty Trust, Kevin Bazarian et al  
Property Owner Address: PO BOX 5, Provincetown, MA 02657  
Property Address: **118 Bradford Street, Provincetown, MA**  
Assessor's Map Number: 11-3-87-0  
Title Reference: **Barnstable County Registry of Deeds Bk. 29176, Pg. 131**  
Applicant (if different): Kevin Bazarian  
Business Entity: The Clarendon House

Economic Development Permit No. EDP 19-09

Existing Use(s) of Property: Residential/Guest House

Sewage Assigned Flow for Existing Use(s) of Property: The property at 118 Bradford Street, henceforth referred to as "Premises", has an assigned Title V flow of 770 gpd, a six-bedroom guest house with a one-bedroom owner's quarters.

Proposed Use(s) of Property or Proposed Expansion of Existing Use(s) of Property: The proposed use of the property is add a seventh bedroom to the guest house.

Title V Design Flow for Proposed or Expanded Use(s) of Premises: 110 gpd increase for a total 880 gpd.

The Town of Provincetown, acting by and through its Board of Selectmen, hereby grants an Economic Development Permit, pursuant to Town of Provincetown General By-laws Section 5-15-4, to the Property Owner for the proposed use on the property located at 118 Bradford Street, (the "Premises"), to operate a seven-bedroom guest house as presented by the application (the "Approved Use"), subject to the Owner's covenants stated below.

The Owner hereby covenants with the Town of Provincetown, a Massachusetts municipal corporation with an address of 260 Commercial Street, Provincetown, Massachusetts 02657, acting by and through its Board of Selectmen pursuant to Provincetown General By-laws Section 5-15-6 (the "Town") as follows:

1. The Owner shall commence the Approved Use of the Premises described above on or before the date that is one year following the date of grant of this Permit and shall thereafter continuously maintain said Approved Use

of the Premises. If the Approved Use of all or any portion of the Premises is discontinued for a period of thirty (30) days after commencement thereof, such discontinuance shall be deemed a failure to continuously maintain. The one-year and the thirty (30) day periods may be extended by the Town for good cause shown.

2. This Declaration of Covenants shall run with the Premises and be binding upon the executors, administrators, heirs, devisees, successors and assigns of the Owner.
3. Upon prior written notice to the Owner at the Property Address above or such new address as the Owner shall notify the Selectmen of in writing, the Town shall have the permanent right and easement to enter upon the Premises for the purpose of determining compliance with the terms of this Declaration of Covenants.
4. The Town shall have the option to enforce this Declaration of Covenants, but shall not have the obligation to do so.
5. The Owner hereby covenants and agrees, for the Owner and the Owner's successors and assigns, to reimburse the Town for all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Declaration of Covenants, provided the Owner has been determined by a court of law to be in violation of the terms of this Declaration of Covenants.
6. This Declaration of Covenants sets forth rights, liabilities, agreements and obligations upon and subject to which the Premises or any portion thereof, shall be improved, held, used, occupied, leased, sold, mortgaged, encumbered, or conveyed. The rights, liabilities, agreements and obligations herein set forth shall run with the Premises and any portion thereof and shall inure to the benefit of and be binding upon the Owner and all parties claiming by, through or under Owner. This Declaration of Covenants shall have a term of ninety-nine years or the longest period allowed by law. The Owner agrees that this Declaration of Covenants is an "other restriction held by a governmental body" as that term is used in G.L. c.184, §26 and thus not subject to the limitations on the enforceability of restrictions in G.L. c.184, §§26-30. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of this Declaration of Covenants, the Owner(s) hereby appoints the Board of Selectmen of the Town of Provincetown as the Owner's agent to execute and record such notice and agrees that the Owner shall execute and record such notice upon request.
7. The Owner agrees to incorporate this Declaration of Covenants, in full or by reference, into all deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer by which an interest in and/or a right to use the Premises, or any portion thereof, is conveyed.

8. If any court or other tribunal determines that any provision of this Declaration of Covenants is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event the provision invalidated is of such a nature that it cannot be so modified, the provision shall be deemed deleted from this Declaration of Covenants as though it had never been included herein. In either case, the remaining provisions of this Declaration of Covenants shall remain in full force and effect.
9. The Owner is the sole owner in fee simple absolute of all the Premises and there are no mortgages of record or otherwise on the Premises or any portion thereof except for those described below, if any, and the present holders of said mortgages have assented and subordinated to this Declaration of Covenants prior to the execution by the undersigned. It is agreed that any subsequent mortgages shall be subordinate to this Declaration of Covenants.
10. It is agreed that this Declaration of Covenants shall take effect only upon the execution of this Economic Development Permit by the Town of Provincetown Board of Selectmen and the recordation with the Barnstable County Registry of Deeds or filing with the Barnstable County Registry District of the Land Court of this Economic Development Permit and Declaration of Covenants.
11. A true copy of the Owner's application for this Economic Development Permit including all documents and plans submitted therewith, is attached hereto as Exhibit A and is incorporated herein except as specified below:  

\_\_\_\_\_  
N/A
12. It is agreed that, monetary damages for breach of this covenant being difficult or impossible to ascertain, the Town's remedies shall include, without limitation, specific performance of the obligation to continuously maintain the Approved Use upon the Premises.
13. The Town's remedies shall also include, without limitation, revocation of this Economic Development Permit by order of the Board of Selectmen, which order may be made thirty (30) days after the date notice is given by mail to the Property Owner of the Selectmen's determination that the Owner has failed to continuously maintain the Approved Use, or that the Owner has commenced a use on the Premises other than, or in addition to, the Approved Use, whereupon all rights arising from this Economic Development Permit shall be forfeited, including without limitation any Growth Management Permit or increased sewage flow allocation that may have been granted with respect to the Premises, notwithstanding that the Premises may have been assessed a betterment or special assessment relating to the increased sewage flow allocation and the Allowed Use shall

be deemed to be an expressly abandoned by the Property Owner, pursuant to Section 6200-3 of the Growth Management By-Law of the Town.

- 14. The Owner must apply for and obtain all other necessary permits and approvals in order to proceed with the Approved Use.
- 15. The Owner further covenants and agrees that the Owner shall comply with the following additional conditions:
  - (a) The additional gallons shall be utilized for the Approved Use as proposed (a guest room for rent) only and shall not be subsequently converted to any other use without prior approval of the Board of Selectmen.
  - (b) Approved use shall require current and continuous licensing from the Licensing Board and Board of Health.
  - (c) Upon any transfer of interest in and/or a right to use the Premises, Approved Use or any portion thereof, and as a condition of the lease, sale transfer of interest or right to use, the Town shall be provided with a certificate of compliance agreeing to the conditions stated herein and certifying that the Approved Use shall continue and not be altered with the prior approval of the Board of Selectmen or the permit shall be forfeited.
- 16. This Economic Development Permit and Declaration of Covenants may be amended only by written agreement of the Board of Selectmen and the Property Owner.

**WITNESS** our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

OWNER

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Name:  
Title:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

On this day, \_\_\_\_\_, 20\_\_, the Board of Selectmen of the Town of Provincetown, pursuant to Town of Provincetown General By-laws Section 5-15-4, hereby grants this Economic Development Permit authorizing the Proposed or Expanded Use(s) of Property described above, subject to the above Declaration of Covenants and all other necessary Town permits.

TOWN OF PROVINCETOWN,  
By its Board of Selectmen

---

---

---

---

---

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

Mortgagee(s) Consent and Subordination

The \_\_\_\_\_ by \_\_\_\_\_,  
the holder of a mortgage dated \_\_\_\_\_, recorded with the Barnstable County  
Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_, does hereby assent to the recording  
of this Economic Development Permit and Declaration of Covenants and subordinates  
said mortgage to this Economic Development Permit and Declaration of Covenant as if  
this Economic Development Permit and Declaration of Covenants had been recorded  
prior to said mortgage.

\_\_\_\_\_  
By: \_\_\_\_\_

Its, \_\_\_\_\_  
Duly authorized

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary  
public, personally appeared \_\_\_\_\_, proved to me through  
satisfactory evidence of identification, which was  
\_\_\_\_\_, to be the person whose name is signed  
on the preceding or attached document, and acknowledged to me that he/she signed it  
voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:



**Provincetown Select Board**  
**AGENDA ACTION REQUEST**  
**Monday, September 23, 2019**

**4B**

**PUBLIC HEARING**

EDP 19-10 29 Bradford Street Extension – Foxberry Inn

Requested by: ...

Action Sought: Discussion/Approval

**Proposed Motion(s)**

Move that the Select Board vote to approve Economic Development Permit 19-10 for Foxberry Inn by Foxberry Inn, LLC, based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2019-09-23, specifically:

- Projects that are consistent with the Local Comprehensive Plan and
- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown’s year-round economic base and/or
- Create seasonal or year-round employee/business owner housing

**subject to the attached permit with conditions [as submitted] [as revised].**

**Additional Information**

See attached application along with plans for the proposed improvements and draft permit. Existing and Proposed flow chart included in the packet.

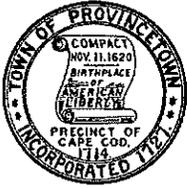
Existing flow = 1540 gpd  
 Proposed flow = 1760 gpd

Guest Rooms (existing):	1320 gpd
Owner’s Quarters (existing):	220 gpd
Employee Housing Studio (new):	110 gpd
Workforce Housing – 1 Bedroom (new):	110 gpd

Total proposed additional flow: **220 gpd**

**Board Action**

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



**Select Board**

# Public Hearing

## **Economic Development Permit:**

The Provincetown Select Board will hold a Public Hearing on **Monday, September 23, 2019 at 7:00 p.m.** in the Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657 to receive comments from the public on the following Economic Development Permit request:

1. Economic Development Permit 19-09 – 118 Bradford St Realty Trust, 118 Bradford St, by Kevin Bazarian, Trustee (applicant), on behalf of The Clarendon House Guest House (business) to increase the assigned Title 5 flow to the property by 123 gallons per day to add an additional guest bedroom and massage studio.
2. Economic Development Permit 19-10 – 29 Bradford Street Extension, Foxberry Inn, LLC (applicant), on behalf of The Foxberry Inn (business) to increase the assigned Title 5 flow to the property by 220 gallons per day to add two new one bedroom units of work force housing.

Comments may be submitted in writing to the Office of the Select Board, 260 Commercial Street, Provincetown, MA 02657 or [selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov) by Tuesday, September 17, or in person at the hearing.

*David Abramson, Chairman*

Posted: Town Hall, <http://www.provincetown-ma.gov>, 08/27/2019, 11:10 am AR  
Published: Banner: September 5 and September 12, 2019

# DRAFT Policy Statement

**2019-09-23** [This Policy supersedes Policy # 2017-03-13]

## Economic Development Permit Criteria [General By-laws Section 5-15-4]

It shall be the policy of the Provincetown Board of Selectmen that the number of permits that will be available in any given year will vary and is not predictable. The Board may choose to reserve some fixed gpd quantity of Economic Development permits for future applications, and is under no obligations to make awards.

Projects that are consistent with the Local Comprehensive Plan and

- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown's year-round economic base and/or
- Feature solutions to known barriers to year-round economic success e.g. Transportation, energy cost, water consumption, housing cost and/or
- Provides a measurable public benefit e.g. public restrooms and/or
- Create, expand or maintain the provision of transient occupancy rooms (commercial) available to visitors and/or
- Create seasonal or year-round employee/business owner housing will be favored.

Due to the Selectmen's current policy on the Sewer System's State of Limited Capacity, smaller projects on the sewer system will be favored over larger ones. ~~and the consideration of the remaining planned gallons dedicated to Economic Development Permits within the remaining sewer capacity could be considered grounds for denial.~~ Any application that cannot be accommodated due to limited capacity shall be placed in a queue and considered once additional capacity is realized.

Request for year round or seasonal employee housing shall be considered a public service use pursuant to Chapter 157 of the Acts of 2000, and under the State of Limited Capacity shall be an eligible use under the Housing Priority Category. Subject to gallons available, an employee housing request of two or less bedrooms may be approved without the need for a hearing.

The Provincetown Board of Selectmen shall require all past and future EDP holders to certify every 3-years in the form of a notarized certification, ~~the form of which shall be provided by the Town Manager,~~ signed under the pains and penalties of perjury, that the EDP use they are approved for is still active without any changes of any kind. ~~Upon approval of this policy, all current EDP holders must provide said certification by June 30, 2017, and then every three years thereafter.~~ If the approved use is no longer being used for the originally approved purpose or any changes have occurred, the Selectmen shall hold a show-cause hearing and the EDP holder may lose all or some rights assigned under the original permit. Further, any sewer betterments paid by the EDP holder shall not be reimbursed by the Town. and all future betterment payments shall remain due to the Town even in the event of the loss or change of the original EDP at a show-cause hearing.

Adopted:  
In favor:  
Opposed:



Town of Provincetown  
Department of  
Community Development

Town Hall, 260 Commercial Street  
Provincetown, MA 02857  
Telephone (508) 487-7020 Facsimile (508) 487-0032

# Economic Development Sewerage Gallons Permit

<b>Subject Property Address</b> 29 Bradford Street Extension	<b>Assessors Data</b> 5-3-39-0 Map Parcel
---	---

<b>Owner of Record</b>	<b>Name and address</b>	Foxberry Inn, LLC
 Signature <u>Dan Spinello</u> Date <u>08/26/19</u>		29 Bradford Street Extension
		Provincetown, MA 02657

<b>Business Contact Information</b>		office	508 487 8583
company	Foxberry Inn, LLC	fax	
contact	Dan Spinello & Matt Verge	mobile	516 330 3215
address	29 Bradford Street Extension	pager	
	Provincetown, MA 02657	email	info@foxberryinn.com

<b>Sewerage Information</b>	
Property on sewer?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, assigned flow	<u>1,540</u> gpd
Proposed sewer flow	<u>1,760</u> gpd
Additional flow requested	<u>220</u> gpd
Property on septic?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Current flow	_____ gpd
Proposed additional flow	_____ gpd

<b>Brief and Accurate Description of Proposed Project</b>
Propose to add 2 units of work force housing -
a one bedroom and a studio - to an existing inn.

<b>Economic Development Checklist</b>	
Is project consistent with Local Comprehensive Plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does it help support year-round employment?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does it help support an extended employment season?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Help diversify local economic base?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Feature solutions to barriers to year-round economic success? -e.g. transportation, energy, water use, affordable housing	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Provide measurable public benefit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>Brief narrative about potential economic benefits to Town -</b>
Proposal will add 2 units of desperately needed employee
housing to the Town's housing inventory.



**Town of Provincetown  
Department of  
Community Development**

Town Hall, 260 Commercial Street  
Provincetown, MA 02657  
Telephone (508) 487-7020 Facsimile (508) 487-0032

# Economic Development Sewerage Gallons Permit

<b>Subject Property Address</b> 29 Bradford Street Extension	<b>Assessors Data</b> 5-3-39-0 Map Parcel
---	---

<b>Owner of Record</b>	<b>Name and address</b>	Foxberry Inn, LLC
 Signature	08/26/19 Date	29 Bradford Street Extension
		Provincetown, MA 02657

<b>Business Contact Information</b>		office	508 487 8583
company	Foxberry Inn, LLC	fax	
contact	Dan Spinello & Matt Verge	mobile	516 330 3215
address	29 Bradford Street Extension	pager	
	Provincetown, MA 02657	email	info@foxberryinn.com

<b>Sewerage Information</b>	
Property on sewer?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, assigned flow	1,540 gpd
Proposed sewer flow	1,760 gpd
Additional flow requested	220 gpd
Property on septic?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Current flow	_____ gpd
Proposed additional flow	_____ gpd

<b>Brief and Accurate Description of Proposed Project</b>
Propose to add 2 units of work force housing - a one bedroom and a studio - to an existing inn.

<b>Economic Development Checklist</b>	
Is project consistent with Local Comprehensive Plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does it help support year-round employment?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does it help support an extended employment season?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Help diversify local economic base?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Feature solutions to barriers to year-round economic success? -e.g. transportation, energy, water use, affordable housing	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Provide measurable public benefit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>Brief narrative about potential economic benefits to Town -</b>
Proposal will add 2 units of desperately needed employee housing to the Town's housing inventory.

Other Municipal and State Approvals received to date (for reference only)	
	date _____

Plan Submittal Checklist (use all that apply)	
	Site Plan (Including property line survey and utilities as required by Building Commissioner and Health Agent)
x	Existing floor plan (to scale)
x	Proposed schematic floor plan (to scale)
	Existing equipment / fixture / seating plan (to scale)
	Proposed schematic equipment / fixture / seating plan (to scale)
	Condominium/Co-op/ Landlord authorization (if applicable)

**For Official Administrative Use Only**

**Board Vote at Public Meeting held on** \_\_\_\_\_ date

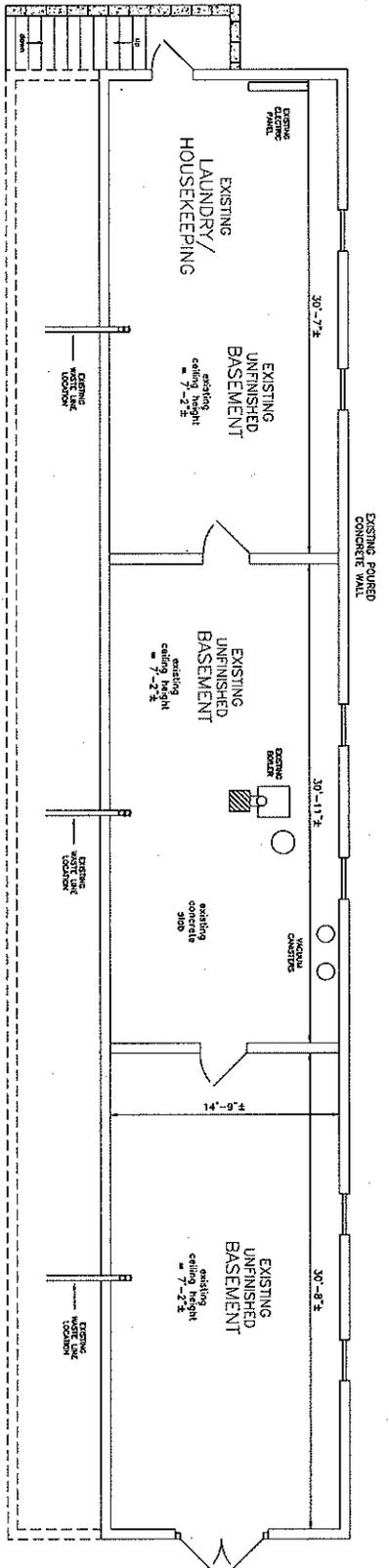
Sitting Board Member	For	Against	Abstained

Approve and assign an Economic Development Permit for _____ gallons	Deny request of assigned gallons
---	----------------------------------

**Conditions of Approval (insert all that apply)**

1. Subject to approval from all applicable local, state and federal regulatory agencies.
2. If no building permit has been submitted to the building department within one year from this approval, then approval for the assignment of gallons is no longer valid.
3. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

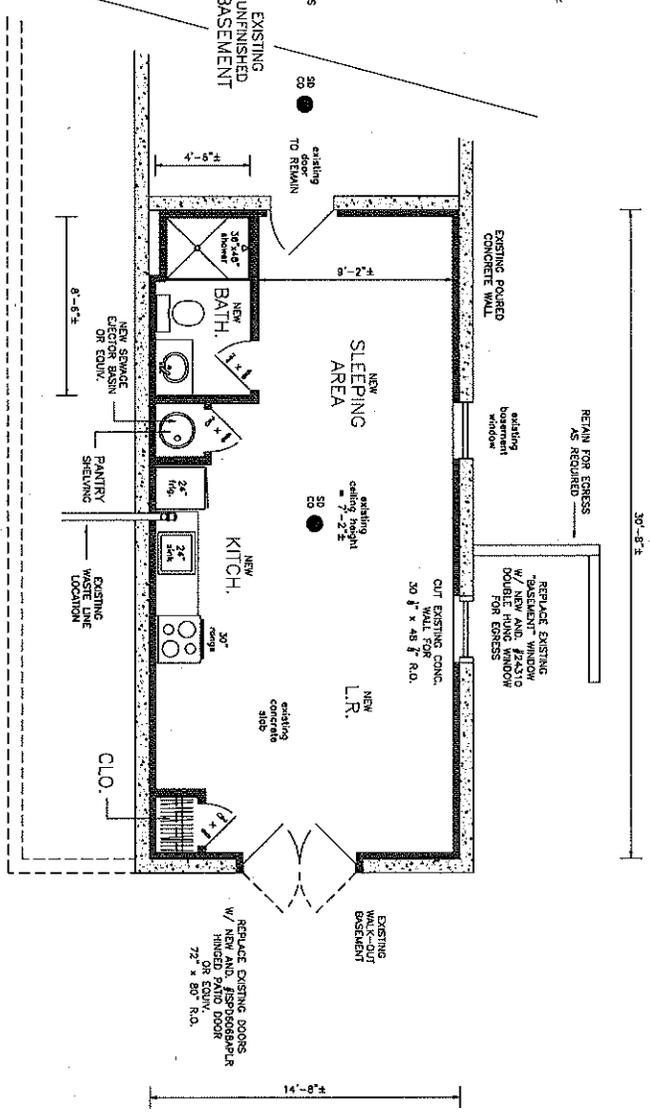
The Honorable Board of Selectmen	_____
_____	_____
chair	_____



**EXISTING (UNFINISHED) BASEMENT FLOOR**  
(3/16" = 1')

**CONSTRUCTION NOTES**

- APPLY BRV-LOK WATERPROOFING TO EXISTING CONCRETE WALLS AROUND PERIMETER
- CUT IN NEW WINDOW FOR GRESS REPLACING OLD
- NEW 2" x 4" STUD WALL @ 16" O.C.
- NEW 3/4" FERROGLASS INSULATION
- NEW 1/2" GYPSUM WALL BOARD THROUGHOUT
- PAINT CORROUND, SAND AND PAINT FLOORING TO BE DETERMINED
- TRIM EXISTING & PROPOSED WINDOWS & NEW DOORS



- LEGEND**
- DENOTES PROPOSED COMBINATION SMOKE/ CARBON MONOXIDE DETECTOR
  - DENOTES NEW 2" x 4" STUD WALLS
  - DENOTES WALLS TO BE REMOVED

**NEW BATHROOM**

- FRAME WALLS FOR NEW BATH
- INSTALL NEW ELECTRIC PUMP BATH OR EQUIV.
- INSTALL 3-PIECE BATHROOM WITH TOILET, 32" VANITY & 30" x 48" SHOWER STALL

**NEW KITCHEN**

- INSTALL NEW CABINETRY W/ COUNTERTOP & 24" SINK OR EQUIV.
- INSTALL 30" RANGE & 24" REFRIGERATOR

**PRELIMINARY**



PROPOSED BASEMENT APARTMENT (MOTEL BUILDING)

THE **FOXBERY INN, LLC** AND **EAST VILLAGE INVESTMENTS, LLC**

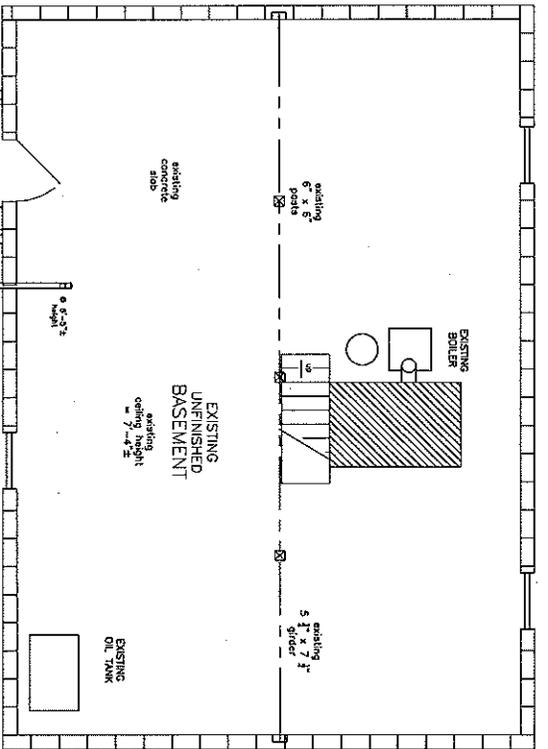
29 BRADFORD STREET EXTENSION  
PROVINCETOWN  
EXISTING (UNFINISHED) BASEMENT FLOOR PLAN  
PROPOSED (RENOVATED) BASEMENT FLOOR PLAN  
JUNE 25, 2019

Finished Basement Area = 450 ± sq ft

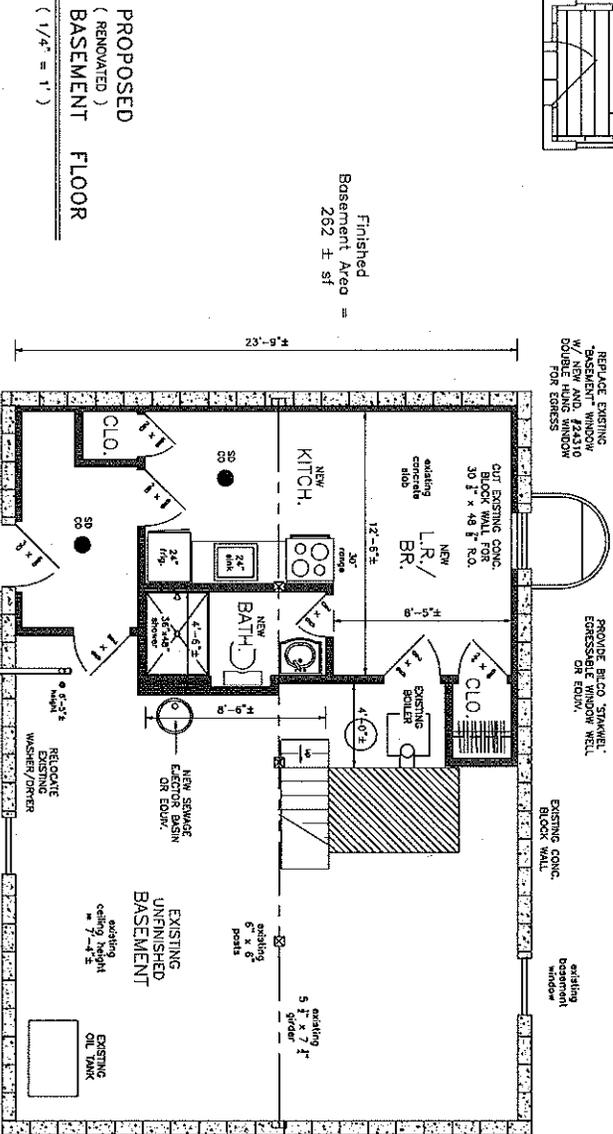
**PROPOSED (RENOVATED) BASEMENT FLOOR**  
(1/4" = 1')

AAC Designs, LLC  
Alan R. Capel  
Architect

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION.  
ANY STRUCTURAL ENGINEERING REVIEW, IF NECESSARY, IS AT THE DISCRETION OF THE BUILDING COMMISSIONER AND WILL BE THE RESPONSIBILITY OF THE OWNER.



EXISTING  
( UNFINISHED )  
BASEMENT FLOOR  
( 1/4" = 1' )



PROPOSED  
( RENOVATED )  
BASEMENT FLOOR  
( 1/4" = 1' )

Finished  
Basement Area =  
262 ± SF

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION.  
ANY STRUCTURAL ENGINEERING REVIEW, IF NECESSARY, IS AT THE DISCRETION OF THE BUILDING COMMISSIONER AND WILL BE THE RESPONSIBILITY OF THE OWNER.

AJC Design, LLC  
Alan R. Cahoon  
Architect

- LEGEND
- DENOTES PROPOSED COMBINATION SMOKE/ CARBON MONOXIDE DETECTOR
  - DENOTES NEW 2" x 4" STUD WALLS
  - DENOTES WALLS TO BE REMOVED

CONSTRUCTION NOTES

- APPLY DRY-LOK WATERPROOFING TO EXISTING CONCRETE WALLS AROUND PERIMETER
- PROPOSE NEW 1/2" x 1" HANG LATCH DOOR REPLACING OLD
- PROPOSE NEW 1/2" x 1" HANG LATCH DOOR REPLACING OLD
- PROPOSE NEW 1/2" x 1" HANG LATCH DOOR REPLACING OLD
- PROPOSE NEW 1/2" x 1" HANG LATCH DOOR REPLACING OLD
- EXISTING UNFINISHED BASEMENT O.C.
- NEW 3/4" FIBERGLASS INSULATION (WALLS & CEILING)
- NEW 3/4" OPSYLA WALL BOARD THROUGHOUT
- FLOORING TO BE DETERMINED
- TRIM EXISTING & PROPOSED WINDOWS & NEW DOORS

NEW BATHROOM

- FRAME WALLS FOR NEW BATH.
- INSTALL NEW EXECTOR PUMP BASIN OR EQUIV.
- INSTALL 3-PIECE BATHROOM WITH TOILET, 24" PEDestal SINK & 20" x 48" SHOWER STALL

NEW KITCHEN

- INSTALL NEW CABINETS/ W/ COUNTERTOP & 24" SINK OR EQUIV.
- INSTALL 30" RANGE & 24" REFRIGERATOR

PRELIMINARY



PROPOSED BASEMENT APARTMENT (MAIN HOUSE)

THE FOXBERRY INN, LLC AND  
EAST VILLAGE INVESTMENTS, LLC

29 BRADFORD STREET EXTENSION  
PROVINCETOWN

EXISTING (UNFINISHED) BASEMENT FLOOR PLAN  
PROPOSED (RENOVATED) BASEMENT FLOOR PLAN

JUNE 25, 2019

7

## Memorandum

---

Date: September 16, 2019

To: Morgan Clark, Director, Department of Health

From: Rob Adams, Project Director

Cc: Richard Waldo, DPW Director

Subject: **Economic Development Permit No. 19-10**  
29 Bradford Street Extension (Foxberry Inn)  
Current Flow: 1,540 gpd (Title 5)  
Requested Additional Flow: 220 gpd (Title 5)  
Proposed New Total Flow: 1,760 gpd (Title 5)

---

Per your request, we have reviewed the subject Economic Development Permit (EDP) request and offer the following comments for your review and consideration.

The property at 29 Bradford Street Extension is located on parcel #05-3-039. The parcel currently contains a total of 14 bedrooms. The current Title 5 flow assigned to this property is 1,540 gpd.

The applicant, Foxberry Inn, LLC, is proposing to add two (2) units of workforce housing which would result in a new total Title 5 flow of 1,760 gpd for the property. A summary of these flows is presented in Attachment A.

This property is located in the West End Basin and is served by an 8" gravity sewer in the street. The existing lateral and 8" gravity sewer does have adequate capacity to accommodate the additional requested flow.

It should be noted that any further consideration of this request should be contingent upon BOH review of the property's existing grease trap to confirm it is adequately sized to handle the additional flow and properly maintained.

The WWTF is currently permitted to treat up to 750,000 gpd (max day flow). Since February 9, 2015 the WWTF has been in a "state of limited capacity". At the February 9, 2015 Board of Selectmen's (BOS) meeting a remaining/available capacity limit of 50,000 gpd was established. Of this amount, the BOS allocated the following amounts for the uses specified below:

- EDP requests (12,500 gpd)
- Public health needs for failed septic systems (15,000 gpd)
- Community housing (17,500 gpd)
- Municipal needs (5,000 gpd)

In January 2018, the BOS increased the EDP allocation by 8,282 gpd from 12,500 gpd to 20,782 gpd. At the same time, the BOS decreased the Housing allocation by 1,639 gpd from 17,500 gpd to 15,861 gpd. A summary of sewer flow revisions made since February 9, 2015 is provided below. A detailed list of these revisions is provided in Attachment B.

	BOS Allocations (gpd T5)						
	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
Original Allocation (2/9/15)	12,500	15,000	17,500	5,000	0	0	50,000
BOS Adjustments (1/22/18)	6,643	0	0	0	0	0	6,643
<b>Current Allocation</b>	<b>19,143</b>	<b>15,000</b>	<b>17,500</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>56,643</b>
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
<b>Remaining</b>	<b>1,277</b>	<b>6,426</b>	<b>11,399</b>	<b>5,000</b>	<b>(5,802)</b>	<b>4,753</b>	<b>23,053</b>

As shown above, at this time there is only 1,277 gpd remaining for EDP requests and there are a number of other EDP requests which are currently pending or under review. The total amount of these EDP requests far exceeds the remaining available gallons for EDPs. A summary of these EDP requests is shown in the table below.

EDP#	Address	Name	EDP Gallons Requested (gpd)
<b>Current Requests</b>			
19-09	118 Bradford Street	The Clarendon House Guest House	123
19-10	29 Bradford Street Extension	Foxberry Inn	220
<b>Requests on Hold</b>			
19-03	193A Commercial Street, #6	A Lea Delaria Joint	770
		<b>Subtotal</b>	<b>1,250</b>
<b>Pending USDA Grant Funding</b>			
18-02	315A Commercial Street	Surf Club	6,370
18-06	9 Ryder Street Extension	Fisherman's Wharf	24,500
		<b>Subtotal</b>	<b>30,870</b>
		<b>Total</b>	<b>32,463</b>

Although we are working on a project to increase the WWTF capacity by 155,000 gpd, this project is still in the preliminary planning/design phase because the Town has still not yet received notification on their USDA grant application. In addition, even if/when this project is approved, it will be several years before these gallons will be available.

If you have any questions or concerns, please do not hesitate to ask.

**Attachment A**  
**29 Bradford Street Extension - Flow Summary**

Use	Unit of Measure	Quantity	Type of Gallons	Flow (GPD)
<b>EXISTING FLOW</b>				
BEDROOMS	Bedrooms	14	110	1,540
<b>TOTAL EXISTING FLOW</b>				<b>1,540</b>
<b>REQUESTED FLOW</b>				
BEDROOMS	Bedrooms	16	110	1,760
<b>TOTAL REQUESTED FLOW</b>				<b>1,760</b>
SUBTRACT EXISTING BETTERED FLOW				-1,540
<b>TOTAL BETTERMENT CHANGE</b>				<b>220</b>

**ATTACHMENT B - SEWER FLOW REVISIONS SINCE FEBRUARY 9, 2015 - STATE OF LIMITED CAPACITY**

SUMMARY	GPD T5						
	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
Original Allocation (2/9/15)*	12,500	15,000	17,500	5,000	0	0	50,000
Board of Selectmen Adj (1/22/18)	6,643	0	0	0	0	0	6,643
Current Allocations	19,143	15,000	17,500	5,000	0	0	56,643
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
Remaining	1,277	6,426	11,399	5,000	(5,802)	4,753	23,053

Date Issued	Parcel ID	Address	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
19-Mar-15	11-3-015-0-00A	293 Commercial St-Unit A	140						140
	11-3-015-0-00D	293 Commercial St-Unit D	240						240
	11-3-032-0-02	237 Commercial Street #25	945						945
	12-1-034	26 Alden Street			62				62
7-May-15	12-4-008	463 Commercial Street						(1,900)	(1,900)
	12-4-008	463 Commercial Street						(450)	(450)
	11-1-004	205-209 Commercial St	400						400
18-Jun-16	06-2-015-1-00	67 Commercial Street Unit 1					110		110
	06-2-015-2-00	67 Commercial Street Unit 4					110		110
13-Aug-15	15-3-074	341 Bradford Street		880			0		880
	19-2-003	951R Commercial Street					330		330
	15-1-015	509 Commercial Street		550					550
	07-2-178	16 Carver Street		440					440
	12-2-005-2-00	415 Commercial Street					(110)		(110)
	12-2-023-1-00	361A Commercial Street					(20)		(20)
	12-2-023-2-00	361A Commercial Street					(20)		(20)
	12-2-023-3-00	361C Commercial Street					40		40
	06-4-167	34 Bradford Street					220		220
	06-1-014-B	162 Bradford Street Ext					330		330
	06-1-014-C	164 Bradford Street Ext					110		110
	06-2-003-1-00	99 Commercial Street	(700)						(700)
17-Sep-16	06-4-109	120 Commercial Street					44		44
	07-2-167	188 Commercial Street					154		154
	06-2-078	5 Nickerson Street		330					330
	15-3-058-1	600 Commercial Street Unit 1		110					110
	15-3-058-1	600 Commercial Street Unit 2		220					220
	15-3-058-1	600 Commercial Street Unit 3		110					110
	15-3-058-2	600 Commercial Street Unit 4		110					110
	15-3-058-2	600 Commercial Street Unit 5		110					110
10-Dec-15	06-4-171	4 Conant Street						(330)	(330)
14-Jan-16	07-2-036	30 Montello Street					110		110
	07-2-138	1 Winthrop Street					(90)		(90)
	07-3-020	52 Ships Way Road			330				330
	11-3-015-0-00C	293 Commercial Street	98						98
5-May-16	07-4-008	80 Bradford Street					(440)		(440)
	07-4-009	82 Bradford Street					(110)		(110)
	11-3-019-A	9 Ryder Street Ext					1,062		1,062
	12-1-134	141 Bradford Street					287		287
	12-2-027-0-001	374 Commercial Street					(67)		(67)
	12-2-027-0-002	374 Commercial Street					(40)		(40)
	12-2-042	384 Commercial Street	(659)						(659)
	12-2-043	386 Commercial Street					14		14
	12-2-044	394 Commercial Street					111		111
23-Jun-16	11-1-006-3-009	199 Commercial Street #9	1,096						1,096
	11-1-006-3-010	199 Commercial Street #10	(140)						(140)
	11-3-069-0-00	96-98 Bradford Street					587		587
	12-1-015	328 Commercial Street					330		330
	12-1-142-2-00	336 Commercial Street					95		95
8-Sep-16	11-3-020	227 Commercial Street					1,082		1,082
	11-3-019-A	9 Ryder St. Ext	1,175						1,175
	11-3-019-A	9 Ryder St. Ext			440		30		470
3-Nov-16	07-4-021	14 Prince Street						(110)	(110)
	15-3-077	307 Bradford Street					550		550
	11-3-086-0-001	116 Bradford Street						(660)	(660)
	11-3-043	226-228 Commercial St					(350)		(350)
	06-2-017-A	65 Commercial Street					220		220
7-Dec-16	11-3-053	101 Bradford Street					(110)		(110)
	12-1-025-0-001	129 Bradford Street					(90)		(90)
	17-1-011	641 Commercial Street					(110)		(110)
19-Jan-17	12-4-147	202 Bradford Street					110		110
	15-3-061	295 Bradford Street					110		110
9-Mar-17	11-3-080	258 Commercial Street					300		300
11-May-17	15-1-039	212 Bradford Street	74		440				514
	06-3-050	31 Creek Road					(110)		(110)
	11-1-006-3-001	199 Commercial Street	58						58
	06-2-029-1-002	52A Commercial St					(110)		(110)
	11-3-035	225 Commercial Street	3,035						3,035
	11-3-001-A	335 Commercial Street	490						490
	11-3-002-2-OR6	333R Commercial Street					(110)		(110)

**ATTACHMENT B - SEWER FLOW REVISIONS SINCE FEBRUARY 9, 2015 - STATE OF LIMITED CAPACITY**

SUMMARY	GPD T5						
	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
Original Allocation (2/9/15)*	12,500	15,000	17,500	5,000	0	0	50,000
Board of Selectmen Adj (1/22/18)	6,643	0	0	0	0	0	6,643
Current Allocations	19,143	15,000	17,500	5,000	0	0	56,643
Amount Used To Date	17,866	8,574	6,101	0	5,802	(4,753)	33,590
Remaining	1,277	6,426	11,399	5,000	(5,802)	4,753	23,053

Date Issued	Parcel ID	Address	EDP	Public Health	Housing	Municipal	Correction	Reductions	Totals
	12-2-042-0-00C	384 Commercial Street	98						98
	12-2-042-0-002	384 Commercial Street					(220)		(220)
	12-2-042-0-003	384 Commercial Street					220		220
	06-2-085	88 Commercial Street					(110)		(110)
	12-1-048	130 Bradford Street					150		150
	12-1-048	130 Bradford Street			220				220
12-Jun-17	11-1-007	212 Commercial Street			209				209
8-Jun-17	12-4-064	199 Bradford Street		330					330
18-Sep-17	11-3-098-U1-6	284B Commercial Street		880					880
22-Jan-18	07-2-062	46 Bradford Street	83						83
22-Jan-18	12-2-024-2-00H	359 Commercial St Unit H						(753)	(753)
15-Mar-18	06-2-047	8 West Vine St		440					440
	12-2-037	9 Pearl Street					220		220
	07-2-118	58 Bradford Street					110		110
	19-1-018	15 Hobson Avenue		220					220
	05-4-001	53 Commercial Street		660					660
	11-3-015-0-00C	293 Commercial Street	(98)						(98)
3-May-18	12-1-011	347 Commercial Street					353		353
	11-3-044	230 Commercial Street					214		214
	08-1-001	20 Province Road	606		1,100				1,706
14-Jun-18	07-2-069	30 Shank Painter Road		324					324
	11-3-094	115 Bradford Street					47		47
2-Aug-18	07-1-044	38 Pleasant Street					110		110
	11-3-048	242 Commercial Street					(180)		(180)
	12-1-114	358-360 Commercial Street					329		329
	08-2-001	55 Capt. Bertie Way		330					330
1-Jan-19	12-2-001	425 Commercial Street						(110)	(110)
	06-4-045	16 Cottage Street		770					770
	11-3-003	331 Commercial Street	(410)						(410)
14-Mar-19	12-4-048	466 Commercial Street		880					880
11-Mar-19	11-1-007	212-214 Commercial Street	4,671						4,671
	07-2-043	24 Conant Street					110		110
	19-1-014	14 Garfield Street					(110)		(110)
11-Apr-19	15-1-021	487 Commercial Street						(220)	(220)
	06-2-041	15 Atwood Street						(220)	(220)
5/9/2019	05-3-0138E	8 Harbor Hill Road			1,210				1,210
	05-3-038C	37 Bradford Street Ext			1,980				1,980
	12-1-134	141 Bradford St	3,140						3,140
	07-2-122	170 Commercial St	257						257
14-Aug-19	11-3-1-A	335 Commercial Street-Squealing Pig	(490)						(490)
11-Jul-19	06-4-056	10 Bradford Street		550					550
9/5/2019	06-4-046	18 Cottage Street (ACO)		330					330
WSB date	12-1-141-003	334 Commercial St - Purple Feather	480						480
WSB Date	12-2-022	361 Commercial St - Coffee House	290						290
WSB Date	11-3-080	258 Commercial St - Saki/Toko	560						560
WSB Date	6-2-005	93 Commercial St - Relish	32						32
WSB Date	12-1-153	350A Commercial St. - Captain's House			110				110
WSB Date	12-1-142	336 Commercial St - Pilgrim House	2,395						2,395
									0
		<b>TOTAL FLOW REVISIONS</b>	<b>17,866</b>	<b>8,574</b>	<b>6,101</b>	<b>0</b>	<b>5,802</b>	<b>(4,753)</b>	<b>33,590</b>
		<b>REMAINING GALLONS</b>	<b>1,277</b>	<b>6,426</b>	<b>11,399</b>	<b>5,000</b>	<b>(5,802)</b>	<b>4,753</b>	<b>23,053</b>
		<b>OVERALL TOTAL</b>	<b>19,143</b>	<b>15,000</b>	<b>17,500</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>56,643</b>

# TOWN OF PROVINCETOWN - PROPERTY SUMMARY REPORT

<b>PARCEL</b>	5-3-39-0	<b>KEY:</b>	227	<b>LOCATION:</b>	29 BRADFORD ST EXT
---------------	----------	-------------	-----	------------------	--------------------

CURRENT OWNER	FY' 2015 PARCEL VALUE	
FOXBERRY INN LLC, EAST VILLAGE INVESTMENTS LLC	LAND VAL:	\$766,000.00
29 BRADFORD ST EXT	BUILDING VAL:	\$605,200.00
	DETACH VAL:	\$1,700.00
PROVINCETOWN, MA 02657	APPR VAL:	\$1,372,900.00
	TAX VAL:	\$1,372,900.00



<b>STATE CLASS:</b>	3010	<b>ZONING:</b>	Res1
<b>DESCRIPTION:</b>	MOTELS	<b>BILL SQ FT:</b>	13433

## SALES HISTORY

OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE
FOXBERRY INN LLC	QS	CTF 218764/1365404	06-Mar-2019	\$ 1,890,000
GAGLIARDI LLC	O	CTF 190915/1136108	16-Mar-2010	\$ 945,000
TINKHAM MARGARET	F	CTF 134216 / 617993	24-Jun-1994	\$ 0
WHITE, WILLIAM A ET UX, MARGAR	X	101 / 35	19-Aug-1952	\$ 1

<b>BUILDING</b>	1	<b>KEY:</b>	227	<b>LOCATION:</b>	29 BRADFORD ST EXT
-----------------	---	-------------	-----	------------------	--------------------

YEAR BUILT	1950
STYLE	APARTMENTS
QUALITY	A+
NET SF	1310



DATE MEASURED	05-Jun-2019
DATE LISTED	19-Jul-2012

ELEMENT	DESCRIPTION	CD	CAPACITY	UNIT	CONDITION	DESCRIPTION	CD
FOUNDATION	BSMT WALL	4	STORIES	1.5	EXTERIOR	VERY GOOD	V
EXT. COVER	WOOD	1	ROOMS	6	INTERIOR	VERY GOOD	V
ROOF SHAPE	GABLE	1	BEDROOMS	2	HEAT	UPDATE	U
ROOF COVER	ASPH/COMP	1	FULL BATHS	2	ELECT	UPDATE	U
FLOOR COVER	HARDWOOD	1	HALF BATHS	0			
INT. FINISH	DRYWALL	2	TOT	10			
HEATING/COOL	HOT WATER	2	# OF UNITS	1			
FUEL SOURCE	OIL	1	KITCHENS	1			
SEPTIC FIELD	SEWER 4G	7	AFFORD.HSG	0			

# TOWN OF PROVINCETOWN - PROPERTY SUMMARY REPORT

<b>BUILDING</b>	2	<b>KEY:</b>	227	<b>LOCATION:</b>	29 BRADFORD ST EXT
<b>YEAR BUILT</b>	1950				
<b>STYLE</b>	HOTEL/MOTEL				
<b>QUALITY</b>	A				
<b>NET SF</b>	3072				

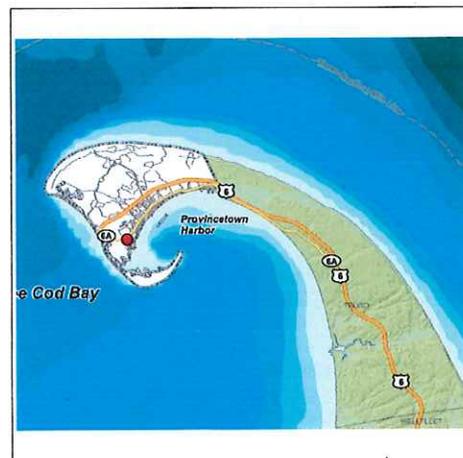
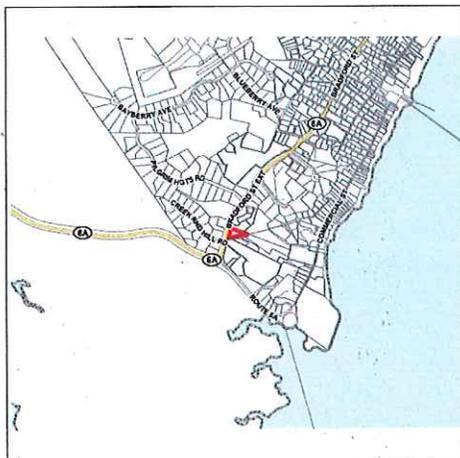


<b>DATE MEASURED</b>	19-Jul-2012
<b>DATE LISTED</b>	19-Jul-2012

ELEMENT	DESCRIPTION	CD
FOUNDATION	BSMT WALL	4
EXT. COVER	WOOD	1
ROOF SHAPE	GABLE	1
ROOF COVER	ASPH/COMP	1
FLOOR COVER	WW/ CARPET	3
INT. FINISH	DRYWALL	2
HEATING/COOL	HOT WATER	2
FUEL SOURCE	OIL	1
SEPTIC FIELD	CERT TITLE V	2

CAPACITY	UNIT
STORIES	2
ROOMS	12
BEDROOMS	12
FULL BATHS	12
HALF BATHS	0
TOT	38
# OF UNITS	0
KITCHENS	0
AFFORD.HSG	0

CONDITION	DESCRIPTION	CD
EXTERIOR	GOOD	G
INTERIOR	GOOD	G
HEAT	UPDATE	U
ELECT	UPDATE	U





Town of Provincetown  
**ECONOMIC DEVELOPMENT PERMIT**  
(Town of Provincetown General By-laws Section 5-15-4)  
and  
**DECLARATION OF COVENANTS**

Property Owner: Foxberry Inn LLC, East Village Investments LLC  
Property Owner Address: 29 Bradford Street Extension, Provincetown, MA 02657  
Property Address: **29 Bradford Street Extension, Provincetown, MA 02657**  
Assessor's Map Number: 5-3-39-0  
Title Reference: **Barnstable County Registry of Deeds CTF 218764/1365404**  
Applicant (if different):  
Business Entity: Foxberry Inn

Economic Development Permit No. 19-10

Existing Use(s) of Property: Commercial Accommodations with Owner's Quarters

Sewage Assigned Flow for Existing Use(s) of Property: The property at 29 Bradford Street Extension, henceforth referred to as "Premises", has a total existing Title V flow of 1540 gpd, including 12 guestrooms (1320 gpd) and owner's quarters (220 gpd) for the existing motel. The property is current serviced by the municipal sewer system.

Proposed Use(s) of Property or Proposed Expansion of Existing Use(s) of Property: The owner would like to add two (2) 1-bedroom workforce housing units to the existing property.

Title V Design Flow for Proposed or Expanded Use(s) of Premises: 1760 gpd.

The Town of Provincetown, acting by and through its Board of Selectmen, hereby grants an Economic Development Permit, pursuant to Town of Provincetown General By-laws Section 5-15-4, to the Property Owner for the use of the property located at **29 Bradford Street Extension, (the "Premises")**, as **two (2) 1-bedroom workforce housing units (the "Approved Use")**, subject to the Owner's covenants stated below.

The Owner hereby covenants with the Town of Provincetown, a Massachusetts municipal corporation with an address of 260 Commercial Street, Provincetown, Massachusetts 02657, acting by and through its Board of Selectmen pursuant to Provincetown General By-laws Section 5-15-6 (the "Town") as follows:

1. The Owner shall commence the Approved Use of the Premises described above on or before the date that is one year following the date of grant of this Permit and shall

thereafter continuously maintain said Approved Use of the Premises. If the Approved Use of the Premises is discontinued for a period of thirty (30) consecutive days after commencement thereof, such discontinuance shall be deemed a failure to continuously maintain. The one-year and the thirty (30) day periods may be extended by the Town for good cause shown.

2. This Declaration of Covenants shall run with the Premises and be binding upon the executors, administrators, heirs, devisees, successors and assigns of the Owner.
3. Upon prior written notice to the Owner at the Property Address above or such new address as the Owner shall notify the Selectmen of in writing, the Town shall have the permanent right and easement to enter upon the Premises for the purpose of determining compliance with the terms of this Declaration of Covenants.
4. The Town shall have the option to enforce this Declaration of Covenants, but shall not have the obligation to do so.
5. The Owner hereby covenants and agrees, for the Owner and the Owner's successors and assigns, to reimburse the Town for all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Declaration of Covenants, provided the Owner has been determined by a court of law to be in violation of the terms of this Declaration of Covenants.
6. This Declaration of Covenants sets forth rights, liabilities, agreements and obligations upon and subject to which the Premises or any portion thereof, shall be improved, held, used, occupied, leased, sold, mortgaged, encumbered, or conveyed. The rights, liabilities, agreements and obligations herein set forth shall run with the Premises and any portion thereof and shall inure to the benefit of and be binding upon the Owner and all parties claiming by, through or under Owner, including subsequent transferees and/or assigns of the Owner. This Declaration of Covenants shall have a term of ninety-nine years or the longest period allowed by law. The Owner agrees that this Declaration of Covenants is an "other restriction held by a governmental body" as that term is used in G.L. c.184, §26 and thus not subject to the limitations on the enforceability of restrictions in G.L. c.184, §§26-30. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of this Declaration of Covenants, the Owner(s) hereby appoints the Board of Selectmen of the Town of Provincetown as the Owner's agent to execute and record such notice and agrees that the Owner shall execute and record such notice upon request.
7. The Owner agrees to incorporate this Declaration of Covenants, in full or by reference, into all deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer by which an interest in and/or a right to use the Premises, or any portion thereof, is conveyed.
8. If any court or other tribunal determines that any provision of this Declaration of Covenants is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event the provision invalidated is of

such a nature that it cannot be so modified, the provision shall be deemed deleted from this Declaration of Covenants as though it had never been included herein. In either case, the remaining provisions of this Declaration of Covenants shall remain in full force and effect.

9. The Owner is the sole owner in fee simple absolute of all the Premises and there are no mortgages of record or otherwise on the Premises or any portion thereof except for those described below, if any, and the present holders of said mortgages have assented and subordinated to this Declaration of Covenants prior to the execution by the undersigned. It is agreed that any subsequent mortgages shall be subordinate to this Declaration of Covenants.
10. It is agreed that this Declaration of Covenants shall take effect only upon the execution of this Economic Development Permit by the Town of Provincetown Board of Selectmen and the recordation with the Barnstable County Registry of Deeds or filing with the Barnstable County Registry District of the Land Court of this Economic Development Permit and Declaration of Covenants.
11. A true copy of the Owner's application for this Economic Development Permit including all documents and plans submitted therewith, is attached hereto as Exhibit A and is incorporated herein except as specified below:

N/A

---

12. It is agreed that, monetary damages for breach of this covenant being difficult or impossible to ascertain, the Town's remedies shall include, without limitation, specific performance of the obligation to continuously maintain the Approved Use upon the Premises.
13. The Town's remedies shall include, without limitation, revocation of this Economic Development Permit by order of the Board of Selectmen, which order may be made thirty (30) days after the date notice is given by mail to the Property Owner of the Selectmen's determination that the Owner has failed to continuously maintain the Approved Use, or that the Owner has commenced a use on the Premises other than, or in addition to, the Approved Use, unless an additional use is otherwise permitted under the Town zoning laws and is merely de minimus in nature, whereupon all rights arising from this Economic Development Permit shall be forfeited, including without limitation any Growth Management Permit or increased sewage flow allocation that may have been granted with respect to the Premises, notwithstanding that the Premises may have been assessed a betterment or special assessment relating to the increased sewage flow allocation and the Allowed Use shall be deemed to be expressly abandoned by the Property Owner, pursuant to Section 6200-3 of the Growth Management By-Law of the Town.
14. The Owner must apply for and obtain all other necessary permits and approvals in order to proceed with the Approved Use.

15. The Owner further covenants and agrees that the Owner shall comply with the following additional conditions:

- (a) The additional gallons shall be utilized for the Approved Use as proposed (seasonal or year-round rental employee housing) only and shall not be subsequently converted to any other use without prior approval of the Board of Selectmen. Non-employee weekly rental or transient occupancy is prohibited.
- (b) Approved use shall require current and continuous Rental Certification consistent with the Board of Health Regulations.
- (c) Upon any transfer of interest in and/or a right to use the Premises, Approved Use or any portion thereof, and as a condition of the lease, sale transfer of interest or right to use, the Town shall be provided with a certificate of compliance agreeing to the conditions stated herein and certifying that the Approved Use shall continue and not be altered with the prior approval of the Board of Selectmen or the permit shall be forfeited.

16. This Economic Development Permit and Declaration of Covenants may be amended only by written agreement of the Board of Selectmen and the Property Owner.

WITNESS our hands and seals this \_\_\_\_ day of \_\_\_\_\_ 2019.

OWNER

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

On this day, \_\_\_\_\_, 20\_\_\_\_, the Board of Selectmen of the Town of Provincetown, pursuant to Town of Provincetown General By-laws Section 5-15-4, hereby grants this Economic Development Permit authorizing the Proposed or Expanded Use(s) of Property described above, subject to the above Declaration of Covenants and all other necessary Town permits.

TOWN OF PROVINCETOWN,  
By its Board of Selectmen

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ member, Town of Provincetown, Board of Selectmen, as aforesaid, and proved to me through satisfactory evidence of identification which was \_\_\_\_\_ to be the person whose name he/she signed on the foregoing instrument, and further acknowledged to me that he/she signed it voluntarily for its stated purpose as said member.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

Mortgagee(s) Consent and Subordination

The \_\_\_\_\_, by \_\_\_\_\_, the holder of a mortgage dated \_\_\_\_\_, recorded with the Barnstable County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_, does hereby assent to the recording of this Economic Development Permit and Declaration of Covenants and subordinates said mortgage to this Economic Development Permit and Declaration of Covenant as if this Economic Development Permit and Declaration of Covenants had been recorded prior to said mortgage.

By: \_\_\_\_\_

Its, \_\_\_\_\_  
Duly authorized

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**4C**

# **PUBLIC HEARING**

## **Comcast Cable License Renewal**

**Requested by:** Select Board

**Action Sought:** Conduct Public Hearing

### **Proposed Motion(s)**

Move that the Select Board vote to direct Town Counsel to draft comments in response to the renewal cable television license provided by Comcast based on the public input received.

### **Additional Information**

- Attached documents:
  - Draft License agreement (will not be printed in the packet, just available on the website)
  - memo from KP Law
  - presentation by PTV

### **Board Action**

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



**Select Board**

# Public Hearing

## Comcast Contract Renewal

The Provincetown Select Board will hold a Public Hearing on **Monday, September 23, 2019 at 7:00 p.m.** in the Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657. The purpose of the public hearing will be to determine whether to issue a cable television license to Comcast Cable Communications Management, LLC. All applications, reports, statements and license drafts to be considered at the hearing that constitute public records under state law are available for public inspection during regular business hours and for reproduction at a reasonable fee. Members of the public are invited to attend and be heard on the topic: (a) whether the current cable operator is in full compliance with its currently-existing cable license; and (b) what are the Town's future community cable-related needs.

A copy of the contract is available for review in the Town Clerk's office, Town Hall, 260 Commercial Street, Provincetown MA 02657. The public is encourage to submit any written comments to the Select Board office or [selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov) by Tuesday, September 17, 2019 if unable to attend hearing in person.

*David Abramson, Chairman*

Posted: Town Hall, <http://www.provincetown-ma.gov>, 08/28/2019, 1:15 pm AR  
Published: Banner: September 5 and September 12, 2019



July 31, 2019

Board of Selectmen  
Town of Provincetown  
Provincetown Town Hall  
260 Commercial Street  
Provincetown, MA 02657

**Re: Town of Provincetown Formal Renewal Proposal**

Dear Chairman and Members of the Board:

Comcast Cable Communications Management, LLC is pleased to submit for your review a 10-year proposal to renew the cable television license for the Town of Provincetown. This Renewal Proposal contains the completed Application Form 100 required by the Commonwealth of Massachusetts and \$100.00 filing fee and is being offered in accordance with 47 U.S.C. 546(b), which requires the cable operator to submit a renewal proposal for review and action by the Issuing Authority (a copy of the relevant statute is enclosed). In addition, we have included copies of the Renewal Proposal for the Town Clerk (the Town Clerk's copy is to be made available for public inspection during regular business hours at Town Hall).

This Renewal Proposal provides for a Franchise Fee payment equal to four and one half percent (4.5%) of Licensee's gross annual revenues for Public, Educational and Government (PEG) Access operational support. This funding shall be used for operations, staffing, equipment replacement, facilities, and other Town of Provincetown PEG Access related expenses.

As you may know, in accordance with Section 626(b) and (c) of the Cable Act, the Town has an obligation under the formal renewal process to either accept or deny Comcast's proposal within 4 months or no later than November 29, 2019. During this time, I am willing to meet with representatives of the Town to negotiate a mutually beneficial renewal agreement. I look forward to developing a meeting schedule with you at your earliest convenience to achieve this goal within the referenced four-month period.

Thank you for your attention to this matter. Please contact me at 508.732.1536 at your convenience to arrange a meeting schedule.

Sincerely,

*Michael Galla*

Michael Galla, Sr. Manager  
Government & Regulatory Affairs

cc: William Hewig, Esq. - KP Law, P.C.  
Town Clerk - Town of Provincetown  
Sara Clark - Massachusetts Department of Telecommunications & Cable



COMCAST FINANCIAL AGENCY CORPORATION  
 A Comcast cable communications group company  
 1701 JFK Boulevard  
 Philadelphia, PA 19103-2838

**REMITTANCE ADVICE**

Date: 05-Jun-19 Vendor Name: PROVINCETOWN TOWN OF MA

No. 210097383  
 Vendor No.: 154866

INVOICE NO.	INVOICE DATE	ACCOUNT NUMBER	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
PR258178	03-Jun-19		MA Renewal Filing Fee	0.00	100.00
<b>TOTAL</b>				0.00	100.00

THE FACE OF THIS DOCUMENT HAS A MULTI COLORED BACKGROUND - NOT A WHITE BACKGROUND



COMCAST FINANCIAL AGENCY CORPORATION  
 A Comcast cable communications group company  
 1701 JFK Boulevard  
 Philadelphia, PA 19103-2838

JP Morgan Chase NA  
 Columbus, OH 43271  
 86 16441

No. 210097383

Date: 05-Jun-19  
 Valid After 180 Days

Pay One Hundred Dollars And Zero Cents \*\*\*\*\*

\$ \*\*\*\*\* 100.00

To: PROVINCETOWN TOWN OF MA  
 The BOARD OF SELECTMEN  
 Order: 260 COMMERCIAL ST  
 OF: PROVINCETOWN, MA 02657

AUTHORIZED SIGNATURE

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈ 210097383⑈ ⑆044115443⑆

675528343⑈

*The Communications Act of 1934, as amended*  
(47 USC Sec. 546)

Section 626. Renewal

(a) Commencement of proceedings; public notice and participation -

- (1) A franchising authority may, on its own initiative during the 6-month period which begins with the 36th month before the franchise expiration, commence a proceeding which affords the public in the franchise area appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of the cable operator under the franchise during the then current franchise term. If the cable operator submits, during such 6-month period, a written renewal notice requesting the commencement of such a proceeding, the franchising authority shall commence such a proceeding not later than 6 months after the date such notice is submitted.
- (2) The cable operator may not invoke the renewal procedures set forth in subsections (b) through (g) of this section unless -
  - (A) such a proceeding is requested by the cable operator by timely submission of such notice; or
  - (B) such a proceeding is commenced by the franchising authority on its own initiative.

(b) Submission of renewal proposals; contents; time -

- (1) Upon completion of a proceeding under subsection (a) of this section, a cable operator seeking renewal of a franchise may, on its own initiative or at the request of a franchising authority, submit a proposal for renewal.
- (2) Subject to section 544 of this title, any such proposal shall contain such material as the franchising authority may require, including proposals for an upgrade of the cable system.
- (3) The franchising authority may establish a date by which such proposal shall be submitted.

(c) Notice of proposal; renewal; preliminary assessment of nonrenewal; administrative review; issues; notice and opportunity for hearing; transcript; written decision -

- (1) Upon submittal by a cable operator of a proposal to the franchising authority for the renewal of a franchise pursuant to subsection (b) of this section, the franchising authority shall provide prompt public notice of such proposal and, during the 4-month period which begins on the date of the submission of the cable operator's proposal pursuant to subsection (b) of this section, renew the franchise or, issue a preliminary assessment that the franchise should not be renewed and, at the request of the operator or on its own initiative, commence an administrative proceeding, after providing prompt public notice of such proceeding, in accordance with paragraph (2) to consider whether -
  - (A) the cable operator has substantially complied with the material terms of the existing franchise and with applicable law;
  - (B) the quality of the operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the system, has been reasonable in light of community needs;
  - (C) the operator has the financial, legal, and technical ability to provide the services, facilities, and equipment as set forth in the operator's proposal; and
  - (D) the operator's proposal is reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.
- (2) In any proceeding under paragraph (1), the cable operator shall be afforded adequate notice and the cable operator and the franchise authority, or its designee, shall be afforded fair opportunity for full participation, including the right to introduce evidence (including evidence related to issues raised in the proceeding under subsection (a) of this section), to require the production of evidence, and to question witnesses. A transcript shall be made of any such proceeding.
- (3) At the completion of a proceeding under this subsection, the franchising authority shall issue a written decision granting or denying the proposal for renewal based upon the record of such proceeding, and transmit a copy of such decision to the cable operator. Such decision shall state the reasons therefor.

(d) Basis for denial -

Any denial of a proposal for renewal that has been submitted in compliance with subsection (b) of this section shall be based on one or more adverse findings made with respect to the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section, pursuant to the record of the proceeding under subsection (c) of this section. A franchising authority may not base a denial of renewal on a failure to substantially comply with the material terms of the franchise under subsection (c)(1)(A) of this section or on events considered under subsection (c)(1)(B) of this section in any case in which a violation of the franchise or the events considered under subsection (c)(1)(B) of this section occur after the effective date of this subchapter unless the franchising authority has provided the operator with notice and the opportunity to cure, or in any case in which it is documented that the franchising authority has waived its right to object, or the cable operator gives written notice of a failure or inability to cure and the franchising authority fails to object within a reasonable time after receipt of such notice.

(e) Judicial review; grounds for relief

- (1) Any cable operator whose proposal for renewal has been denied by a final decision of a franchising authority made pursuant to this section, or has been adversely affected by a failure of the franchising authority to act in accordance with the procedural requirements of this section, may appeal such final decision or failure pursuant to the provisions of section 555 of this title.
- (2) The court shall grant appropriate relief if the court finds that -
  - (A) any action of the franchising authority, other than harmless error, is not in compliance with the procedural requirements of this section; or
  - (B) in the event of a final decision of the franchising authority denying the renewal proposal, the operator has demonstrated that the adverse finding of the franchising authority with respect to each of the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section on which the denial is based is not supported by a preponderance of the evidence, based on the record of the proceeding conducted under subsection (c) of this section.

(f) Finality of administrative decision -

Any decision of a franchising authority on a proposal for renewal shall not be considered final unless all administrative review by the State has occurred or the opportunity therefor has lapsed.

(g) "Franchise expiration" defined -

For purposes of this section, the term "franchise expiration" means the date of the expiration of the term of the franchise, as provided under the franchise, as it was in effect on October 30, 1984.

(h) Alternative renewal procedures -

Notwithstanding the provisions of subsections (a) through (g) of this section, a cable operator may submit a proposal for the renewal of a franchise pursuant to this subsection at any time, and a franchising authority may, after affording the public adequate notice and opportunity for comment, grant or deny such proposal at any time (including after proceedings pursuant to this section have commenced). The provisions of subsections (a) through (g) of this section shall not apply to a decision to grant or deny a proposal under this subsection. The denial of a renewal pursuant to this subsection shall not affect action on a renewal proposal that is submitted in accordance with subsections (a) through (g) of this section.

(i) Effect of renewal procedures upon action to revoke franchise for cause - Notwithstanding the provisions of subsections (a) through (h) of this section, any lawful action to revoke a cable operator's franchise for cause shall not be negated by the subsequent initiation of renewal proceedings by the cable operator under this section.

**DRAFT RENEWAL LICENSE**

**DRAFT**

**RENEWAL**

**CABLE TELEVISION LICENSE**

**FOR**

**THE TOWN OF PROVINCETOWN,  
MASSACHUSETTS**

**This Draft Renewal License is being submitted under the formal process pursuant to 47 USC 546 (b).**

**TABLE OF CONTENTS**

**INTRODUCTION ..... 4**

**ARTICLE 1 DEFINITIONS ..... 5**  
 SECTION 1.1 - DEFINITIONS ..... 5

**ARTICLE 2 GRANT OF RENEWAL LICENSE ..... 10**  
 SECTION 2.1 - GRANT OF RENEWAL LICENSE ..... 10  
 SECTION 2.2 - TERM: NON-EXCLUSIVITY ..... 10  
 SECTION 2.3 – POLE AND CONDUIT ATTACHMENT RIGHTS ..... 10  
 SECTION 2.4 – RENEWAL ..... 11  
 SECTION 2.5 - RESERVATION OF AUTHORITY ..... 11  
 SECTION 2.6 - NON-EXCLUSIVITY OF LICENSE ..... 12

**ARTICLE 3 SYSTEM SPECIFICATIONS AND CONSTRUCTION ..... 15**  
 SECTION 3.1 – AREA TO BE SERVED ..... 15  
 SECTION 3.2 - SUBSCRIBER NETWORK ..... 16  
 SECTION 3.3 – SUBSCRIBER NETWORK CABLE DROPS ..... 16  
 SECTION 3.4 - PARENTAL CONTROL CAPABILITY ..... 17  
 SECTION 3.5 – EMERGENCY ALERT OVERRIDE CAPACITY ..... 17

**ARTICLE 4 TECHNOLOGICAL AND SAFETY STANDARDS ..... 18**  
 SECTION 4.1 – SYSTEM MAINTENANCE ..... 18  
 SECTION 4.2 – REPAIRS AND RESTORATION ..... 18  
 SECTION 4.3 - CABLE LOCATION ..... 19  
 SECTION 4.4 – TREE TRIMMING ..... 19  
 SECTION 4.5 – STRAND MAPS ..... 20  
 SECTION 4.6 – BUILDING MOVES ..... 20  
 SECTION 4.7 – DIG SAFE ..... 20  
 SECTION 4.8 – DISCONNECTION AND RELOCATION ..... 20  
 SECTION 4.9 – EMERGENCY REMOVAL OF PLANT ..... 21  
 SECTION 4.10 – PROHIBITION AGAINST RESELLING OF SERVICE ..... 21

**ARTICLE 5 PROGRAMMING ..... 22**  
 SECTION 5.1 - BASIC CABLE SERVICE ..... 22  
 SECTION 5.2 - PROGRAMMING ..... 22  
 SECTION 5.3 - STEREO TV TRANSMISSIONS ..... 22  
 SECTION 5.4 – CABLE CHANNELS FOR COMMERCIAL USE ..... 22

**ARTICLE 6 PEG ACCESS CHANNEL(S) AND SUPPORT ..... 23**  
 SECTION 6.1 - PEG ACCESS CHANNEL(S) ..... 23  
 SECTION 6.2 - PEG ACCESS PROVIDER ..... 24  
 SECTION 6.3 - PEG ACCESS CABLECASTING ..... 24  
 SECTION 6.4 – PEG ACCESS SUPPORT ..... 25  
 SECTION 6.5 - PROGRAMMING EXCLUSIVITY AND NON-COMPETITION ..... 25  
 SECTION 6.6 – INTERCONNECTION WITH COMPETING CABLE LICENSEE ..... 26  
 SECTION 6.7 - PEG ACCESS PROGRAMMING INDEMNIFICATION ..... 26

**ARTICLE 7 CUSTOMER SERVICE AND CONSUMER PROTECTION ..... 27**  
 SECTION 7.1 - CUSTOMER SERVICE ..... 27  
 SECTION 7.2 – CONSUMER COMPLAINT PROCEDURES ..... 27  
 SECTION 7.3 - PROTECTION OF SUBSCRIBER PRIVACY ..... 27

SECTION 7.4 - EMPLOYEE IDENTIFICATION CARDS .....	27
<b>ARTICLE 8 PRICES AND CHARGES.....</b>	<b>28</b>
SECTION 8.1 - PRICES AND CHARGES .....	28
<b>ARTICLE 9 REGULATORY OVERSIGHT.....</b>	<b>29</b>
SECTION 9.1 - INDEMNIFICATION .....	29
SECTION 9.2 - INSURANCE .....	29
SECTION 9.3 - PERFORMANCE BOND.....	30
SECTION 9.4 - LICENSE FEES .....	30
SECTION 9.5 - REPORTS.....	31
SECTION 9.6 - EQUAL EMPLOYMENT OPPORTUNITY.....	31
SECTION 9.7 - REVOCATION OF LICENSE .....	32
SECTION 9.8 - NOTICE AND OPPORTUNITY TO CURE .....	32
SECTION 9.9 - TRANSFER OR ASSIGNMENT.....	33
SECTION 9.10 - REMOVAL OF SYSTEM .....	34
SECTION 9.11 - INCORPORATION BY REFERENCE .....	35
SECTION 9.12 - NO THIRD PARTY BENEFICIARIES.....	35
<b>ARTICLE 10 MISCELLANEOUS.....</b>	<b>36</b>
SECTION 10.1 - SEVERABILITY .....	36
SECTION 10.2 - FORCE MAJEURE .....	36
SECTION 10.3 - NOTICES .....	36
SECTION 10.4 - ENTIRE AGREEMENT .....	37
SECTION 10.5 - CAPTIONS.....	38
SECTION 10.6 - WARRANTIES.....	38
SECTION 10.7 - APPLICABILITY OF RENEWAL LICENSE .....	38
<b>SIGNATURE PAGE .....</b>	<b>39</b>
<b>EXHIBIT A BUILDINGS ON THE CABLE SYSTEM.....</b>	<b>40</b>
<b>EXHIBIT B PROGRAMMING .....</b>	<b>41</b>
<b>EXHIBIT C VIDEO ORIGINATION LOCATIONS.....</b>	<b>42</b>

**PROVINCETOWN RENEWAL LICENSE**

**INTRODUCTION**

WHEREAS, Comcast Cable Communications Management, LLC, (hereinafter "Licensee"), is the duly authorized holder of a renewal license to operate a cable television system in the Town of Provincetown, Massachusetts (hereinafter the "Town"), said license having commenced on November 30, 2009;

WHEREAS, Licensee filed a written request for a renewal of its license by letter dated March 13, 2017 in conformity with the Cable Communications Policy Act of 1984 ("Cable Act") and filed a renewal proposal dated July 31, 2019;

WHEREAS, there has been an opportunity for public comment, as required by Section 626(h) of the Cable Act;

WHEREAS, the Issuing Authority has determined that the financial, legal, and technical ability of Licensee is reasonably sufficient to provide services, facilities, and equipment necessary to meet the future cable-related needs of the community, and desires to enter into this Renewal License with Licensee for the construction and continued operation of a cable system on the terms and conditions set forth herein; and

WHEREAS, the Town's Board of Selectmen, as the Issuing Authority, finds that Licensee has complied with the terms of its previous license.

NOW THEREFORE, after due and full consideration, the Issuing Authority and Licensee agree that this Renewal License is issued upon the following terms and conditions:

**ARTICLE 1**

**DEFINITIONS**

**SECTION 1.1 - DEFINITIONS**

For the purpose of this Renewal License, capitalized terms, phrases, words, and abbreviations shall have the meanings ascribed to them in the Cable Communications Policy Act of 1984, as amended from time to time, 47 U.S.C. §§ 521 et seq. (the "Cable Act"), and Massachusetts General Laws Chapter 166A (M.G.L.c.166A), as amended from time to time, unless otherwise defined herein.

(a) Access Provider – shall mean the person, group or entity, for non-profit, designated by the Issuing Authority for the purpose of operating and managing the use of Public, Educational and Governmental Access funding, equipment and channels on the cable television system in accordance with this Renewal License and 47 U.S.C. 531.

(b) Basic Cable Service – shall mean the lowest tier of service which includes the retransmission of local television broadcast signals.

(c) Cable Act – shall mean the Cable Communications Policy Act of 1984, Public Law No. 98-549, 98 Stat. 2779 (1984), 47 U.S.C. 521 et. seq., amending the Communications Act of 1934, as further amended by the 1992 Cable Consumer Protection and Competition Act, Public Law No. 102-385 and the Telecommunications Act of 1996, Public Law No. 104-458, 110 Stat. 56 (1996) and as may be further amended.

(d) Cable Division – shall mean the Competition Division of the Massachusetts Department of Telecommunications and Cable established pursuant to Massachusetts General Laws Chapter 166A (M.G.L. Chapter 166A) or its successor

(e) Cable Service – shall mean the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

(f) Cable System or System – shall mean the facility owned, constructed, installed, operated and maintained by Licensee in the Town of Provincetown, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designated to provide cable service which includes video programming and which is provided to multiple subscribers within a community, but such term does not include (a) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (b) a facility that serves subscribers without using any public right-of-way; (c) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Cable Act, except that such facility shall be considered a cable system (other than for purposes of section 621(c) of the Cable Act) to the extent such facility is used in the transmission of video programming directly to subscribers unless the extent of such use is solely to provide interactive on-demand services; or (d) an open video system that complies with section 653 of this title, or (e) any facilities of any electric utility used solely for operating its electric utility systems.

(g) Drop – shall mean the coaxial cable that connects a home or building to the Subscriber Network or.

(h) Effective Date – shall mean November 30, 2019.

(i) FCC – shall mean the Federal Communications Commission or any successor governmental entity.

(j) Franchise Fee – shall mean the payments to be made by Licensee to the Issuing Authority, the Town of Provincetown and or any other governmental subdivision, such as an Access Provider, which shall have the meaning as set forth in Section 622(g) of the Cable Act.

(k) Gross Annual Revenues – means the Cable Service revenue derived by the Grantee from the operation of the Cable System in the Franchise Area to provide Cable Services, calculated in accordance with generally accepted accounting principles (“GAAP”). Cable Service revenue includes monthly basic, premium and pay-per-view video fees, leased access fees, advertising and home shopping revenue, installation fees and equipment rental fees. Gross Revenue shall not include refundable deposits, bad debt, late fees, investment income, programming launch support payments, advertising sales commissions, nor any taxes, fees or assessments imposed or assessed by any governmental authority.

(l) Issuing Authority – shall mean the Board of Selectmen of the Town of Provincetown, Massachusetts, or the lawful designee thereof.

(m) Licensee – shall mean Comcast Cable Communications Management, LLC, or any successor or transferee in accordance with the terms and conditions in this Renewal License.

(n) License Fee – shall mean the payments to be made by Licensee to the Issuing Authority, the Town of Provincetown and or any other governmental subdivision, which shall have the meaning as set forth in M.G.L.c. 166A, § 9.

(o) Multichannel Video Programming Distributor – shall mean a person such as, but not limited to, a cable operator, a multichannel multipoint distribution service, a direct broadcast satellite service, or a television receive-only satellite program distributor, who makes available for purchase, by subscribers or customers, multiple channels of video programming.

(p) Normal Operating Conditions – shall mean those service conditions which are within the control of the Franchisee. Those conditions which are not within the control of the Franchisee include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the Franchisee include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the Cable System.

(q) Outlet – shall mean an interior receptacle that connects a television set to the Cable Television System.

(r) PEG Access User – shall mean a Person utilizing the Cable Television System, including all related facilities for purposes of production and/or transmission of PEG Access Programming as opposed to utilization solely as a Subscriber.

(s) Person – shall mean any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for profit, but shall not mean the Issuing Authority.

(t) Public, Educational and Governmental Access Channel – shall mean a video channel (s) made available by the Licensee for non-commercial use by the public, educational institutions such as

public or private schools, but not “home schools,” community colleges, and universities, as well as the Issuing Authority.

(u) Public, Educational and Government (PEG) Access Programming – shall mean non-commercial programming produced by any Provincetown residents or organizations, schools and government entities and the use of designated facilities, equipment and/or channels of the Cable System in accordance with 47 U.S.C. 531 and this Renewal License.

(v) Public Buildings – shall mean those buildings owned or leased by the Issuing Authority for municipal government administrative purposes, and shall not include buildings owned by Issuing Authority but leased to third parties or buildings such as storage facilities at which government employees are not regularly stationed.

(w) Public Way – shall mean the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips, or rights-of-way dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the Issuing Authority in the Town of Provincetown, which shall entitle Licensee to the use thereof for the purpose of installing, operating, repairing, and maintaining the Cable System. Public Way shall also mean any easement now or hereafter held by the Issuing Authority within the Town of Provincetown for the purpose of public travel, or for utility or public service use dedicated for compatible uses, and shall include other easements or rights-of-way as shall within their proper use and meaning entitle Licensee to the use thereof for the purposes of installing, operating, and maintaining Licensee’s Cable System over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and pertinent to the Cable System.

(x) Renewal License or License – shall mean this Agreement and any amendments or modifications in accordance with the terms herein.

(y) Signal – shall mean any transmission which carries Programming from one location to another.

(z) Standard Installation – shall mean the standard one hundred twenty-five foot (125') aerial Drop connection to the existing distribution system.

(aa) Subscriber – shall mean a Person or user of the Cable System who lawfully receives Cable Service with Licensee's express permission.

(ab) Subscriber Network – shall mean the trunk and feeder signal distribution network over which video and audio signals are transmitted to Subscribers.

(ac) Town – shall mean the Town of Provincetown, Massachusetts.

(ad) Trunk and Distribution System – shall mean that portion of the Cable System for the delivery of Signals, but not including Drop Cable(s) to Subscriber's residences.

(ae) Video Programming or Programming – shall mean the programming provided by, or generally considered comparable to programming provided by, a television broadcast station.

**ARTICLE 2**

**GRANT OF RENEWAL LICENSE**

**SECTION 2.1 - GRANT OF RENEWAL LICENSE**

(a) Pursuant to the authority of M.G.L. c. 166A, and the Cable Act the Issuing Authority hereby grants a non-exclusive Renewal License to Comcast Cable Communications Management, LLC, authorizing and permitting Licensee to construct, operate and maintain a Cable System in the Public Way within the municipal limits of the Town of Provincetown. Nothing in this License shall be construed to prohibit Licensee from offering any service over its Cable System that is not prohibited by federal or state law.

(b) This Renewal License is granted under and in compliance with the Cable Act and M.G.L.c. 166A, and in compliance with all rules and regulations of the FCC and the Cable Division in force and effect during the period for which this Renewal License is granted.

(c) Subject to the terms and conditions herein, the Issuing Authority hereby grants to Licensee the right to construct, upgrade, install, operate and maintain a Cable System within the Public Way.

**SECTION 2.2 - TERM: NON-EXCLUSIVITY [SEE M.G.L.c. 166A §3(d) and 13]**

The term of this non-exclusive Renewal License shall be for a period of ten (10) years and shall commence on November 30, 2019, following the expiration of the current license, and shall expire at midnight on November 29, 2029.

**SECTION 2.3 - POLE AND CONDUIT ATTACHMENT RIGHTS [SEE M.G.L.c. 166 §22-25] ]**

Pursuant to M.G.L.c. 166, §§22-25, permission is hereby granted to Licensee to attach or otherwise affix including, but not limited to cables, wire, or optical fibers comprising the Cable System to the existing poles and conduits on and under public streets and ways, provided Licensee secures the permission and consent of the public utility companies to affix the cables and/or wires to their pole and

conduit facilities. By virtue of this License the Issuing Authority grants Licensee equal standing with power and telephone utilities in the manner of placement of facilities on Public Ways.

**SECTION 2.4 - RENEWAL [SEE M.G.L.c. 166A §13]**

(a) In accordance with the provisions of federal law, M.G.L.c. 166A, § 13 and applicable regulations, this Renewal License shall be subject to additional renewals for the periods not to exceed ten (10) years or such other periods as allowed by law.

(b) In accordance with applicable law, any such renewal or renewals shall be upon mutual written agreement by Licensee and the Issuing Authority and shall contain such modified or additional terms as Licensee and the Issuing Authority may then agree.

**SECTION 2.5 - RESERVATION OF AUTHORITY**

Nothing in this Renewal License shall (A) abrogate the right of the Issuing Authority to perform any public works or public improvements of any description, (B) be construed as a waiver of any codes or bylaws of general applicability and not specific to the Cable System, Licensee, or this License, or (C) be construed as a waiver or release of the rights of the Issuing Authority in and to the Public Ways. This License is a contract and except as to those changes which are the result of the Issuing Authority's lawful exercise of its general police power, the Issuing Authority may not take any unilateral action which materially changes the explicit mutual promises in this License. Any changes to this License must be made in writing signed by the Licensee and the Issuing Authority. In the event of any conflict between this License and any Issuing Authority ordinance or regulation that is not generally applicable, this License shall control. Notwithstanding any other provision of this License, Licensee reserves the right to challenge provisions of any ordinance, rule, regulation, or other enactment of the Issuing Authority that conflicts with its contractual rights under this License, either now or in the future.

**SECTION 2.6 - NON-EXCLUSIVITY OF LICENSE**

(a) Licensee acknowledges and agrees that the Issuing Authority reserves the right to grant one or more additional licenses or other authorizations to other Cable Service providers or wireline based video service providers within the Town for the right to use and occupy the Public Ways or streets within the Issuing Authorities jurisdiction. If any such additional or competitive license or other authorization is granted by the Issuing Authorities which, in the reasonable opinion of Licensee, contains more financially favorable or less burdensome terms or conditions than this Renewal License, including, but not limited to: franchise fees; payment schedules, insurance; system build-out requirements; performance bonds or similar instruments; public, education and government access channels and support; customer service standards; required reports and related record keeping; and notice and opportunity to cure breaches; the Issuing Authority agrees that it shall amend this Renewal License to include any more favorable or less burdensome terms or conditions.

(b) In the event an application for a new cable television license or other authorization is filed with the Issuing Authority, proposing to serve the Town, in whole or in part, the Issuing Authority shall serve a copy of such application upon any existing Licensee or incumbent cable operator by registered or certified mail or via nationally recognized overnight courier service within a reasonable time thereafter.

(c) To the extent allowed by applicable law(s), the grant of any additional cable television license(s) or other authorization shall be on equivalent terms and conditions as those contained in this Renewal License.

(d) The issuance of additional license(s) shall be subject to all applicable federal and state laws, including M.G.L.c. 166A and applicable regulations promulgated thereunder.

(e) In the event that Licensee believes that any additional license(s) or other authorization has been granted on terms or conditions more favorable or less burdensome than those contained in this Renewal License, the Issuing Authority shall convene a public hearing on such issue, within not more than thirty (30) days of receipt of a hearing request from Licensee. Along with said written request, Licensee shall provide the Issuing Authority with written reasons for its belief. At the public hearing, the Issuing Authority shall afford Licensee an opportunity to demonstrate that any such additional license(s) or other

authorization are on terms more favorable or less burdensome than those contained in this Renewal License. Licensee shall provide the Issuing Authority with such financial or other relevant information as is reasonably requested.

(f) Should Licensee demonstrate that any such additional license(s) or other authorizations have been granted on terms and conditions more favorable or less burdensome than those contained in this Renewal License, the Issuing Authority shall make equitable amendments to this Renewal License within a reasonable time.

(g) In the event that Licensee demonstrates that an existing or future Cable Service provider or wireline based video service provider in the Town has been provided relief by the Issuing Authority from any obligation of its license, then Licensee shall be awarded an equivalent amount of relief from the material obligations herein. Such relief shall be in writing and in the form of an amendment to this License. The Issuing Authority shall convene a public hearing on the issue within sixty (60) days of Licensee's notification to the Issuing Authority requiring such relief, unless otherwise mutually agreed to. Licensee shall provide reasons for its belief in the notification. At the public hearing, the Issuing Authority shall afford Licensee an opportunity to demonstrate that any existing or future service providers in the Town have been provided relief by the Issuing Authority from any obligation of its cable television license or other similar lawful authorization. Licensee shall provide the Issuing Authority with such financial or other relevant information as is reasonably requested to justify its belief; provided, however, that the parties' counsel mutually and reasonably deem said information is non-proprietary.

(h) In the event that Cable Services or wireline video services are being provided to the Town by any Person(s) or Multichannel Video Programming Distributor ("MVPD") other than Licensee, which is not in any way an affiliate of Licensee, and such Person(s) or MVPD is not required by applicable law to be licensed by the Issuing Authority, and to the extent that Licensee reports to the Issuing Authority, in writing, that the provision of such Cable Services by such Person(s) or MVPD is having a negative financial impact upon Licensee's Cable System operations in the Town, Licensee may request, in writing, that the Issuing Authority convene a public hearing on that issue. The Issuing Authority shall convene said hearing within thirty (30) days of receipt of a hearing request from Licensee.

- (i) Along with said written request, Licensee shall provide the Issuing Authority with a written basis and written reasons for its determination of such negative impact. At the public hearing, the Issuing Authority shall afford Licensee an opportunity to present the basis and the reasons for its determination. Licensee shall provide the Issuing Authority with such financial and other relevant information as is reasonably requested.
- (ii) Should Licensee demonstrate that the Cable Service(s) or wireline based video service of such Person(s) is having a negative financial impact upon Licensee's Cable System operations in the Town, the Issuing Authority shall make equitable amendments to this Renewal License.

**ARTICLE 3**

**SYSTEM SPECIFICATIONS AND CONSTRUCTION**

**SECTION 3.1 - AREA TO BE SERVED [SEE M.G.L.c. 166A §3(a)]**

(a) Licensee shall upon request make Cable Service available to every residential dwelling unit within the Town where the minimum density is at least thirty (30) dwelling units per aerial mile and sixty (60) dwelling units per underground mile providing however, that any request for plant extension is measured from the existing Trunk and Distribution System and Licensee is able to obtain from property owners any necessary easements and/or permits in accordance with Cable Act. Licensee shall make service available to multiple dwelling units (MDU) upon request and where economically feasible and providing that Licensee is able to obtain from the property owners any necessary easements, permits and agreements to provide Service to said MDU. Subject to the density requirement, Licensee shall upon request offer Cable Service to all new homes or previously unserved homes located within one hundred fifty feet (150') of Licensee's Trunk and Distribution System. For non-Standard Installations Licensee shall offer said Service within ninety (90) days of a Subscriber requesting such for aerial installations and one hundred eighty (180) days, weather permitting, of a Subscriber requesting such for underground installations. With respect to areas of the Town which are currently served by Licensee from a contiguous cable television system or currently unserved but could be served by abutting Town(s) served by Licensee, Licensee shall have the option to serve such areas from its cable television system in such abutting Town.

(b) Installation costs shall conform with the Cable Act. Any dwelling unit within an aerial one hundred fifty feet (150 ft.) of the Trunk and Distribution System shall be entitled to a Standard Installation rate in accordance with applicable federal and state laws. Underground installs are considered non-standard installations. All non-standard installations shall be provided at a rate established by the Licensee in accordance with applicable federal and state laws.

(c) Provided Licensee has at least ninety (90) days' prior written notice concerning the opening of residential subdivision trenching, or of the installation of conduit for the location of utilities, it shall

install its cable in such trenching or conduits or may seek permission to utilize alternative trenching or conduits within a comparable time frame. If a substantial quantity of cable is required for a large subdivision and said quantity is not in stock, Licensee shall be allowed additional time for said installation. The Issuing Authority, or its designee, shall exercise reasonable efforts to have the Planning Board and developers give timely written notice of trenching and underground construction to Licensee. Developer shall be responsible for the digging and back-filling of all trenches.

### **SECTION 3.2 - SUBSCRIBER NETWORK**

Licensee shall maintain a Cable Television System, fully capable of providing Cable Service in accordance with applicable law.

### **SECTION 3.3 - SUBSCRIBER NETWORK CABLE DROPS [SEE M.G.L.c. 166A §5(e)]**

(a) Licensee shall continue to provide a single Cable Drop, an Outlet and monthly Basic Cable Service, at no charge to the Town /City, to each Public Building located along the existing cable route as of the Effective Date, as designated by the Issuing Authority within the Town, listed in **Exhibit A** attached hereto, provided such are considered to be a Standard Installation and absent any other unusual installation conditions and/or installation requirements.

(b) Upon written request by the Issuing Authority, Licensee shall provide one (1) Standard Installation Drop, Outlet and Basic Cable Service at no charge to any new Public Buildings and other Town owned Public Buildings, along the Trunk and Distribution System subject to the limitations set forth above. The Issuing Authority or its designee shall consult with a representative of Licensee to determine the appropriate location for each of such Public Building's respective Outlet prior to requesting that Licensee install service at no charge.

(c) Nothing in this Section shall require Licensee to move existing or install additional Drops or Outlets at no charge to those buildings included in **Exhibit A**, or to move existing or install additional Drops or Outlets to buildings already installed pursuant to subsection (b) above.

(d) It is understood that Licensee shall not be responsible for any internal wiring of such Public Buildings.

**SECTION 3.4 - PARENTAL CONTROL CAPABILITY**

(a) Pursuant to applicable law, upon request, and at no separate, additional charge, Licensee shall provide Subscribers with the capability to control the reception of any channel on the Cable System.

(b) The Issuing Authority acknowledges that the parental control capability may be part of a converter box and Licensee may charge Subscriber for use of said box.

**SECTION 3.5---EMERGENCY ALERT OVERRIDE CAPACITY**

Licensee shall comply with the FCC's Emergency Alert System ("EAS") regulations.

**ARTICLE 4**

**TECHNOLOGICAL AND SAFETY STANDARDS**

**SECTION 4.1 - SYSTEM MAINTENANCE [SEE M.G.L.c. 166A §5]**

(a) In installing, operating and maintaining equipment, cable and wires, Licensee shall avoid damage and injury to trees, structures and improvements in and along the routes authorized by the Issuing Authority, except as may be approved by the Issuing Authority if required for the proper installation, operation and maintenance of such equipment, cable and wires.

(b) The construction, maintenance and operation of the Cable System for which this Renewal License is granted shall be done in conformance with all applicable state and federal laws, bylaws, codes and regulations of general applicability and the rules and regulations of the FCC as the same exist or as same may be hereafter changed or amended.

(c) Operating and maintenance personnel shall be trained in the use of all safety equipment and the safe operation of vehicles and equipment. Licensee shall install and maintain its equipment, cable and wires in such a manner as shall not interfere with any installations of the Town or any public utility serving the Town.

(d) All structures and all equipment, cable and wires in, over, under, and upon streets, sidewalks, alleys, and public rights of ways of the Town, wherever situated or located shall at all times be kept and maintained in a safe and suitable condition and in good order and repair.

**SECTION 4.2 - REPAIRS AND RESTORATION [SEE M.G.L.c. 166A §5(g)]**

Whenever Licensee takes up or disturbs any pavement, sidewalk or other improvement of any public right of way or public place, the same shall be replaced and the surface restored in as good condition as possible as before entry as soon as practicable. If Licensee fails to make such restoration within a reasonable time, the Issuing Authority may fix a reasonable time for such restoration and repairs, and shall notify Licensee in writing of the restoration and repairs required and the time fixed for the

performance thereof. Upon failure of Licensee to comply within the time specified, the Issuing Authority may cause proper restoration and repairs to be made and the expense of such work shall be paid by Licensee upon written demand by the Issuing Authority. Prior to such repair or restoration the Town shall submit a written estimate to Licensee of the actual cost of said repair or restoration.

**SECTION 4.3 - CABLE LOCATION**

(a) In all areas of the Town where all of the transmission and distribution facilities of all public or municipal utilities are installed underground, Licensee shall install its Cable System underground, provided that such facilities are actually capable of receiving the Licensee's cable and other equipment without technical degradation of the Cable System's signal quality.

(b) In all areas of the Town where public utility lines are aurally placed, if subsequently during the term of the Renewal License such public utility lines are required by the Issuing Authority or State to be relocated aurally or underground, Franchisee shall similarly relocate its Cable System if it is given reasonable notice and access to the public and municipal utilities facilities at the time that such are placed underground. Any costs incurred by Licensee for relocating the Cable System shall be entitled to reimbursement of such relocation costs in the event public or private funds are raised for the project and made available to other users of the Public Way. In the event that funds are not made available for reimbursement, Licensee reserves the right to pass through its costs to Subscribers.

(c) Nothing in this Section shall be construed to require Licensee to construct, operate, or maintain underground any ground-mounted appurtenances such as customer taps, line extenders, system passive devices, amplifiers, power supplies, pedestals, or other related equipment.

**SECTION 4.4 - TREE TRIMMING [SEE M.G.L.c. 166A §5(a)]**

Licensee shall have authority to trim trees upon and overhanging public streets, alleys, sidewalks and ways and places of the Town so as to prevent the branches of such trees from coming in contact with the wires, cables and equipment of Licensee, in accordance with MGL c. 87 and any Town bylaws and regulations.

**SECTION 4.5 – STRAND MAPS**

Licensee shall maintain a complete set of strand maps of the Town, which will show those areas in which its facilities exist. The strand maps will be retained at Licensee's primary place of business and will be available to the Issuing Authority for inspection by the Issuing Authority upon written request.

**SECTION 4.6 - BUILDING MOVES [SEE M.G.L.c. 166 §39]**

(a) In accordance with applicable laws, Licensee shall, upon the written request of any Person holding a building moving permit issued by the Town, temporarily raise or lower its wires to permit the moving of the building(s). Licensee shall be given not less than thirty (30) days' advance written notice to arrange for such temporary wire changes. The cost to raise or lower wires shall be borne by the Person(s) holding the building move permit.

(b) Licensee shall have the right to seek reimbursement under any applicable insurance or government program for reimbursement.

**SECTION 4.7 - DIG SAFE [SEE M.G.L.c. 82 §40]**

Licensee shall comply with applicable "dig safe" provisions pursuant to M.G.L.c. 82, § 40.

**SECTION 4.8 - DISCONNECTION AND RELOCATION [SEE M.G.L.c. 166 §39]**

(a) In accordance with applicable law, Licensee shall, at its sole cost and expense, protect, support, temporarily disconnect, relocate in the same street, or other Public Right of Ways, or remove from any street or any other Public Ways and places, any of its property as required by the Issuing

Authority by reason of traffic conditions, public safety, street construction, change or establishment of street grade, or the construction of any public improvement or structure by any Town department acting in a lawful governmental capacity.

(b) In requiring Licensee to protect, support, temporarily disconnect, relocate or remove any portion of its property, the Issuing Authority shall treat Licensee the same as, and require no more of Licensee, than any other similarly situated utility.

(c) In either case, Licensee shall have the right to seek reimbursement under any applicable insurance or government program for reimbursement. All cable operators or public or municipal utility companies shall be treated alike if reimbursed for such costs by the Town.

#### **SECTION 4.9 - EMERGENCY REMOVAL OF PLANT**

(a) If, at any time, in case of fire or disaster in the Town, it shall be necessary in the reasonable judgment of the Issuing Authority to cut or move any of the wires, cable or equipment of the Cable Television System, the Town shall have the right to do so without cost or liability, provided however that, wherever possible, the Issuing Authority shall give Licensee written notice and the ability to relocate wires, cable or other equipment.

(b) In either case, Licensee shall have the right to seek reimbursement under any applicable insurance or government program for reimbursement. All cable operators or public or municipal utility companies shall be treated alike if reimbursed for such costs by the Town.

#### **SECTION 4.10 – PROHIBITION AGAINST RESELLING OF SERVICE**

No Person shall resell, without the express prior written consent of Licensee, any Cable Service, program or signal transmitted over the Cable System by Licensee.

**ARTICLE 5  
PROGRAMMING**

**SECTION 5.1 - BASIC CABLE SERVICE**

Licensee shall make available a Basic Cable Service tier to all subscribers in accordance with 47 U.S.C. 534.

**SECTION 5.2 - PROGRAMMING**

(a) Pursuant to 47 U.S.C. 544, Licensee shall maintain the mix, quality and broad categories of Video Programming as set forth in **Exhibit B**. Pursuant to federal law, all Video Programming decisions, excluding PEG Access Programming, are at the sole discretion of Licensee.

(b) Licensee shall comply with 76.1603(c) of the FCC Rules and Regulations as well as 207 CMR 10.02 of the Massachusetts Cable Television Division Rules and Regulations regarding notice of programming changes.

**SECTION 5.3 - STEREO TV TRANSMISSIONS**

All Broadcast Signals that are transmitted to Licensee's headend in stereo shall be transmitted in stereo to Subscribers.

**SECTION 5.4 – CABLE CHANNELS FOR COMMERCIAL USE**

Pursuant to 47 U.S.C. 532, Licensee shall make available channel capacity for commercial use by persons unaffiliated with Licensee. Rates for use of commercial leased access channels shall be negotiated between Licensee and the commercial user in accordance with federal law.

**ARTICLE 6**

**PEG ACCESS CHANNEL(S) AND SUPPORT**

**SECTION 6.1 - PEG ACCESS CHANNEL(S)**

(a) Use of a video channel for PEG Access Programming shall be provided in accordance with federal law, 47 U.S.C. 531, and as further set forth below. Licensee does not relinquish its ownership or ultimate right of control over a channel by designating it for PEG use. A PEG Access User – whether an individual, educational or governmental user – acquires no property or other interest by virtue of the use of a channel so designated, and may not rely on the continued use of a particular channel number, no matter how long the same channel may have been designated for such use. Licensee shall not exercise editorial control over any public, educational, or governmental use of a PEG Access Channel, except Licensee may refuse to transmit any Public Access program or portion of a Public Access program that contains obscenity, indecency, or nudity pursuant to Section 611 of the Cable Act. The Issuing Authority shall be responsible for developing, implementing, interpreting and enforcing rules for PEG Access Channel use which shall ensure that PEG Access Channel(s) and PEG Access equipment will be available on a first-come non-discriminatory basis.

(b) Licensee shall designate two (2) channel(s) for a PEG Access Programming purposes. A PEG Access Channel may not be used to cablecast for-profit, political or commercial fundraising programs in any fashion. Unused capacity may be utilized by Licensee subject to the provisions set forth in subsection (c) below.

(c) In the event the Issuing Authority or other PEG Access User elects not to fully program it's Channel(s) with original PEG Access Programming, Licensee may reclaim any unused time on those channels.

**SECTION 6.2 - PEG ACCESS PROVIDER**

Beginning on the Effective Date, the Access Provider shall provide services to PEG Access Users and the Town as follows:

- (1) Schedule, operate and program the PEG Access channels provided in accordance with Section 6.3 below;
- (2) Manage the annual funding, pursuant to Section 6.4 below;
- (3) Purchase, maintain and/or lease equipment, with the funds allocated for such purposes in Section 6.4 below;
- (4) Conduct training programs in the skills necessary to produce PEG Access Programming;
- (5) Provide technical assistance and production services to PEG Access Users;
- (6) Establish rules, procedures and guidelines for use of the PEG Access Channels;
- (7) Provide publicity, fundraising, outreach, referral and other support services to PEG Access Users;
- (8) Assist PEG Access Users in the production of Video Programming of interest to Subscribers and issues, events and activities; and
- (9) Accomplish such other tasks relating to the operation, scheduling and/or management of the PEG Access Channels, facilities and equipment as appropriate and necessary.

**SECTION 6.3 - PEG ACCESS CABLECASTING**

(a) In order that PEG Access Programming can be cablecast over Licensee's downstream PEG Access Channel, all PEG Access Programming shall be modulated, then transmitted from an origination location listed in **Exhibit C** to Licensee-owned headend or hub-site on a Licensee-owned upstream channel made available, without charge, to the Town for its use. At Licensee-owned headend, said PEG Access Programming shall be retransmitted in the downstream direction on one Licensee-owned Subscriber Network downstream PEG Access Channels.

(b) Licensee shall provide and maintain all necessary switching and/or processing equipment located at its hub-site or headend in order to switch upstream signals carrying PEG Access Programming

from the location listed in Exhibit C to the designated Licensee-owned Subscriber Network downstream PEG Access Channel.

(c) Licensee shall own, maintain, repair and/or replace any Licensee-owned headend or hub-site audio and/or video signal processing equipment. The Town and/or PEG access provider shall own, maintain, repair and/or replace studio and/or portable modulators and demodulators. The demarcation point between Licensee's equipment and the Town's or PEG Access provider's equipment shall be at the output of the Town's and/or the PEG Access provider's modulator(s) or equivalent device at any of the origination locations in Exhibit C.

#### **SECTION 6.4 – PEG ACCESS SUPPORT**

(a) Licensee shall provide a Franchise Fee to the Issuing Authority, or its designee, for PEG Access purposes, equal to four and one half percent (4.5%) of its Gross Annual Revenues, . Said Franchise Fee shall be used for salaries, operating and other expenses related to PEG Access programming operations, equipment and/or facilities. Said four and one-half percent (4.5%) Franchise Fee shall be made to the Issuing Authority, or its designee, on a quarterly basis. The first payment shall be made on February 15, 2020 for the period of November 30, 2019 through December 31, 2019. Quarterly thereafter, Licensee shall provide payments each February 15<sup>th</sup>, May 15<sup>th</sup>, August 15<sup>th</sup> and November 15<sup>th</sup> based on revenues from the previous calendar quarter. The final payment shall be made on February 15, 2030 for the period of October 1, 2029 through November 29, 2029.

#### **SECTION 6.5 - PROGRAMMING EXCLUSIVITY AND NON-COMPETITION**

The Issuing Authority, or its designee, agrees that it will not use its designated PEG Access channel(s), equipment, or other facilities to provide for-profit commercial services which have the effect of competing with Licensee's business. In addition, any Video Programming produced under the provisions of this Article 6 shall not be commercially distributed to a competing Multichannel Video Programming Distributor without the written consent of Licensee.

**SECTION 6.6 – INTERCONNECTION WITH COMPETING CABLE LICENSEE**

In the event a License is issued by the Issuing Authority to a competing Licensee, the competing Licensee may not connect its system to Licensee's Cable System for purposes of obtaining PEG Access Programming from the Licensee's PEG Access channels without the prior written consent of Licensee.

**SECTION 6.7 - PEG ACCESS PROGRAMMING INDEMNIFICATION**

The Issuing Authority and/or the Access Provider shall indemnify the Licensee for any liability, loss or damage it may suffer due to violation of the intellectual property rights of third parties or arising out of the content of programming aired on any PEG channel and from claims arising out of the Issuing Authority's rules for or administration of PEG Access Programming.

**ARTICLE 7**

**CUSTOMER SERVICE AND CONSUMER PROTECTION**

**SECTION 7.1 - CUSTOMER SERVICE**

Licensee shall comply with all customer service regulations of the FCC (47 CFR §76.309) as they exist or as they may be amended from time to time. Likewise, Licensee shall comply with the customer service regulations promulgated by the Cable Division as they exist or as they may be amended from time to time.

**SECTION 7.2 - CONSUMER COMPLAINT PROCEDURES [SEE M.G.L.c. 166A §10]**

Complaints by any Person as to the operation of the Cable System may be filed in writing with the Cable Division or with the Issuing Authority, each of which shall within ten (10) days forward copies of such complaints to the other. The Issuing Authority and the Cable Division shall be notified by Licensee on forms to be prescribed by the Cable Division not less than annually, of the complaints of subscribers received during the reporting period and the manner in which they have been met, including the time required to make any necessary repairs or adjustments.

**SECTION 7.3 - PROTECTION OF SUBSCRIBER PRIVACY**

Licensee shall comply with applicable federal and state privacy laws and regulations, including 47 U.S.C. 551.

**SECTION 7.4 - EMPLOYEE IDENTIFICATION CARDS**

All of Licensee's employees, including repair and sales personnel, entering private property shall be required to carry an employee identification card issued by Licensee.

**ARTICLE 8**

**PRICES AND CHARGES**

**SECTION 8.1 - PRICES AND CHARGES**

(a) All rates, fees, charges, deposits and associated terms and conditions to be imposed by Licensee or any affiliated Person for any Cable Service as of the Effective Date shall be in accordance with applicable FCC's rate regulations [47 U.S.C. 543]. Before any new or modified rate, fee, or charge is imposed, Licensee shall follow the applicable FCC and State notice requirements and rules and notify affected Subscribers, which notice may be by any means permitted under applicable law. Nothing in this Renewal License shall be construed to prohibit the reduction or waiver of charges in conjunction with promotional campaigns for the purpose of attracting or retaining Subscribers.

(b) The Issuing Authority acknowledges that under the Cable Act, certain costs of Public, Educational and Governmental ("PEG") Access and other license/franchise requirements may be passed through to the Subscribers in accordance with federal law.

**ARTICLE 9  
REGULATORY OVERSIGHT**

**SECTION 9.1 - INDEMNIFICATION**

Licensee shall indemnify, defend and hold harmless the Issuing Authority, its officers, employees, and agents from and against any liability or claims resulting from property damage or bodily injury (including accidental death) that arise out of Licensee's construction, operation, maintenance or removal of the Cable System, including, but not limited to, reasonable attorney's fees and costs, provided that the Issuing Authority shall give Licensee timely (best efforts of 10 business days) written notice of its obligation to indemnify and defend the Issuing Authority within the timely receipt of a claim or action pursuant to this Section. If the Issuing Authority determines that it is necessary for it to employ separate counsel, the costs for such separate counsel shall be the responsibility of the Issuing Authority.

**SECTION 9.2 - INSURANCE**

- (a) Licensee shall carry Commercial General Liability insurance throughout the term of this Renewal License and any removal period pursuant to M.G.L.c. 166A, § 5(c) with an insurance company authorized to conduct business in Massachusetts protecting, as required in this Renewal License, Licensee and listing the Town as an additional insured, against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, installation, operation, maintenance or removal of its Cable System. The amount of such insurance against liability for personal injury and property damage shall be no less than One Million Dollars (\$1,000,000) as to any one occurrence. The amount of such insurance for excess liability shall be Five Million Dollars (\$5,000,000) in umbrella form.
- (b) Licensee shall carry insurance against all claims arising out of the operation of motor vehicles in the amount of One Million Dollars (\$1,000,000) combined single limit for bodily injury and consequent death and property damage per occurrence;

(c) All insurance coverage, including Workers' Compensation, shall be maintained throughout the period of this Renewal License. All expenses incurred for said insurance shall be at the sole expense of Licensee.

(d) Licensee shall provide the Issuing Authority upon request with certificate(s) of insurance for all policies required herein upon expiration of policies.

**SECTION 9.3 - PERFORMANCE BOND**

(a) Licensee has submitted and shall maintain throughout the duration of this Renewal License and any removal period pursuant to M.G.L.c. 166A, § 5(c) a performance bond in the amount of Twenty-Five Thousand Dollars (\$25,000) running to the Town with a surety company satisfactory to the Issuing Authority to guarantee the following terms:

- (1) the satisfactory completion of the installation and operation of the Cable System in the time schedule provided herein and otherwise of M.G.L.c. 166A, § 5(a), (m) and (n);
- (2) the satisfactory restoration of pavements, sidewalks and other improvements in accordance with M.G.L.c. 166A, § 5(g);
- (3) the indemnity of the Town in accordance with M.G.L.c. 166A, § 5(b); and
- (4) the satisfactory removal or other disposition of the Cable System in accordance with M.G.L.c. 166A, § 5(f).

**SECTION 9.4 - LICENSE FEES**

(a) During the term of the Renewal License the annual License Fee payable to the Issuing Authority shall be the maximum allowable by law, per Subscriber served as of the last day of the preceding calendar year, payable on or before March 15th of the said year. Pursuant to M.G.L.c. 166A, § 9, this fee is currently fifty cents (\$.50) per Subscriber

(b) In accordance with Section 622(b) of the Cable Act, Licensee shall not be liable for a total financial commitment pursuant to this Renewal License and applicable law in excess of five percent (5%) of its Gross Annual Revenues; provided, however, that said five percent (5%) shall include (i) the PEG Access Annual Support (Section 6.4 and (ii) any amounts included in the term "Franchise Fee" pursuant to Section 622(g)(1) of the Cable Act), but shall not include the following: (i) interest due herein to the Issuing Authority because of late payments; and (iii) any other exclusion to the term "Franchise Fee" pursuant to Section 622(g)(2) of the Cable Act.

(c) All payments by Licensee to the Town pursuant to this Section shall be made payable to the Town unless otherwise agreed to in writing by the parties.

#### **SECTION 9.5 - REPORTS**

(a) Licensee shall file annually with the Cable Division on forms prescribed by the Cable Division, a sworn statement of its revenues and expenses for official use only. In addition, Licensee shall also file with the Cable Division, a financial balance sheet and statement of ownership which shall be supplied upon written request of the Issuing Authority. These requirements shall be subject to the regulations of the Cable Division.

(b) In addition, Licensee shall maintain for public inspection all records required by the FCC and as specified in 47 CFR §76.305 in the manner prescribed therein.

#### **SECTION 9.6 - EQUAL EMPLOYMENT OPPORTUNITY**

Licensee is an Equal Opportunity Employer and shall comply with applicable FCC regulations with respect to Equal Employment Opportunities.

**SECTION 9.7 - REVOCATION OF LICENSE**

The License issued hereunder may, after due written notice and hearing per Section 9.8 (Notice and Opportunity to Cure), be revoked by the Issuing Authority or the Cable Division for any of the following reasons:

(a) For false or misleading statements in, or material omissions from, the application submitted under M.G.L.c. 166A, § 4;

(b) For failure to file and maintain the performance bond as described in Section 9.3 (Performance Bond) or to maintain insurance as described in Section 9.2 (Insurance);

(c) For repeated failure to comply with the material terms and conditions herein required by M.G.L.c. 166A, §5;

(d) For repeated failure, as determined by the Cable Division, to maintain signal quality pursuant to the standards provided for by the FCC and/or Cable Division;

(e) For any transfer or assignment of the Renewal License or control thereof without consent of the Issuing Authority in violation of Section 9.9 herein; and

(f) For failure to complete construction in accordance with the provisions of the Renewal License.

**SECTION 9.8 - NOTICE AND OPPORTUNITY TO CURE**

In the event that the Issuing Authority has reason to believe that Licensee has defaulted in the performance of any or several material provisions of this Renewal License, except as excused by Force Majeure, the Issuing Authority shall notify Licensee in writing, by certified mail, of the material provision or provisions which the Issuing Authority believes may have been in default and the details relating thereto. Licensee shall have thirty (30) days from the receipt of such notice to:

(a) respond to the Issuing Authority in writing, contesting the Issuing Authority's assertion of default and providing such information or documentation as may be necessary to support Licensee's position;

or

(b) cure any such default (and provide written evidence of the same), or, in the event that by nature of the default, such default cannot be cured within such thirty (30) day period, to take reasonable steps to cure said default and diligently continue such efforts until said default is cured. Licensee shall report to the Issuing Authority, in writing, by certified mail, at forty-five (45) day intervals as to Licensee's efforts, indicating the steps taken by Licensee to cure said default and reporting Licensee's progress until such default is cured.

(c) In the event that (i) Licensee fails to respond to such notice of default; and/or (ii) Licensee fails to cure the default or to take reasonable steps to cure the default within the required forty-five (45) day period; the Issuing Authority or its designee shall promptly schedule a public hearing no sooner than fourteen (14) days after written notice, by certified mail, to Licensee. Licensee shall be provided reasonable opportunity to offer evidence, question witnesses, if any, and be heard at such public hearing.

(d) Within thirty (30) days after said public hearing, the Issuing Authority shall issue a written determination of its findings. In the event that the Issuing Authority determines that Licensee is in such default, the Issuing Authority may determine to pursue any lawful remedy available to it.

(e) In the event that (i) the Issuing Authority fails to issue a written reply within 30 days accepting or rejecting Licensees' response pursuant to 9.8(a) above; (ii) the Issuing Authority fails to issue a written acknowledgement after Licensee's notice that it cured said default pursuant to 9.8(b) above; and/or (iii) the Issuing Authority fails to schedule a public hearing no later than thirty (30) days of having sent a written notice consistent with Section 9.8(c) above and/or (iv) the Issuing authority fails to issue a written determination with thirty (30) days after the public hearing pursuant to Section 9.8(d) above, then the issue of said default against Licensee by the Issuing Authority shall be considered null and void.

#### **SECTION 9.9 - TRANSFER OR ASSIGNMENT**

In accordance with applicable law, this Renewal License or control hereof shall not be transferred or assigned without the prior written consent of the Issuing Authority, which consent shall not be arbitrarily or unreasonably withheld. The consent of the Issuing Authority shall be given only after a

hearing upon written application therefor on forms prescribed by the Cable Division. Pursuant to 207 CMR 4.01(2), a transfer or assignment of a license or control thereof between commonly controlled entities, between affiliated companies, or between parent and subsidiary corporations, shall not constitute a transfer or assignment of a license or control thereof under M.G.L.c.166A Section 7. Under 207 CMR 4.00, an "affiliated company" is any person or entity that directly or indirectly or through one or more intermediaries, controls, is controlled by, or is under common control with another person or entity. The application for consent to an assignment or transfer shall be signed by Licensee and by the proposed assignee or transferee or by their representatives, evidence of whose authority shall be submitted with the application. Within thirty (30) days of receiving a request for consent, the Issuing Authority shall, in accordance with State and FCC rules and regulations, notify Licensee in writing of the additional information, if any, it requires to determine the legal, financial, technical and managerial qualifications of the transferee or new controlling party. If the Issuing Authority has not taken action on Licensee's request for consent within one hundred twenty (120) days after receiving such request, consent shall be deemed given.

#### **SECTION 9.10 - REMOVAL OF SYSTEM**

Upon termination of this Renewal License or denial of any renewal hereof by passage of time or otherwise in accordance with applicable law and after all appeals from any judicial determination are exhausted and final, Licensee shall remove its supporting structures, poles, transmission and distribution systems and other appurtenances from the streets, ways, lanes, alleys, parkways, bridges, highways, and other public and private places in, over, under, or along which they are installed and shall restore the areas to their original condition. If such removal is not completed within six (6) months of such termination, the Issuing Authority or property owner may deem any property not removed as having been abandoned. Notwithstanding the above, Franchisee shall not be required to remove its Cable System, or to relocate the Cable System, or to sell the Cable System, or any portion thereof as a result of termination, denial of renewal, or any other lawful action to forbid or disallow Franchisee from providing

**SECTION 10.5 - CAPTIONS**

The captions to sections throughout this Renewal License are intended solely to facilitate reading and reference to the sections and provisions of the Renewal License. Such sections shall not affect the meaning or interpretation of the Renewal License.

**SECTION 10.6 - WARRANTIES**

Licensee warrants, represents and acknowledges that, as of the Effective Date of this Renewal License:

(a) Licensee is duly organized, validly existing and in good standing under the laws of the State;

(b) Licensee has the requisite power and authority under applicable law and its by-laws and articles of incorporation and/or other organizational documents, is authorized by resolutions of its Board of Directors or other governing body, and has secured all consents which are required to be obtained as of the date of execution of this Renewal License, to enter into and legally bind Licensee to this Renewal License and to take all actions necessary to perform all of its obligations pursuant to this Renewal License;

(c) This Renewal License is enforceable against Licensee in accordance with the provisions herein;  
and

(d) There is no action or proceedings pending or threatened against Licensee which would interfere with performance of this Renewal License.

**SECTION 10.7 - APPLICABILITY OF RENEWAL LICENSE**

All of the provisions in this Renewal License shall apply to the Town, Licensee, and their respective successors and assigns.

**SIGNATURE PAGE**

WITNESS OUR HANDS AND OFFICIAL SEAL, THIS \_\_\_\_\_ DAY OF

\_\_\_\_\_ 20\_\_\_\_.

**TOWN OF PROVINCETOWN**

By:

\_\_\_\_\_  
Chairman, Board of Selectmen

\_\_\_\_\_  
Board of Selectmen

\_\_\_\_\_  
Board of Selectmen

\_\_\_\_\_  
Board of Selectmen

\_\_\_\_\_  
Board of Selectmen

**COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC**

By:

\_\_\_\_\_  
Tracy L. Pitcher, Sr. Vice President  
Greater Boston Region

**EXHIBIT A**

**PUBLIC BUILDINGS ON THE CABLE SYSTEM**

**Public School Buildings**

Provincetown High School 12 Winslow Street

Veterans Memorial Elementary School 4 Mayflower Street

**Municipal Buildings**

Provincetown Community TV Studio 330 Commercial Street

Provincetown Fire Dept. 514 Commercial Street

Provincetown Fire Dept. Johnson Street

Provincetown Fire Dept. 25 Shankpainter Road

Provincetown Library 356 Commercial Street

Provincetown Police Dept. 26 Shankpainter Road

Provincetown Town Hall 260 Commercial Street

**EXHIBIT B**

**PROGRAMMING**

Licensee shall provide the following broad categories of Video Programming:

- News Programming;
- Sports Programming;
- Public Affairs Programming;
- Children's Programming;
- Entertainment Programming; and
- Local Programming.

**EXHIBIT C**

**VIDEO ORINATION LOCATIONS**

Provincetown Community Television Studio	330 Commercial Street
Provincetown Town Hall	260 Commercial Street

**MASSACHUSETTS  
APPLICATION FORM 100  
WITH EXHIBITS**



COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF  
TELECOMMUNICATIONS & ENERGY  
Cable Television Division**

**FORM 100  
LICENSE APPLICATION**

**Applicant:** Comcast Cable Communications Management, LLC

**Authorized Officer (Signature):**

**Municipality:** Town of Provincetown, Massachusetts

**Date Submitted to Municipality:** July 31, 2019

**Type of Application:** \_\_\_\_\_ Initial License        X   Renewal License

**Nature of Application:**   X   Formal Proposal pursuant to 47 U.S.C. § 546(a)

\_\_\_\_\_ Informal Proposal pursuant to 47 U.S.C. § 546(h)

**Proposed License and/or Supporting Materials Attached:**   X   Yes      \_\_\_\_\_ No

**IDENTIFICATION OF APPLICANT**

- 1. Name, corporate address, and corporate telephone number of applicant.**

Comcast Cable Communications Management, LLC  
One Comcast Place  
1701 John F. Kennedy Blvd.  
Philadelphia, PA 19103  
Tel: 215.665.1700

- 2. Name, title, business address, business telephone number, and email address of applicant's Authorized Officer. Attach as Exhibit A evidence of Authorized Officer's authority.**

Mark Reilly  
Sr. Vice President  
Comcast Cable Communications, Inc.  
676 Island Pond Road  
Manchester, NH 03109  
Tel: 603.695.1400  
Email: mark\_reilly@cable.comcast.com

- 3. Name, title, business address, business telephone number, and email address of individual to whom communications should be sent if different from Authorized Officer.**

Timothy J. Kelly  
Vice President of Government Affairs  
Comcast Cable Communications, Inc.  
181 Ballardvale Street  
Wilmington, MA 01887  
617.279.1576  
Email: timothy\_kelly@cable.comcast.com

**GENERAL LICENSE INFORMATION**

- 4. Indicate number of years for which initial or renewal license is requested.**

A 10-year license renewal from the expiration of the current license is requested.

- 5. Indicate proposed start date of initial or renewal license.**

Applicant proposes to commence the new renewal license the day following the current license expiration date.

6. For initial license: State whether applicant currently holds licenses or has pending applications in any other Massachusetts municipality. If yes, provide detailed information as to the municipality and license status.

Not Applicable.

7. State whether applicant has been a party to any fully adjudicated license-related legal action (e.g., breach of license, denial of license) in any jurisdiction. If yes, provide detailed information on each such legal action, including the disposition.

Applicant has not been a party to any fully adjudicated license-related legal action.

8. State the amount of insurance applicant proposes to carry for the cable system in accordance with G.L. c.166A, 5(c). State whether applicant proposes to carry insurance in addition to that required by the statute, and if so, the purpose and amount.

Property Damage:	\$1,000,000 (per accident)
Personal Injury:	\$1,000,000 (per person or accident)
Umbrella Policy:	\$5,000,000
Workers' Compensation:	Statutory Limits

Comcast currently carries insurance in these amounts listing the Town of Provincetown as an additional insured.

9. State the proposed amount of bonding that will be submitted in accordance with G.L.c. 166A, 5(k).

Comcast proposes a \$25,000 performance bond throughout the term of the renewal license.

10. State whether applicant's proposed subscriber privacy policy complies with federal and state law and regulation. If not, explain.

Yes.

11. Describe applicant's proposed procedures for handling customer service inquiries during the term of the license, including but not limited to subscriber complaints. For renewal license, applicant may attach as Exhibit B its most recent copy of Billing & Termination Filing and Subscriber Privacy Notice.

**RATES AND SERVICES**

12. For initial license: List broadcast television signals applicant proposes to carry. For renewal license: State whether applicant's proposed broadcast and cable offerings will differ significantly from offerings currently available in the municipality. Applicant may also attach as Exhibit C current channel lineups for all service tiers, including broadcast and cable channels.

Comcast does not have any current plans for significant changes in broadcast and cable offerings from what is being offered today.

13. List separately those channels that are current must carry and those channels that are currently carried pursuant to retransmission consent. *Note: Channels that are must carry and retransmission consent may change throughout the license term beyond the cable operator's control.*

The following channels are current must carry within the Boston DMA.

- WGBH-2 (PBS)
- WBZ-4 (CBS)
- WCVB-5 (ABC)
- WLNE-6 (ABC)
- WHDH-7
- WSBE-9 (PBS)
- WBTS-10 (NBC)
- WLVI-11 (CW)
- WFXT-13 (FOX)
- WSBK-14 (MyTV)
- WBPX-15 (ION)
- WGBX-16 (PBS)
- WUTF-17 (UMAS)
- WNEU-19 (TEL)
- WMFP-20 (IND)

14. State whether applicant proposes to offer or continue to offer non-automated local origination programming. If yes, describe in detail the starting date that such programming will be available, the types of programming, the hours per week, the quantity of programming applicant expects to produce within the service area, how the programming will serve the specific needs of the municipality, and applicant's policy regarding making time available for discussion of controversial issues of public importance. Also, list the schedule of fees to access users for production costs and use of origination equipment.

Comcast proposes to provide financial support to the Town of Provincetown or its designee, with such terms as indicated in Article 6 of the draft Cable Television Renewal License.

15. State whether applicant plans to offer or continue to offer public, educational, and governmental access channel(s). If yes, provide the amount and type of financial support, the location of the facilities, the facilities and equipment available (including the cost of such

equipment and facilities), the hours of operation, and whether there will be technical assistance available.

Comcast proposes to make available two (2) PEG Access channel for use by the Town of Provincetown or its designee, with such terms as indicated in Article 6 of the draft Cable Television Renewal License.

16. If applicant plans to offer or maintain an institutional network (I-Net), attach as Exhibit \_\_\_ a technical description of the system.

Not applicable.

**FOR INFORMATIONAL PURPOSES ONLY:**

17. Provide a complete listing of all proposed subscriber fees, including those for both regulated and non-regulated cable services, installation, and equipment. For renewal licenses, applicant may attach as Exhibit D a current rate card.

18. State whether applicant proposes to offer or continue to offer any additional services in the municipality that are not subject to regulation as a cable service, and if so, provide description.

Comcast currently offers the following NON-cable related services:

- 1) *Modem Service* – An always on, high speed, cable modem based Internet access service to residential customers. In addition to offering speeds significantly faster than conventional phone line based services, Comcast's Internet service offers features such as exclusive broadband and local content; free support 24 hours a day, 7 days a week; multiple email accounts; professional in-home installation; and more.
- 2) *Digital Voice Service* – A single home connection to unlimited local calling, in-state and state-to-state direct-dialed long distance calls, packaged with preferred features combined with local and long distance calling.

**TECHNICAL INFORMATION:**

19. State whether the proposed service area is included in a regional cable system. If yes, list all of the other communities in the regional system served by the headend(s) that will be used for the proposed service area and the location of such headend(s). If no, state where the headend(s) will be located in the service area.

The area served is part of a regional cable system. Communities served by this regional cable system are: Barnstable, Brewster, Chatham, Dennis, Eastham, Harwich, Orleans, Mashpee Nantucket, Provincetown, Truro, Wellfleet and Yarmouth. The system is currently served by a headend located in Mashpee.

20. If the proposed service area is not the entire municipality, specify the nature of the area (e.g., neighborhood) and explain why the entire municipality will not be served.

The area served is the entire municipality, subject to the limitations set forth in Section 3.1 of the draft Cable Television Renewal License.

- 21. Describe in detail any problems applicant foresees in extending service to all parts of the proposed service area.**

Please see our response above.

- 22. Construction: For initial license, indicate the time period in which applicant proposes to begin and complete full-scale construction. For renewal license, state whether applicant plans significant upgrade or rebuild activity during the renewal term, and if so, file as Exhibit E a description of the proposed changes and projected dates for the commencement and completion of construction.**

Comcast recently enhanced the cable system. In addition to other benefits, the enhancement provided digital picture and sound on all Limited Basic and Expanded Basic Service channels allowing for additional High-Definition content to be added to the channel lineup. There are no further plans to upgrade the cable system at this time. The current cable system has the capability to offer advanced services.

- 23. Attach as Exhibit E a technical description of the system, including a strand or street map showing the extent of cable plant in the municipality.**

Comcast shall continue to make available to all residents of the Town a minimum seven hundred fifty Megahertz (750 MHz) Cable System.

- 24. Describe the equipment applicant proposes to offer or continue to offer at the subscriber terminal (e.g., remote control, analog converter, digital converter, high definition converter, digital video recorder).**

Comcast does make available, for a monthly charge, devices specific to the service tier requested by a subscriber, including digital video recorders and remote controls. Equipment available to Provincetown subscribers can be found in Exhibit D.

- 25. State whether applicant's proposed safety measures for the cable system comply with federal and state law and regulations.**

Yes, Comcast complies with federal and state laws and regulations.

- 26. State whether applicant's Emergency Alert System (EAS) complies with federal and state law and regulations.**

Yes, Comcast complies with federal and state laws and regulations.

**OWNERSHIP AND FINANCIAL INFORMATION:**

27. If applicant is a publicly-traded corporation or subsidiary of a publicly-traded corporation, attach as Exhibit \_\_ a copy of the corporation's most recent annual report to stockholders. Otherwise, attach as Exhibit F an audited financial statement as of the most recent audit, showing applicant's financial position.

Comcast's most recent annual report can be found at <http://www.cmcsa.com>. Hard copies are available upon request.

If the status and composition of any assets or liabilities on the audited financial statement is not clearly defined by the respective titles, attach as Exhibit F schedules that provide a definition of such terms.

If recent financial information, i.e., an annual report or an audited financial statement, is not available, complete the Supplement to License Application.

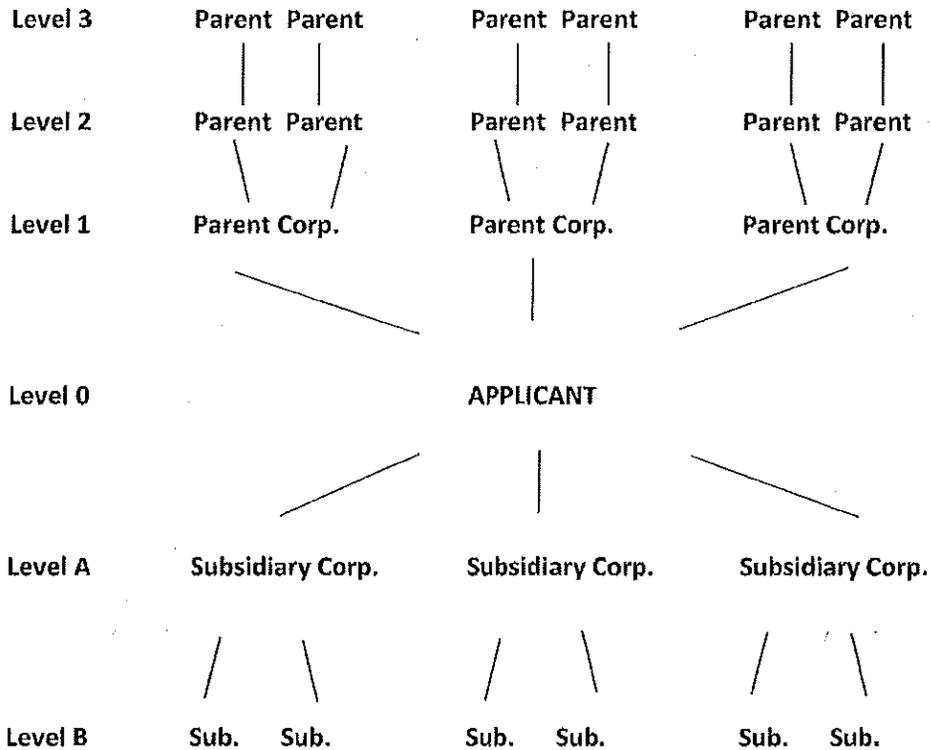
28. Provide as Exhibit F the following system information as of the last complete year for which the data is available:
- a. Total Homes in Service Area (passed and not passed by cable system)
  - b. Homes Passed by Cable System
  - c. Cable Subscribers
  - d. Aerial Miles Constructed
  - e. Underground Miles Constructed
  - f. Total Cable Subscriber Revenues in Service Area

29. Indicate appropriate business structure for applicant:

Individually owned  
 Corporation serving one community  
 Corporation operating cable systems in more than one community, but there  
 operations are not separate corporation  
 Partnership  
 Other (specify)

30. Complete a "corporate family tree" for each of the corporations or other business entities listed in the following levels. For example, if there is one corporation named in Level 0, two in Level 1, one in Level 2, one in Level 3, two in Level A, and none in Level B, seven sets of responses must be filed, one for each of the seven corporations or other business entities identified in the "corporate family tree."

In simplified fashion, such a "tree" might look like this:



**Level 0:** Provide the name, city, and state of principal office.

**Level 1:** Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the reporting cable system named in Level 0.

**Level 2:** Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the entity or entities named in Level 1. In each case, indicate which entity in Level 1 is the subsidiary of the entity named in Level 2.

**Level 3:** Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the entity or entities named in Level 2. In each case, indicate which entity in Level 2 is the subsidiary of the entity named in Level 3.

**Level A:** If applicant (Level 0) owns 25% or more of the voting stock of any corporation or other business entity, provide the name, city, and state of principal office.

**Level B:** If the entity or entities named in Level A owns 25% or more of the voting stock of a corporation or other business entity, provide the name, city, and state of principal office. In each case, indicate which entity in Level A is the parent of the entity named in Level B.

Please see as Exhibit G.

31. For corporations, provide as Exhibit \_\_\_ a list of all officers and directors (whether or not they own stock) and stockholders who own 1% or more of the voting stock of the corporation, as well as the city and state of residence and corporate position. If an ownership interest exists, record this to the nearest whole percent based on the total number of outstanding shares of voting stock in the corporation, exclusive of treasury stock. Where stock is held by a stockholder in a street name, this fact should be noted, but no further information concerning such stockholder need be furnished.

OR

For partnership, list the name, city, and state of residence, and percent of interest in the partnership of each general or limited partner.

One hundred percent (100%) of the Applicant's common stock is wholly-owned by Comcast Cable Communications, LLC of Delaware. There is no designation for voting stock.

32. Has any individual named in Question 31 been found guilty of any felony in any federal or state court within the past ten years? If yes, submit as Exhibit \_\_\_ a statement disclosing the individual and matters involved and identifying the court and proceeding by date and file numbers.

Not Applicable.

33. If any individuals listed in Question 31 are aliens, submit as Exhibit \_\_\_ a list of their names, addresses, and nationalities.
34. If applicant is unable to supply all of the information requested herein for itself or any of the corporations or other business entities named, submit as Exhibit \_\_\_ a list of those individuals or business entities for which any of the requested information is not being furnished, and include a detailed explanation of why the omitted material is unavailable.

## SUPPLEMENT TO LICENSE APPLICATION

This Supplement to the License Application must be completed by any applicant that is not able to provide an annual report or an audited financial statement for its most recently completed fiscal year.

In completing Schedules A through E, provide pro forma information for each year in a ten-year projected period.

In completing Schedule F, appropriate documentation must be provided to ensure the applicant has secured the proper financial commitment.

### SCHEDULE A: ASSETS

#### CURRENT ASSETS

- Cash and Equivalents
- Accounts Receivable, Less Allowances
- Inventory
- Prepaid Expenses
- Other Current Assets
- TOTAL CURRENT ASSETS**

#### FIXED OPERATING ASSETS

- Land
- Buildings
- Headend Equipment
- Trunk and Distribution Equipment
- Subscriber Devices
- Other Fixed Operating Assets
- Construction Work in Progress
- TOTAL FIXED OPERATING ASSETS**
- Accumulated Depreciation
- NET FIXED OPERATING ASSETS**

#### OTHER OPERATING ASSETS

- Franchise Acquisition Costs
- Excess Fair Value
- Goodwill
- Other Intangible Assets
- TOTAL OTHER ASSETS**
- Accumulated Amortization
- NET OTHER ASSETS**

**TOTAL NET ASSETS**

### SCHEDULE B. LIABILITIES

**CURRENT LIABILITIES**

Accounts Payable  
Subscriber Advance Payments and Deposits  
Debt Due Within One Year  
Current Taxes Payable  
Other Current Liabilities  
**TOTAL CURRENT LIABILITIES**

**NON-CURRENT LIABILITIES**

Long-Term Debt  
Notes Payable  
Bonds Payable  
Obligation on Capitalized Leases  
Deferred Taxes  
Other Non-Current Liabilities  
**TOTAL NON-CURRENT LIABILITIES**

**OWNER'S EQUITY**

Net Assets Due From/To Parent Company  
Capital Stock  
Retained Earnings – Gross  
Accumulated Dividends  
Other Owner's Equity  
**TOTAL OWNER'S EQUITY**

**TOTAL LIABILITIES AND EQUITY**

**SCHEDULE C: LOCAL CHARACTERISTICS**

**CONSTRUCTION AND SUBSCRIBERS**

Total Homes in Service Area  
Aerial Miles Constructed  
Underground Miles Constructed  
**TOTAL Miles Constructed**  
Homes Passed by Cable  
Subscribers at End of Year

**SCHEDULE D: OPERATING INCOME**

**SUBSCRIBER REVENUE**

Installation Income  
Equipment Revenue  
Basic Service Tier Revenue  
Cable Programming Service Tier Revenue  
Premium Service Revenue  
Per Program or Per Channel Revenue  
Other Subscriber Revenue  
**TOTAL SUBSCRIBER REVENUE**

**NON-SUBSCRIBER REVENUE**

Advertising Income  
Other Income  
**TOTAL NON-SUBSCRIBER REVENUE**

**TOTAL OPERATING INCOME**

**SCHEDULE E: OPERATING EXPENSES**

**DIRECT OPERATING EXPENSES**

Programming Expenses  
Net Bad Debt and Collection Expenses  
Salaries and Benefits  
Repairs and Maintenance  
Light, Heat, and Power  
Pole and Duct Rental  
Administration - Office and Billing  
Marketing  
Local Origination  
Other  
**TOTAL OPERATING EXPENSES**

**DEPRECIATION AND AMORTIZATION**

Depreciation  
Amortization  
**TOTAL DEPRECIATION AND AMORTIZATION**

**TOTAL EXPENSES**

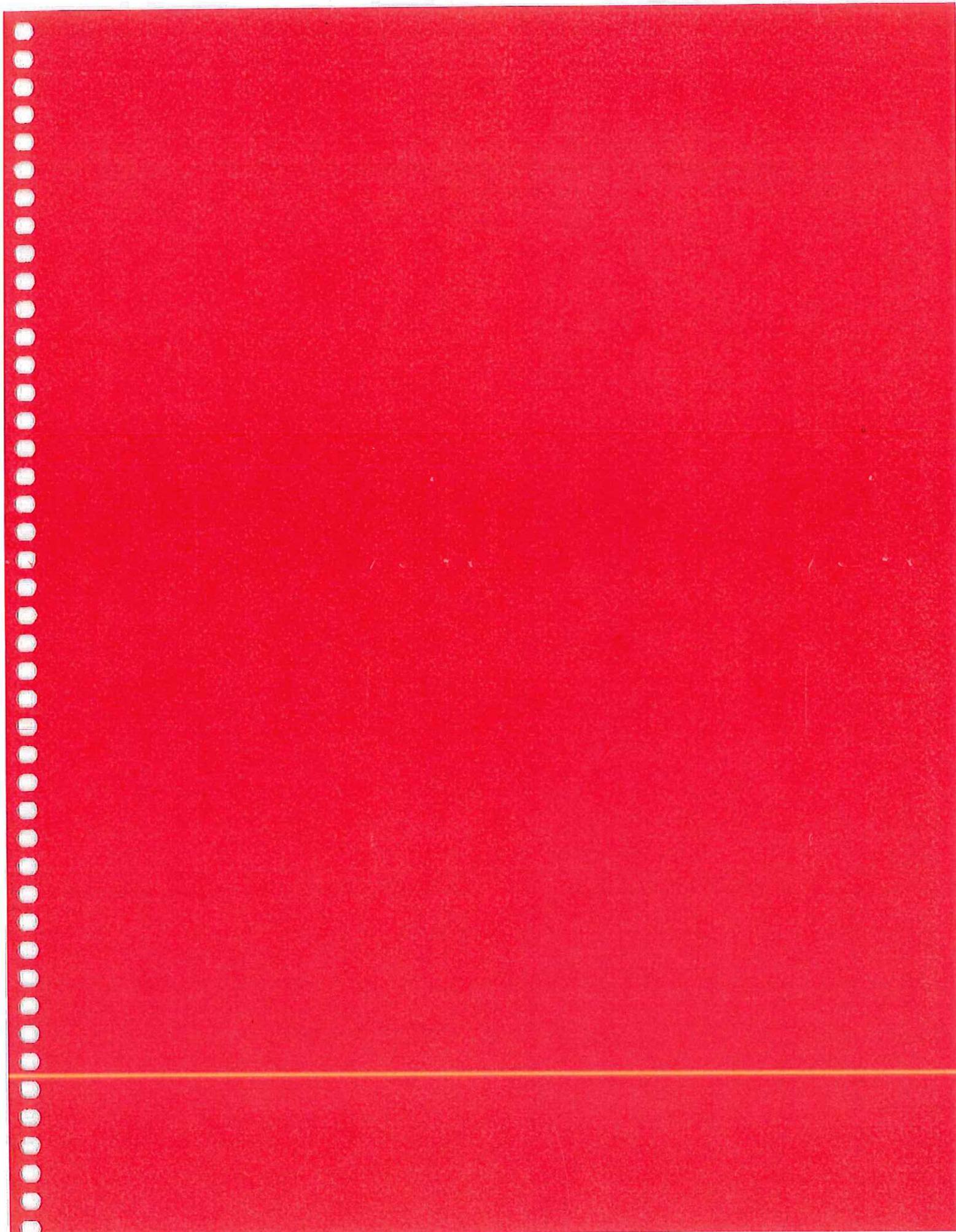
**SCHEDULE F: DEBT FINANCING**

**DEBT FINANCING PLAN**

Provide the commencement date, interest rate, repayment terms, and outstanding amount for each loan held by the applicant.

Attach as Exhibit\_\_\_ a description of each financial agreement to include the lender, terms, conditions and security.

If lender is a bank or financial institution, a letter of intent or commitment must be included. If lender is a corporation, individual, or partnership, a financial statement showing net worth equal to amount of commitment or a letter of commitment from a financial institution for the specific project must be included.



**Form 100**

**Exhibit A**

**Authorized Officer's Authority**

*Please see the following page(s).*

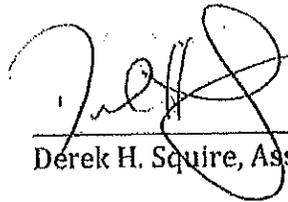
**ASSISTANT SECRETARY'S CERTIFICATE**

I, Derek H. Squire, Assistant Secretary of each of the entities listed on the attached Exhibit A (the "Entities"), each duly organized under the laws of its respective state of organization:

DO HEREBY CERTIFY, that Mark E. Reilly is a duly elected and appointed officer of each of the Entities, holding the title of Senior Vice President— Government and Public Relations; and

FURTHER CERTIFY, that Mark E. Reilly is authorized to execute on behalf of each of the Entities, franchise documents and any other documents relating to franchise matters within each of the Entities' designated franchise area.

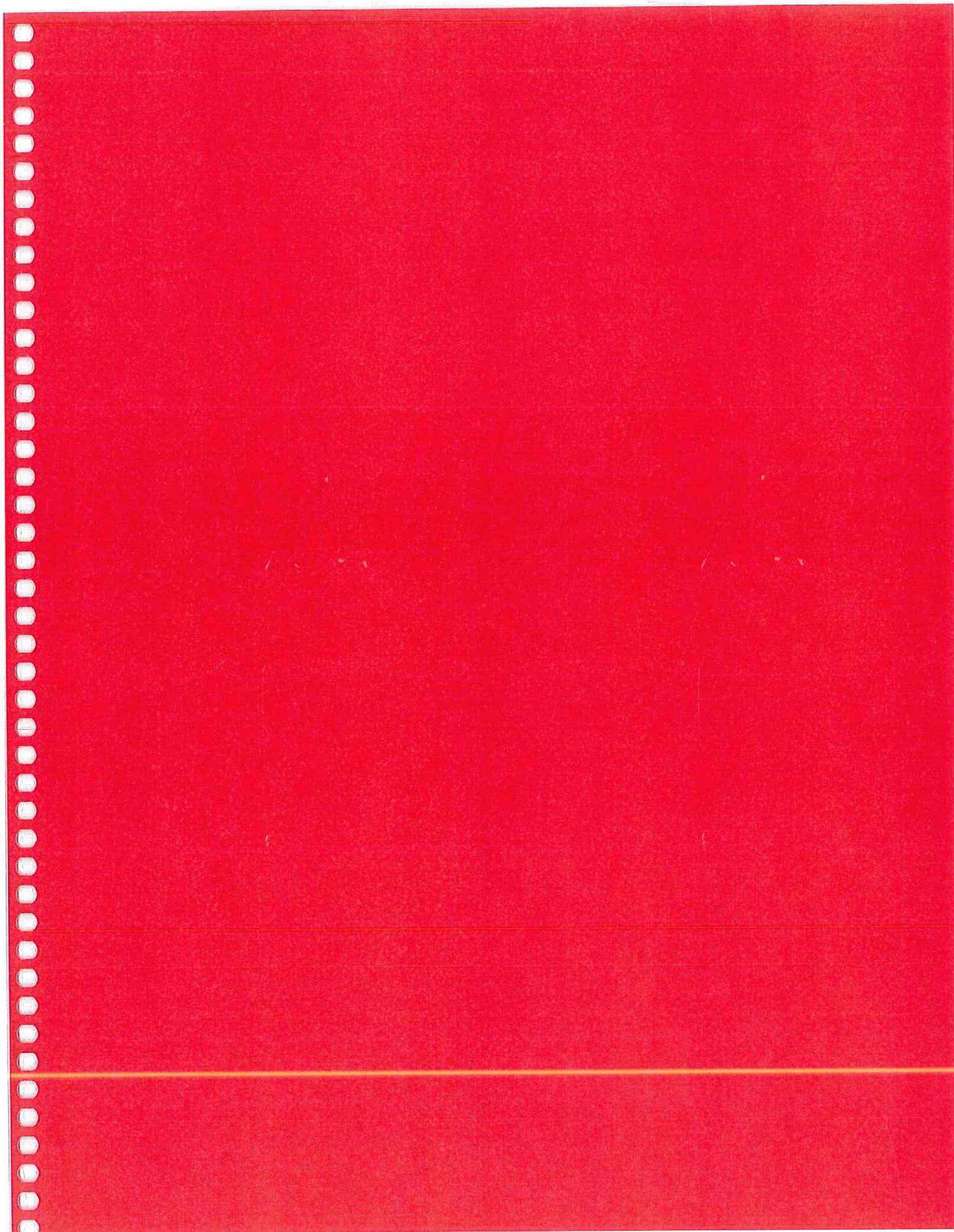
IN WITNESS WHEREOF, I have executed and delivered this Certificate this 14<sup>th</sup> day of June, 2017.



\_\_\_\_\_  
Derek H. Squire, Assistant Secretary

Exhibit A

<u>Entity</u>	<u>State of Organization</u>
Comcast Cable Communications Management, LLC	Delaware
Comcast of Boston, Inc.	New York
Comcast of Brockton, Inc.	Delaware
Comcast of California/Massachusetts/Michigan, Utah, LLC	Delaware
Comcast of Connecticut/Georgia/Massachusetts/ New Hampshire/New York/North Carolina/Virginia/ Vermont, LLC	Delaware
Comcast of Georgia/Massachusetts, LLC	Delaware
Comcast of Massachusetts II, Inc.	Delaware
Comcast of Massachusetts III, Inc.	Delaware
Comcast of Massachusetts/Virginia, Inc.	Virginia
Comcast of Milton, Inc.	Massachusetts
Comcast of Needham, Inc.	Delaware
Comcast of Southern New England, Inc.	Massachusetts



**Form 100**

**Exhibit B**

**Billing, Equipment, Termination  
Subscriber Information  
& Privacy Notice**

*Please see the following page(s).*

# Comcast Customer Privacy Notice For Subscribers of Cable Video, Internet, Voice, and Home Security Services



Privacy English 2018\_ebfill

## Overview

Comcast knows our customers care about how Comcast uses, maintains, and shares the information we collect about them, and the choices they have regarding that use and sharing. Comcast holds customer privacy in the highest regard, and we are committed to protecting your privacy as we describe in this Privacy Notice. We value the trust you place in us as a customer when you subscribe to one or more of the Services described below.

This Comcast Customer Privacy Notice (the "Privacy Notice" or "Notice") describes: (1) the types of information Comcast collects when you subscribe to, use, and/or access our Services; (2) how we use, share, and protect that information; (3) how long we retain that information; and (4) the legal limitations imposed on our collection, use, and sharing of information that personally identifies you.

This Notice also provides you with information about how to access, review, and correct information that personally identifies you, how to set privacy preferences and opt out of certain uses and sharing of information, and your rights under federal law and this Notice concerning your personally identifiable information.

## Entities Covered

In this Notice, the terms "Comcast," "we," "us," or "our" refer to the operating company, subsidiary, or affiliate of Comcast Cable Communications, LLC that (1) owns and/or operates the cable television system in your area, and (2) delivers one or more of the Services. The term "you" refers to you as a subscriber to one or more of the Services.

## Services Covered

This Privacy Notice applies to the Comcast-provided Xfinity® cable video ("video"), Internet, and voice services delivered over our cable system (including the services provided when you use the Xfinity Stream app and [tv.xfinity.com](http://tv.xfinity.com) to access Xfinity video as a cable service in your residence and when you subscribe to Internet service and use the Xfinity Wi-Fi service). This Privacy Notice also applies to Comcast-provided home security service. Collectively, these are referred to as the "Services" throughout this Privacy Notice.

This Notice does not apply to other Comcast services or offerings, such as Xfinity Mobile, or other Comcast® and Xfinity-branded websites, applications, or streaming services, except as described above. These services, websites, and applications have their own privacy policies, which we post at <https://www.xfinity.com/mobile/policies/privacy-policy> and <http://my.xfinity.com/privacy/>.

## Information Covered

This Privacy Notice also does not apply to (1) information that may be collected through any other products, services, websites, or applications, even if you access those other products, services, websites, or applications through our Services and even if they are co-branded with Comcast brands or the brands or logos of our affiliated companies; (2) information collected by devices, such as a "smart TV," or through a third-party (non-Xfinity) mobile application, where the manufacturer or application owner has enabled information-gathering capabilities including automatic content recognition that we do not control; or (3) interactions with third-party content providers that you may access through the Services, such as online video providers you may reach through our set-top boxes. You should read the privacy policies for these other products, services, websites, and applications to understand whether and how they apply to you and the data they collect about you.

Please read this entire Privacy Notice to understand our privacy policies and practices. You can also find answers to your specific questions quickly by using the links below.

## I. Collection of Information

This section describes the types of information Comcast collects when you subscribe to, use, and/or access one or more of the Services. Some of our Services permit you to establish secondary accounts, and if you do so we collect similar information in order to establish and maintain those accounts. When you allow others to use or access the Services through your account, we collect information about their use, as well.

### Information You Provide to Us

We collect information that you provide to us when you create an account with us or when you call us, use online account tools (for example, when you access My Account or chat online with an agent), report service issues, complete customer surveys, enter contests and promotions, or otherwise communicate with us. This information includes:

- name and contact information (for example, billing address, service address, email address, and phone numbers);
- payment information, such as your payment card or bank account information;
- information related to a credit application for the Services, which may include your Social Security number, driver's license number, or other government issued identifiers;
- information you provide to authenticate your access to the Services, such as passwords, images, voice recordings, or other personal identifiers;
- information you provide when you establish custom settings or preferences; and
- customer correspondence and other communications records, including records of calls and chats with our customer service representatives.

### **Information We Collect When You Use the Services**

We also collect information about your account and your use of the Services, which may include:

- your account number;
- billing, payment, and deposit history;
- maintenance information;
- the types of Services to which you subscribe;
- the device identifiers and network addresses of equipment used with your account;
- voice commands;
- video and audio recordings;
- records indicating the number and types of devices connected to our network;
- technical information about your Service-related devices, including customization settings and preferences;
- network traffic data;
- information about your use of the Services and their features, including video activity data, as well as Internet or online information such as web addresses and other activity data in order to render Internet service; and
- additional information about the Service options you have chosen.

When you use the Services, our cable system automatically generates, transmits, and collects much of this information as part of providing the Services to you. For example, we receive information about the use of set-top boxes, remote controls, program guides, video players, applications, and other devices and software connected to our cable system ("video activity data"). The video activity data includes, for example, which channels, programs, and advertisements are viewed and for how long. It may also include information about navigation through program guides and applications, and use of devices like remote controls and tablets. If you select various features of our equipment, such as voice commands or search, we also will collect and process the data needed to fulfill your requests.

### **Location Information**

We may collect information from the devices you use to access the Services that tells us where you are at a specific point in time. For instance, we may know that you are at home when you chat with us through your Xfinity Internet service.

### **Information Provided by Third Parties**

We also obtain data and information about you from third parties. For example, when you request new or additional Services or features from us, we may obtain credit information from credit reporting agencies. Additionally, if you rent your residence, we may have a record of whether landlord permission was required prior to installing our cable services as well as your landlord's name and address.

We may obtain additional information about you from third parties such as demographic data (for example, gender, age, and census records, etc.), location data (for example, designated market area, zip code, etc.), interest data (for example, sports, travel, and other recreational activities, shopping preferences, etc.), or purchase data (for example, public records, loyalty programs, etc.). We may combine the data we collect from third parties with information in our business records, including information about your use of the Services. We may also combine information about your use of the Services with information we obtain from your use of other products, services, websites, and applications from Comcast. We use this combined data as described in the "Use of Information" section below.

## **II. Use of Information**

We use the information we collect to provide and improve the Services and our network, to communicate with you, to deliver relevant advertising, to create measurement and analytics reports, and to provide additional features and offerings. Sometimes we use information that personally identifies you, such as when we are authenticating your account or communicating with you. We also maintain and use information in de-identified or aggregated forms that do not identify you.

### **To Provide and Improve the Services**

We use the information we collect to conduct business activities related to providing you with the Services, including:

- establishing your account
- measuring credit and payment risk;
- billing and invoicing;
- authenticating access to your account;
- account administration;
- service delivery;
- maintenance and operations, including management of the network and devices supporting our service and our systems;
- technical support;
- hardware and software upgrades for devices and systems;
- understanding the use of our services;
- improving our services and identifying and developing new products and new services;
- marketing and advertising;

- detecting the unauthorized reception, use, or abuse of the Services and to protect our customers from fraudulent, abusive, or unlawful use of, or subscription to, the Services;
- collecting fees and charges;
- protecting our rights, our personnel, and our property; and
- complying with applicable law.

We also use the Information we collect to measure and analyze how our customers are using the Services. For video, this includes assessing which programs are most popular, how many people watch a program to its conclusion, whether people are watching advertisements, and what programming and video content we will carry on the Services. It also includes determining how our customers prefer to view certain kinds of programming when they use our video service, such as whether they like to watch certain programs live, or if they prefer to view them on demand, on mobile devices, or online.

When we provide you access to third-party content providers through our set-top boxes, we may measure how often and how long you use such services, but your use of those third-party providers are controlled by the terms and privacy policies of those providers. For Internet and voice services, we similarly analyze customer usage data, such as the amount of bandwidth that is being used, the peak times of usage, or the types of services that are being used.

#### **To Communicate with You**

We also use the information we collect to deliver and personalize our communications with you. For example, we may use the contact information you provide to inform you of Service updates or the status of a service request or outages, to invite you to participate in a survey, to collect amounts you owe, or in connection with other activities related to the Service. We will provide you with service-related announcements, such as a pricing change, a change in operating policies, a service appointment, or new features of one or more of the Services you receive from us through emails, texts, calls, Comcast-provided equipment, and other communications methods. You may select the manner in which you prefer to receive many of these communications by visiting the customer preference center at <https://customer.xfinity.com/#/users/me/notifications>.

#### **To Provide Recommendations and Deliver Relevant Advertising and Marketing**

We may also use information about you and/or your use of the Services or other services we provide to determine which movies or television shows to recommend to you and to send you promotional communications for the Services and other products and services we think may be of interest to you. We may also use this information to help third-party advertisers and programmers deliver more relevant advertising.

These promotional communications and advertisements may be directed to you because you subscribe to one or more of the Services, because of the way you use the Services, because you live in a certain geographic area, or based on demographic and interest information that we collect or obtain from other companies. These communications may be subject to your consent, as described in Section IV of this Notice ("Your Choices"). In no event will Comcast give your name or other personally identifying information to an advertiser without your consent.

#### **To Create Analytics and Measurement Reports**

We and service providers who work on our behalf may use and combine data from our business records – including account information, video activity data, and other usage data – with data from third parties to create measurement and analytics reports. These reports do not contain any information that personally identifies you and instead contain de-identified or aggregated information.

We use these reports for many of the purposes described above, such as for improving the Services, creating and delivering more relevant advertising on behalf of Comcast and other third parties, determining whether and how an advertiser's messages are viewed, and analyzing the effectiveness of certain advertisements on the Comcast platforms and services and other platforms and services. We also use these reports to work with academic or research groups, and for other uses that help us develop and fund improvements in services and infrastructure. We may share these reports with programmers, advertisers, or others. To learn about the choices you have with respect to our use of your information for these purposes, see Section IV of this Notice ("Your Choices").

### **III. Sharing & Disclosures of Information**

We limit the information we share and disclose to others as described below.

#### **Service Providers**

In order to provide and support the Services, sometimes we use third-party companies as service providers that work on our behalf to transmit, collect, process, or store information for us. We require these service providers to treat the information we share with them as confidential and to use it only for the purpose of providing the services for which they have been engaged. These engagements typically include services such as billing and collections, administration, auditing and accounting, professional advice and consulting, surveys, marketing, service delivery and customization, maintenance and operations, security incident verification and response, service notifications, fraud prevention, and services to improve our programming and advertising offerings. For example, Comcast uses service providers to process payments for us and we may share your payment information with those billing processors when you make a payment. Or, Comcast may use a service provider to obtain information about you to assess your credit and payment status.

#### **The Comcast Family of Businesses**

Comcast may share the information it collects with its affiliates that offer other Xfinity and Comcast-branded products, services, and applications. For example, if you use your Xfinity Service account information to create an Xfinity Mobile Service account, we may share your Service account information with the Comcast company that offers that service. We do this so that these companies can provide services to you and to make it easier for you to use Xfinity Mobile Service and other Xfinity services. We may also share information about you with other Comcast companies (including NBCUniversal-branded companies and other non-Comcast or non-Xfinity-branded affiliates) for marketing and advertising purposes when we have any required consent to do so.

### **Account Owners and Users**

Comcast may disclose any information about a customer's account and use of the Services and their features to the primary account owner after appropriate authentication. The primary account owner may also authorize other users to access information on the account, and that may include data about you and your use of the Services.

### **Third Parties for Marketing Purposes**

We will not share, sell, license, rent, or otherwise permit access to information that personally identifies you to an unaffiliated third party for that third party to market its products or services to you, unless we have the required consent to do so. Unless we have your affirmative "opt-in" consent, we will not sell or share any of your personally identifiable web browsing information, video activity data, sensitive information (such as financial account information or Social Security number), or call detail records that we collect from our cable system. We may, however, share de-identified or aggregate information with third parties for their own uses when those third parties commit to not re-identify that information or share it with others who may attempt to do so.

As permitted by federal law, we may disclose your name and address to non-governmental entities, such as charities or businesses, so long as such disclosure does not reveal, directly or indirectly, the extent of your use of the Services or the nature of any transaction you make over our cable system. You have the right to prohibit or limit this kind of disclosure by asking to be placed on our "do not disclose" list, as described in Section IV of this Notice ("Your Choices").

### **Other Third Parties**

If you subscribe to our voice service, Comcast may disclose information about you to others in connection with features and services such as Caller ID, 911/E911, and directory services as follows:

- We may transmit your name and/or telephone number to be displayed on a Caller ID device unless you have elected to block such information. Please note that Caller ID blocking may not prevent the display of your name and/or telephone number when you dial certain business or emergency numbers, 911, 900 numbers, or toll-free 800 and similar numbers.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records, inclusion in "reverse 911" systems, or to troubleshoot 911/E911 record errors.
- We may publish and distribute, or cause to be published and distributed, telephone directories in print, on the Internet, and on disks. Those telephone directories may include subscriber names, addresses, and telephone numbers, without restriction to their use.
- We may also make subscriber names, addresses, and telephone numbers available, or cause such subscriber information to be made available, through directory assistance operators.
- We may provide subscribers' names, addresses, and telephone numbers to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.
- Once our subscribers' names, addresses, and telephone numbers appear in telephone directories or directory assistance, they may be sorted, packaged, repackaged, and made available again in different formats by anyone.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur.

If we (or our parent company) enter into a merger, acquisition, or sale of all or a portion of our assets, information about you and your subscription, including information that personally identifies you, will, in most instances, be one of the items transferred as part of the transaction. If this Notice will be changed as a result of such a transaction, you should refer below under "Changes to the Privacy Notice."

### **When Required by Law or To Protect Comcast and Others**

There are times when we may be required by law to disclose information about you to third parties. These disclosures may be made with or without your consent, and with or without notice, in compliance with the terms of valid legal process such as a subpoena, court order, or search warrant.

If you subscribe to our Xfinity video service, Comcast may be required to disclose information that personally identifies you to a governmental entity in response to a court order. In this case, the Cable Act (defined below in Section V) requires that you be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At the proceeding, the Cable Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case.

If you subscribe to the Xfinity Internet, voice, or home security services, Comcast may be required to disclose information that personally identifies you to a governmental entity in response to a subpoena, court order, or search warrant, depending on the type of information sought. We are usually prohibited from notifying you of any such disclosures by the terms of the legal process. We may also seek your consent to disclose information in response to a governmental entity's request when that governmental entity has not provided the required subpoena, court order, or search warrant.

A non-governmental entity, such as a civil litigant, can seek information that personally identifies you or your use of the Xfinity video, Internet, or voice services only pursuant to a court order and we are required by the Cable Act to notify you of such court order. If Comcast is required to disclose information that personally identifies you to a private third party in response to a civil court order, we will notify you prior to making such disclosure unless legally prohibited from doing so.

We may also disclose information that personally identifies you as permitted by law and without your consent when it is necessary to protect our customers, employees, or property; in emergency situations; or to enforce our rights under our terms of service and policies.

#### **IV. Your Choices**

In many instances, you have choices about how we communicate with you and how we use and share your information.

##### **Opting Out of Certain Marketing Communications**

For your convenience, we have created a customer preference center where you can manage:

- your account communications and notifications;
- your marketing calls, texts, and direct mail preferences;
- your preference for door-to-door sales calls;
- promotional or commercial emails Comcast may send to you; and
- targeted advertising for third-party products and services based on your interests.

To manage your preferences, please visit our customer preference center at <https://customer.xfinity.com/#/users/me/notifications>. Once you sign in, you can review your options, get more information about the types of marketing activities you can opt out of, and make your choices. If you change your mind, you can return any time to update your preferences.

We understand that sometimes you may want to speak to a Comcast representative who can assist you with these choices. You can contact Comcast at 1-800-XFINITY and ask us to put your name on our internal company "do not call," "do not mail," or "do not knock" list. You may also contact us at this number and ask to be placed on the "do not disclose" list, which will let us know that you do not want us to share your name and address with third parties, as described above.

If you prefer to contact Comcast in writing instead of by telephone, you may send a written request to the address listed below under "How Do I Contact Comcast?" Be sure to include your name and address, your Comcast account number, and a daytime telephone number where we can reach you. The person who is identified in our billing records as the customer should sign the written request. If you have a joint account, a request by one party will apply to the entire account; for multiple accounts, your notice must separately identify each account covered by the request. If you are writing to opt-out of marketing calls, you must state the phone numbers or addresses that you wish to be placed on the relevant lists.

##### **Opting In to the Use of CPNI to Market Additional Products and Services to You**

If you subscribe to Xfinity voice service, when you are interacting with one of our customer service representatives, such as on a call, in our offices, or during an online chat session, we may ask you for your oral consent to the use of your customer proprietary network information or "CPNI" for the purpose of reviewing your account and providing you with an offer for other products and services. If you provide consent, Comcast may use your CPNI only for the duration of that telephone call or discussion in order to offer you additional services. If you deny or restrict your approval for us to use your CPNI, you will suffer no effect, now or in the future, on how we provide any services to which you subscribe.

#### **V. Your Rights under Federal and State Law**

This Notice is designed to comply with federal and state law requirements, including California law, which is applicable to our customers located in California who are served by a cable television corporation.

##### **The Cable Act and Personally Identifiable Information**

This Privacy Notice is designed to comply with Section 631 of the federal Cable Communications Policy Act of 1984, as amended, (the "Cable Act"). The Cable Act permits Comcast to use the cable system to collect personally identifiable information about you. Personally identifiable information is information that identifies you specifically; it does not include de-identified, anonymous, aggregate, or other data that does not identify you. We may collect personally identifiable information when it is necessary to render cable services or other services to you and to detect unauthorized reception or use of the services. We may use the cable system to collect personally identifiable information about you for additional purposes with your prior written or electronic consent. The Cable Act also permits Comcast to disclose personally identifiable information if the disclosure is necessary to render, or conduct a legitimate business activity related to, the cable service or other services provided to you; required by law or legal process; or limited to your name and address, subject to your opt-out consent. The frequency of any disclosure of personally identifiable information varies in accordance with our business needs and activities as described in this Notice.

If you believe that you have been aggrieved by any act of ours in violation of the Cable Act or other applicable laws, we encourage you to contact us directly as described below in "How Do I Contact Comcast?" in order to resolve your question or concern. You may also enforce the limitations imposed on us by the Cable Act as applicable with respect to your personally identifiable information through a civil lawsuit seeking damages, attorneys' fees, and litigation costs. Other rights and remedies may be available to you under federal or other applicable laws as well.

This Privacy Notice neither supersedes, enhances, nor modifies any arbitration agreement to which you may be bound as a subscriber to one or more of the Services.

##### **The Communications Act and CPNI**

Section 222 of the Communications Act of 1934, as amended (the "Communications Act"), provides additional privacy protections for information about the quantity, technical configuration, type, destination, location, and amount of your use of telecommunications services, as well as Xfinity voice services, and the information about those services contained on your bill. This information is known as customer proprietary network information or "CPNI." CPNI does not include your name, address, and telephone number, which is defined by the Communications Act as "subscriber list information." However, that information is otherwise considered personally identifiable information.

If you are a customer of Xfinity voice service or another Service that is subject to these requirements, you have the right, and Comcast has a duty, under the Communications Act and other applicable laws, to protect the confidentiality of your CPNI. In addition, the FCC's rules provide additional privacy protections and choices regarding use and sharing that are specific to our voice services that we describe in this Notice.

## VI. Accessing and Correcting Information

It is important that your account records contain accurate information. You may correct or update information about your account as described below. We will correct our records upon reasonable verification that the changes you request are proper.

If you have Internet access, you can view and change certain information yourself by going to [www.xfinity.com](http://www.xfinity.com) and signing in with your Comcast username and password to access the My Account feature. If you are a home security customer, you can go to the subscriber portal at [www.xfinity.com/xhportal](http://www.xfinity.com/xhportal). You may also call 1-800-XFINITY and speak to a customer service representative.

If you would like to examine your own personally identifiable information, you may do so at your local Comcast office upon reasonable prior notice to us and during our regular business hours. To do so, please contact us by mail at the address below or telephone at 1-800-XFINITY, giving us a reasonable period of time to locate and, if necessary, prepare the information for review, and to arrange an appointment. You will need to provide proper identification and you will only be permitted to examine the personally identifiable information in your account and no other account.

If you make an affirmative, written request for a copy of your Xfinity voice CPNI, we will disclose to you the relevant information we have at your account address of record, or to any person authorized by you, if we reasonably believe the request is valid. However, subscribers to our Xfinity voice services should be aware that we generally do not provide them with records of any inbound or outbound calls or other records that we do not furnish in the ordinary course of business (for example, as part of a bill) or which are available only from our archives, without valid legal process such as a court order. In addition, we cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, our or our vendors' directory lists until the next available publication of those directory lists. Further, we may have no control over information appearing in the directory lists or directory assistance services of directory publishers or directory assistance providers that are not owned by us.

Comcast reserves the right to charge you for the reasonable cost of retrieving and photocopying any documents that you request.

## VII. Other Important Information

### Protecting the Information We Collect

We follow industry-standard practices to secure the information we collect to prevent the unauthorized access, use, or disclosure of information about our customers. These security practices include technical, administrative, and physical safeguards, which may vary, depending on the type and sensitivity of the information. Although we take the responsibility of safeguarding your information seriously, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose your information.

### Data Retention

Comcast maintains information that personally identifies you in our regular business records while you subscribe to one or more of the Services. We also maintain this information for a period of time after you no longer subscribe to a Service if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal, or tax purposes. If these purposes no longer apply, we will destroy, de-identify, or anonymize the information according to our internal policies and procedures.

### Changes to the Privacy Notice

As required by the Cable Act, we will provide you with a copy of the current Privacy Notice at the time we enter into an agreement to provide any cable service or other service to you, and annually afterwards, or as otherwise permitted or required by law.

We may modify this Notice at any time. You can view the most current version of this Notice by going to [http://www.xfinity.com/Corporate/Customers/Policies/Privacy.html](http://www.xfinity.com/Corporate/Customers/Policies/Privacy/Privacy.html). If we make material changes to this Privacy Notice, then we will provide you at least 30 days' notice and will also notify you by e-mail, direct mail, bill messaging, or other reasonable methods that we select. If you continue to use the service following notice of the changes, we will deem that to be your acceptance of and consent to the changes in the revised Privacy Notice. If we make material changes that will result in a new use, disclosure, or permission of access to previously collected information that personally identifies you, we will obtain your opt-in consent before implementing those specific changes.

### How Do I Contact Comcast?

If you have any questions or suggestions regarding this Privacy Notice, or wish to contact us about your personally identifiable information, please reach us as follows:

Phone: 1-800-XFINITY

Website: <http://customer.xfinity.com/contact-us/>

Mail: Comcast Cable Communications, LLC

Attn: Law Department - Customer Privacy Notice

One Comcast Center

Philadelphia, PA 19103-2838

Revised and effective: January 1, 2018

## IMPORTANT INFORMATION FOR XFINITY TV CUSTOMERS

### SERVICE PROBLEMS

You will find helpful information for troubleshooting TV picture or signal quality issues at [www.xfinity.com/support](http://www.xfinity.com/support). If the problem does not clear up, please feel free to chat with us at [www.xfinity.com/support/contact-us](http://www.xfinity.com/support/contact-us) or call us at 1-800-XFINITY, and a customer service representative will attempt to address that issue. We will try to resolve any complaints you have concerning the quality of our signals promptly and efficiently. We will respond to your report of a service interruption no later than 24 hours after you notify us, except in extraordinary circumstances or where conditions are beyond our control. We will respond to your report of other service problems no later than the next business day after you notify us. We may need access to your home in order to correct a service related issue. If a service call is required it will be scheduled at a time convenient to you. If you are dissatisfied with our resolution of your service problem, you may contact your local franchising authority to discuss the problem with your service. If your local franchise authority information is not listed on your bill, please call us at 1-800-XFINITY for the name and address of your local franchising authority.

### SERVICE OR BILLING COMPLAINTS

Information regarding your Xfinity services and billing is available through My Account at [www.xfinity.com](http://www.xfinity.com). You also may download the Xfinity My Account app to your smartphone or other device for quick access to up to date information on your account. If you have a complaint regarding your Xfinity TV service or your bill, you will find information on contacting us through chat or by phone at <https://www.xfinity.com/support/contact-us>. Also, you can visit us at one of our Xfinity store locations. Visit <https://www.xfinity.com/support/service-center-locations/> to find the Xfinity store closest to you. If you wish to put your comments in writing, your letter should be addressed to us at the local address listed on the How To Reach Us insert. We will try to resolve your complaint promptly. If you are dissatisfied with our resolution of your complaint, or we are unable to resolve your complaint, you may contact your local franchising authority to discuss your complaint. If your local franchise authority information is not listed on your bill, please call us at 1-800-XFINITY for the name and address of your local franchising authority. If you have a complaint regarding closed captioning please email us at [accessibility@comcast.com](mailto:accessibility@comcast.com) or call us at 1-855-270-0379.

### MOVING

Before you move, please call us at 1-800-XFINITY. This is the best way for us to arrange for your service to be disconnected and to schedule an installation at your new home, if your new home is in our service area.

### EQUIPMENT COMPATIBILITY

Xfinity TV service is encrypted and requires a TV Box, TV Adapter, CableCARD or other navigation device that is compatible with our system for each television you wish to use with our service. You may not be able to use special features or functions of your television, VCR or DVD player/recorder with Xfinity TV service. Some of these problems may be resolved by the use of signal splitters, and/or other supplemental equipment that can be purchased from us or at electronic stores. Please call us if you would like to discuss the type of special equipment needed to resolve individual compatibility problems or if you have any questions regarding other equipment compatibility issues.

If you have a TiVo digital cable-ready DVR, you can access switched digital video services by obtaining a "tuning adapter" device. If you have a TiVo DVR or other digital cable-ready devices, you will need a TV Box, TV Adapter, or CableCARD from us to access switched digital video and other two-way cable services. Upon your request, we will provide you with the technical parameters necessary for a navigation device rented or acquired from retail outlets to operate with our system. Because of the need to protect our Xfinity TV service, we will not authorize the use of a navigation device that does not conform to all required signal security specifications. For information regarding other navigation devices, please go to <https://www.xfinity.com/support>.

### REMOTE CONTROL UNITS

If you rent a TV Box or TV Adapter from us we will provide a compatible remote control. Also, you may purchase compatible remotes at local electronic stores or other retail outlets. A representative list of compatible remote control models currently available from local retailers includes: Philips PHL PMDVR8, RCA RCR612, and Sony RM-V202. A list of additional compatible remotes may be obtained from your local Xfinity store. Although these remote control units are compatible with the TV Box or TV Adapter that we currently offer, these remotes may not be functional if we change the type of TV Box or TV Adapter we rent. If you have any questions regarding whether a particular remote control unit would be compatible with our equipment, please contact us.

### SERVICE CHANGES AND INSTALLATION

Standard installations are generally completed within 7 business days. If you change the services you receive, you may be subject to an installation or change of service charge. You may obtain additional information about our current services, fees and prices online at [www.xfinity.com](http://www.xfinity.com) or by calling us at 1-800-XFINITY.

### OTHER INFORMATION

Information on upcoming programmer contract expirations can be found at [www.xfinitytv.com/contractrenewals](http://www.xfinitytv.com/contractrenewals) or by calling 866-216-8634. For those of our customers receiving service through commercial accounts, bulk rate arrangements or similar arrangements, some of the policies, procedures and services herein may not apply. Please call us at 1-800-XFINITY to talk to one of our customer service representatives for further information.



**SERVICE AREA**

MA, NH & ME

**PHONE NUMBERS**

**Billing/Repair**

**New Services/Sales**

1-800-266-2278

**OFFICE HOURS**

Please check your monthly billing statement for the location and hours of operation of the nearest customer service office.

**MAILING/OFFICE ADDRESS**

Comcast

1 Comcast Center

Philadelphia, PA 19102

**PUBLIC INFORMATION OFFICES/  
FRANCHISE AUTHORITIES /**

Consumer Division of the Department of  
Telecommunications and Cable

1-800-392-6066

1000 Washington Street, Suite 820

Boston, MA 02118

Office of the Attorney General

Consumer Protection and Antitrust Bureau

33 Capital Street

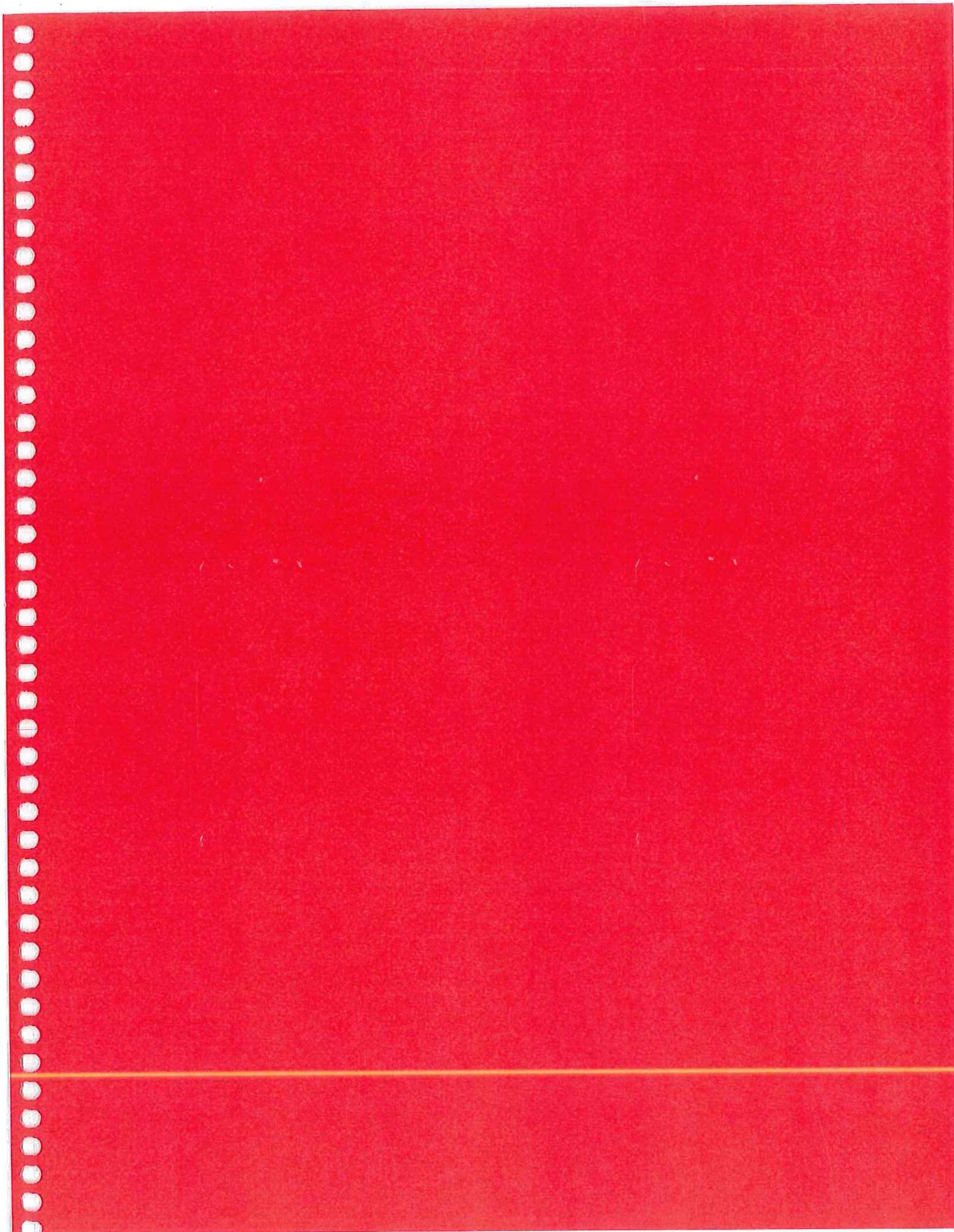
Concord, NH 03301

Office of the Attorney General

Consumer Information and Mediation Service

6 State House Station

August, ME 04333



**Form 100**

**Exhibit C**

**Channel Line-up**

*Please see the following page(s).*



**Mashpee, MA**

Barnstable, Brewster, Chatham, Dennis, Eastham, Harwich, Orleans, Provincetown, Truro, Wellfleet & Yarmouth, MA

**LIMITED BASIC**

- 2 WGBH (PBS)
- 3 HSN
- 4 WBZ (CBS)
- 5 WCVB (ABC)
- 6,1006 WLNE (ABC)
- 7 WHDH
- 8 NECN
- 9 WSBE (PBS)
- 10 WBTS (NBC)
- 11 WLVI (CW)
- 13 WFXT (FOX)
- 14 WSBK (MyTV)
- 15 WBPX (ION)
- 16 WGBX (PBS)
- 17 WUTF (UMAS)
- 18,98,1084 Government Access<sup>1</sup>
- 19 WNEU (TEL)
- 20 WMFP (IND)
- 21 WUTF (UNV)
- 22,1090 Educational Access<sup>2</sup>
- 23,1657 Daystar
- 44,1128 C-SPAN
- 48,1032 Jewelry TV
- 58,1058 WDPX
- 79,1050 WWJE (IND)
- 81 WWDP (IND)
- 82 QVC
- 86 QVC2
- 87 QVC3 (FKA BEAUTY IQ)
- 89,861,1052 EVINE Live
- 94,3217 RTP1 (Portuguese)
- 97,1011 WJAR (NBC)
- 99,1070 Public Access
- 183,1067 Jewelry FL
- 184,640 Xfinity Latino Entertainment Channel
- 229,1661 TBN
- 247,1129 C-SPAN2
- 268,1669 CatholicTV
- 283,1097 Leased Access
- 501-550 Music Choice
- 724,986,1195 WUTF LATV
- 787,1037 QVC2 HD
- 791,1034 QVC HD
- 801,1044 WGBX HD (PBS)
- 802,1002 WGBH HD (PBS)
- 803,1068 WBPX HD (ION)
- 804,1004 WBZ HD (CBS)
- 805,1005 WCVB HD (ABC)
- 806,1025 WFXT HD (FOX)
- 807,1007 WHDH HD
- 808,1056 WLVI HD (CW)
- 810,1010 WBTS HD (NBC)
- 813,1062 WMFP HD (IND)
- 814,1038 WSBK HD (MyTV)
- 815,1060 WNEU HD (TEL)
- 816,1066 WUNI HD (UMAS)
- 817,1027 WUTF HD (UNV)
- 818,1046 WWDP HD (IND)

- 819,1036 WSBE HD (PBS)
- 840,1127 NECN HD
- 904,1053 QVC3 HD (FKA BEAUTY IQ HD)
- 906,1015 HSN HD
- 930,1165 WBZ Start TV
- 935,1171 WBTS-CoziTV
- 936,1174 WHDH ThisTV
- 939,1177 WLVI Buzzr
- 942,1180 WCVB MeTV
- 948,1186 WFXT-Escape
- 949,1187 WFXT Laff TV
- 956,1146 WGBH World (PBS)
- 958,1147 WGBX Kids (PBS)
- 959,1148 WGBX Create (PBS)
- 965,1150 WSBE Learn (PBS)
- 983,1192 WNEU TeleXitos

**KIDS & FAMILY**

- (INCLUDED IN STANDARD, SELECT, SIGNATURE AND SUPER DOUBLE AND TRIPLE PLAY PACKAGES)
- 24 Disney Channel
  - 25 Nickelodeon
  - 26 Freeform
  - 28 MTV
  - 38 TLC
  - 60 Cartoon Network
  - 83,234,1655 INSP
  - 208 Hallmark Channel
  - 210 National Geographic Channel
  - 218 Universal Kids
  - 821,1473 National Geographic HD
  - 824,1715 Disney Channel HD
  - 825,1728 Nickelodeon HD
  - 826,1742 Freeform HD
  - 827,1606 MTV HD
  - 860,1734 Cartoon Network HD
  - 867,1450 TLC HD
  - 907,1458 Hallmark Channel HD
  - 927,1707 Universal Kids HD

**ENTERTAINMENT**

- (INCLUDED IN STANDARD, SELECT, SIGNATURE AND SUPER DOUBLE AND TRIPLE PLAY PACKAGES)
- 27,186 truTV
  - 29 VH1
  - 30 FX
  - 31 TBS
  - 32 HGTV
  - 33 TNT
  - 34 E!
  - 35 USA Network
  - 36 Lifetime

- 37 A&E
- 39 Discovery
- 57 Bravo
- 59 AMC
- 61 Comedy Central
- 62 Syfy
- 63 Animal Planet
- 67 Food Network
- 68 BET
- 71 HISTORY
- 88,1049 HSN2
- 199 Hallmark Movies & Mysteries
- 200,1757 MoviePlex
- 214 TV One
- 216 Oxygen
- 226 OWN (Oprah Winfrey Network)
- 241 BBC America
- 256 FXX
- 270 LMN
- 788,1456 LMN HD
- 790,1459 Hallmark Movies & Mysteries HD
- 794,1463 Bravo HD
- 823,1449 Discovery HD
- 828,1612 MTV Live HD
- 829,1607 VH1 HD
- 830,1409 FX HD
- 831,1434 TBS HD
- 832,1492 HGTV HD
- 833,1404 TNT HD
- 834,1466 E! HD
- 835,1403 USA Network HD
- 836,1455 Lifetime HD
- 837,1402 A&E HD
- 854,1484 Food Network HD
- 857,1464 OWN HD (Oprah Winfrey Network)
- 858,1435 Comedy Central HD
- 859,1405 AMC HD
- 862,1411 Syfy HD
- 863,1471 Animal Planet HD
- 872,1478 HISTORY HD
- 902,1430 truTV HD
- 905,1625 BET HD
- 912,1626 TV One HD
- 920,1418 BBC America HD
- 921,1465 Oxygen HD
- 924,1410 FXX HD

**SPORTS & NEWS**

- (INCLUDED IN STANDARD, SELECT, SIGNATURE AND SUPER DOUBLE AND TRIPLE PLAY PACKAGES)
- 40,251 MSNBC
  - 41 FOX News Channel
  - 42 CNN
  - 43 HLN
  - 45 Bloomberg TV
  - 46 CNBC

- 47 The Weather Channel
- 49 ESPN
- 50 ESPN2
- 51 NESN
- 52 NBC Sports Boston
- 53 Golf Channel
- 65 NBC Sports Network
- 84 NESN+
- 85,1256 NBC Sports Boston Overflow
- 249,1130 C-SPAN3
- 250 FOX Sports 1
- 266 Tennis Channel
- 284 FOX Business Network
- 789,1123 FOX Business Network HD
- 795,1121 CNBC HD
- 838,1224 Tennis Channel HD
- 839,1243 MotorTrend Network
- 841,1110 FOX News Channel HD
- 842,1111 CNN HD
- 843,1112 HLN HD
- 844,1122 Bloomberg TV HD
- 847,1102 The Weather Channel HD
- 848,1223 Golf Channel HD
- 849,1205 ESPN HD
- 850,1206 ESPN2 HD
- 851,1250 NESN HD
- 852,1251 NBC Sports Boston HD
- 865,1207 NBC Sports Network HD
- 894,1255 NESN+ HD
- 901,1113 MSNBC HD
- 925,1208 FOX Sports 1 HD
- 1115 Newsmax TV HD

**EXPANDED BASIC**

- (DIGITAL STARTER INCLUDES LIMITED BASIC AND EXPANDED BASIC)
- 24 Disney Channel
  - 25 Nickelodeon
  - 26 Freeform
  - 27,186 truTV
  - 28 MTV
  - 29 VH1
  - 30 FX
  - 31 TBS
  - 32 HGTV
  - 33 TNT
  - 34 E!
  - 35 USA Network
  - 36 Lifetime
  - 37 A&E
  - 38 TLC
  - 39 Discovery
  - 40,251 MSNBC
  - 41 FOX News Channel

- 42 CNN
- 43 HLN
- 45 Bloomberg TV
- 46 CNBC
- 47 The Weather Channel
- 49 ESPN
- 50 ESPN2
- 51 NESN
- 52 NBC Sports Boston
- 53 Golf Channel
- 54 Travel Channel
- 56,238,1668 EWTN
- 57 Bravo
- 59 AMC
- 61 Comedy Central
- 62 Syfy
- 63 Animal Planet
- 64,1426 TV Land
- 65 NBC Sports Network
- 67 Food Network
- 68 BET
- 71 HISTORY
- 83,234,1655 INSP
- 84 NESN+
- 85,1256 NBC Sports Boston Overflow
- 88,1049 HSN2
- 124,1420 WGN America
- 199 Hallmark Movies & Mysteries
- 200,1757 MoviePlex
- 208 Hallmark Channel
- 210 National Geographic Channel
- 214 TV One
- 215 WE tv
- 216 Oxygen
- 218 Universal Kids
- 226 OWN (Oprah Winfrey Network)
- 235 UP
- 241 BBC America
- 249,1130 C-SPAN3
- 250 FOX Sports 1
- 252 Investigation Discovery
- 256 FXX
- 267,1425 GSN
- 270 LMN
- 284 FOX Business Network
- 784,1488 Travel Channel HD
- 788,1456 LMN HD
- 789,1123 FOX Business Network HD
- 790,1459 Hallmark Movies & Mysteries HD
- 794,1463 Bravo HD
- 795,1121 CNBC HD
- 799,1428 WE tv HD
- 821,1473 National Geographic HD

823,1449 Discovery HD  
 824,1715 Disney Channel HD  
 825,1723 Nickelodeon HD  
 826,1742 Freeform HD  
 827,1606 MTV HD  
 828,1612 MTV Live HD  
 829,1607 VH1 HD  
 830,1409 FX HD  
 831,1434 TBS HD  
 832,1492 HGTV HD  
 833,1404 TNT HD  
 834,1466 E! HD  
 835,1403 USA Network HD  
 836,1456 Lifetime HD  
 837,1402 A&E HD  
 839,1243 MotorTrend Network  
 841,1110 FOX News Channel HD  
 842,1111 CNN HD  
 843,1112 HLN HD  
 844,1122 Bloomberg TV HD  
 847,1102 The Weather Channel HD  
 848,1223 Golf Channel HD  
 849,1205 ESPN HD  
 850,1206 ESPN2 HD  
 851,1250 NESN HD  
 852,1251 NBC Sports Boston HD  
 854,1484 Food Network HD  
 857,1464 OWN HD (Oprah Winfrey Network)  
 858,1435 Comedy Central HD  
 859,1405 AMC HD  
 862,1411 Syfy HD  
 863,1471 Animal Planet HD  
 865,1207 NBC Sports Network HD  
 867,1450 TLC HD  
 872,1478 HISTORY HD  
 894,1255 NESN+ HD  
 901,1113 MSNBC HD  
 902,1430 truTV HD  
 905,1625 BET HD  
 907,1458 Hallmark Channel HD  
 908,1457 UP HD  
 909,1444 Investigation Discovery HD  
 912,1626 TV One HD  
 920,1418 BBC America HD  
 921,1465 Oxygen HD  
 924,1410 FXX HD  
 925,1208 FOX Sports 1 HD  
 927,1707 Universal Kids HD  
 1115 Newsmax TV HD

**DIGITAL PREFERRED**  
 (INCLUDED IN SELECT SIGNATURE AND SUPER DOUBLE AND TRIPLE PLAY PACKAGES)  
 54 Travel Channel  
 55 Paramount Network  
 56,238,1668 EWTN  
 60 Cartoon Network  
 64,1426 TV Land  
 123,1627 ASPIRE

125,1114 Newsy Live  
 137 SEC Network  
 138,1322 SEC Network Overflow  
 176 Ovation  
 182,1427 POP  
 187,1637 Revolt  
 190,1117 BBC World News  
 191,1709 BabyFirst Americas  
 193,1477 Smithsonian Channel  
 196,1685 Jewish Life Television (JLTV)  
 197,1741 STARZ ENCORE Family  
 198,1429 ReelzChannel  
 201,1440 SundanceTV East  
 202,366,1771 FLIX East  
 203,1775 STARZ ENCORE Action East  
 204,1779 STARZ ENCORE Classic East  
 205,1782 STARZ ENCORE Suspense East  
 206,1758 IndiePlex  
 207,1784 STARZ ENCORE Westerns East  
 212 IFC  
 213 TCM  
 220,1727 Nicktoons  
 221,1714 Discovery Family Channel  
 222 Disney XD  
 223,1702 Nick Jr.  
 224,1740 TeenNick  
 225,1756 RetroPlex  
 227 Science  
 228,1729 Nick 2  
 230,1497 Discovery Life  
 232 Nat Geo WILD  
 233 Destination America  
 236,1682 The Impact Network  
 239,1485 Cooking Channel  
 240,1493 DIY Network  
 242 VICELAND  
 243 fyi  
 244,1701 Disney Junior  
 248 ESPNNews  
 253,1480 American Heroes Channel  
 254 FOX Sports 2  
 255,1236 Outdoor Channel  
 257,599 NBA TV  
 259 NHL Network  
 260,1246 TVG  
 261 CBS Sports Network  
 265 NFL Network  
 266 Tennis Channel  
 267,1425 GSN  
 269 MLB Network  
 272,1615 Nick Music  
 273,1639 MTV2  
 274,1628 BET Her  
 275,1630 BET Soul  
 276,1619 CMT Music  
 277,1614 MTV Classic  
 278,1766 FX Movie Channel

279,1620 Great American Country (GAC)  
 280,1633 BET Jams  
 281,1439 Logo  
 286 ESPN2  
 326 STARZ ENCORE East  
 666 HITN  
 686 Mnet  
 705,1232 NBC Universo  
 710,1229 Univision Deportes Network  
 711 MTV TR3s  
 719 Galavisión  
 783,1613 AXS TV  
 784,1488 Travel Channel HD  
 785,1773 STARZ ENCORE East HD  
 792,1716 Disney XD HD  
 796,1210 ESPNNews HD  
 797,1486 fyi HD  
 798,1438 IFC HD  
 822,1217 NHL Network HD  
 838,1224 Tennis Channel HD  
 846,1222 Olympic Channel HD  
 853,1215 NFL Network HD  
 855,1412 Paramount Network HD  
 856,1303 CBS Sports Network HD  
 860,1734 Cartoon Network HD  
 866,1451 Science HD  
 900,1301 ESPN2 HD  
 903,1755 TCM HD  
 910,1436 VICELAND HD  
 911,1487 Destination America HD  
 913,1218 NBA TV HD  
 914,1219 MLB Network HD  
 915,1462 Ovation HD  
 922,1472 Nat Geo WILD HD  
 923,1209 FOX Sports 2 HD  
 928,1321 SEC Network HD  
 1118 124 News HD  
 1495 Z Living HD

**DEPORTES**  
 678 Latin American Sports  
 705 NBC Universo  
 708,1230 FOX Deportes  
 710,1229 Univision Deportes Network  
 720,1231 ESPN Deportes

**XFINITY TV LATINO**  
 641 TBN Enlace  
 642 Telefe  
 643 TeleFormula  
 644 Pasion  
 645 TV Chile  
 646 Nuestra Tele  
 647 Video Rola  
 648 FOX Life  
 649 TVE Internacional  
 650 TV Venezuela  
 657 SUR Perù  
 658 Vme Kids

659 SUR TV  
 660 Once Mexico  
 661 Multimedios  
 662 Mexicanal  
 664 RC Novelas  
 666 HITN  
 667 Cinema Dinamita  
 668 EWTN en Espanol  
 669 CBeebles  
 670 Ecuavisa  
 673 Caracol TV  
 674 Canal 52MX  
 675 Cine Sony  
 678 Latin American Sports  
 704 Supercanal  
 705,1232 NBC Universo  
 706 Discovery en Espanol  
 707 Cinelatino  
 708,1230 FOX Deportes  
 709 CNN en Espanol  
 710,1229 Univision Deportes Network  
 711 MTV TR3s  
 712 ViendoMovies  
 713 Cine Mexicano  
 716 HISTORY en Espanol  
 717 WAPA America  
 718 Telemicro Internacional  
 719 Galavisión  
 720,1231 ESPN Deportes  
 722 BabyFirst Americas - Spanish  
 723 Centroamerica TV  
 725 Discovery Familia  
 727 UniMás Alt  
 728 Univision Alt  
 757 TV Dominicana

**SPORTS ENTERTAINMENT PACKAGE**  
 (INCLUDED IN SUPER TRIPLE PLAY PACKAGE)  
 66,282 CMT  
 126,1445 Crime & Investigation  
 127,1479 Military History Channel  
 135,1302 ESPN GoalLine/Bases Loaded  
 136,1237 Sportsman Channel  
 194,1329 Pac-12 Network  
 213 TCM  
 248 ESPNNews  
 255,1236 Outdoor Channel  
 257,599 NBA TV  
 259 NHL Network  
 260,1246 TVG  
 261 CBS Sports Network  
 265 NFL Network  
 269 MLB Network  
 285 BTN  
 286 ESPN2  
 287 NFL RedZone  
 796,1210 ESPNNews HD  
 822,1217 NHL Network HD  
 853,1215 NFL Network HD

856,1303 CBS Sports Network HD  
 864,1608 CMT HD  
 882,1313 BTN HD  
 899,1216 NFL RedZone HD  
 900,1301 ESPN2 HD  
 903,1755 TCM HD  
 913,1218 NBA TV HD  
 914,1219 MLB Network HD

**PREMIUM CHANNELS**  
 (SHOWTIME AND STARZ CHANNELS INCLUDED WITH SIGNATURE DOUBLE AND TRIPLE PLAY PACKAGES; HBO, SHOWTIME, STARZ, CINEMAX AND THE MOVIE CHANNELS INCLUDED WITH SUPER DOUBLE AND TRIPLE PLAY PACKAGES)  
 202,366,1771 FLIX East  
 301 HBO East  
 302 HBO2 East  
 303,1806 HBO Signature East  
 304,1808 HBO Family East  
 305,1810 HBO Comedy East  
 306 HBO Zone East  
 307 HBO Latino East  
 321 STARZ East  
 322 STARZ Edge East  
 323,1872 Starz In Black East  
 324 STARZ Kids & Family East  
 325,1876 STARZ Cinema East  
 327 STARZ Comedy  
 338,1830 5StarMAX  
 339,1832 OuterMAX  
 340,1828 MovieMax  
 341 CINEMAX East  
 342,1822 MoreMAX East  
 343,1824 ActionMAX East  
 344,1826 ThrillerMax East  
 361 Showtime East  
 362 Showtime 2 East  
 363,1846 Showtime Showcase East  
 364 Showtime Extreme East  
 365,1844 Showtime Beyond East  
 381 The Movie Channel East  
 382 The Movie Channel Xtra East  
 451,1886 Playboy  
 773,1814 HBO Latino HD East  
 775,1812 HBO Zone HD East  
 868,1820 CINEMAX HD East  
 870,1802 HBO HD East  
 871,1804 HBO2 HD East  
 873,1870 STARZ Edge HD  
 874,1874 STARZ Kids & Family HD  
 875,1868 STARZ East HD  
 876,1878 STARZ Comedy HD  
 877,1840 Showtime HD East  
 878,1842 Showtime 2 HD East  
 880,1848 Showtime Extreme HD

883,1860 The Movie  
Channel HD East  
884,1862 The Movie  
Channel Xtra East HD  
885,1790 Epix HD (East)

**INTERNATIONAL  
SELECTIONS**

134,685,3285 Willow Plus  
679,3280 RAI  
International  
680,3293 TV Globo  
681,3216 SIC  
International  
682,3210 Premiere  
Futebol Clube  
688,3294 TV5 Monde  
701,3287 ZeeTV  
702,3138 CTI Zhong Tian  
Channel  
703,3226 RTN (Russian)  
3101 Willow Plus HD  
3102 TV Asia HD  
3103 ZeeTV HD  
3106 SET HD  
3109 NDTV 24X7  
3110 NDTV (Good)  
3135 CCTV4  
3137 Phoenix Info News  
3139 Phoenix NA  
3180 TV JAPAN HD  
3185 Saigon Broadcasting  
Television Network  
3194 The Filipino Channel  
3195 GMA Pinoy TV  
3196 GMA Life TV  
3203 TV Polonia  
3211,3291 Bandeirantes TV  
3212 RecordTV Europa HD  
3213 TV Globo HD  
3225 RTVI (Russian)  
3227 Russian Kino  
3228 NTV America  
3229 Channel One Russia  
3230 Impact TV  
3232 RTR PLAN  
3233 ROSSIYA  
3234 CTC  
3245 ART Network  
3250 The Israeli Network  
3260 DW Deutsche +  
3265 TV5 Monde HD  
3275 Antenna TV  
3281 Mediaset Italia  
3286 TV Asia  
3289 SET  
3290 TV JAPAN  
3292 RecordTV

**PAY-PER-VIEW**

257,599 NBA TV  
399,800,1201 IN DEMAND  
PPV HD  
400 IN DEMAND PPV BARKER  
401 IN DEMAND PPV  
402 IN DEMAND PPV 7  
435,1888 Penthouse Block  
452,1893 Juicy  
453,1887 Vivid TV  
457,1894 TEN  
458,1891 XTSY  
459,1890 Hustler TV  
601-610 NBA/MLS PPV  
612 NBA/MLS PPV HD  
621-634 MLB/NHL PPV  
635,1370 INDEMAND  
MLB/NHL HD  
636,1371 INDEMAND  
MLB/NHL 2 HD  
913,1218 NBA TV HD  
1372-1385 MLB/NHL PPV  
1387-1397 NBA/MLS PPV

**ON DEMAND**

1,1000 Xfinity On Demand  
404,1751 Free Movies On  
Demand  
405,1801 HBO On Demand  
406 HD On Demand  
407 Free HD Channels On  
Demand  
408,1800 HD Premium  
Channels On Demand  
409 HD Music On Demand  
410,1750,1880,1899  
Movies On Demand  
434,460,1884,1895  
PARENTAL  
450,1885 Adult On Demand  
886-893 Searchlight On  
Demand  
929 Red Sox On Demand  
1881,1898 TV On Demand  
1882,1897 Music On Demand  
1883,1896 SPORTS On  
Demand

**XFINITY INSTANT TV  
LATINO**

644 Pastores  
658 Vme Kids  
667 Cinema Dinamita  
675 Cine Sony  
706 Discovery en Espanol  
707 Cinelatino  
709 CNN en Espanol  
712 ViendoMovies  
713 Cine Mexicano  
716 HISTORY en Espanol  
719 Galavislon

722 BabyFirst Americas -  
Spanish  
725 Discovery Familia

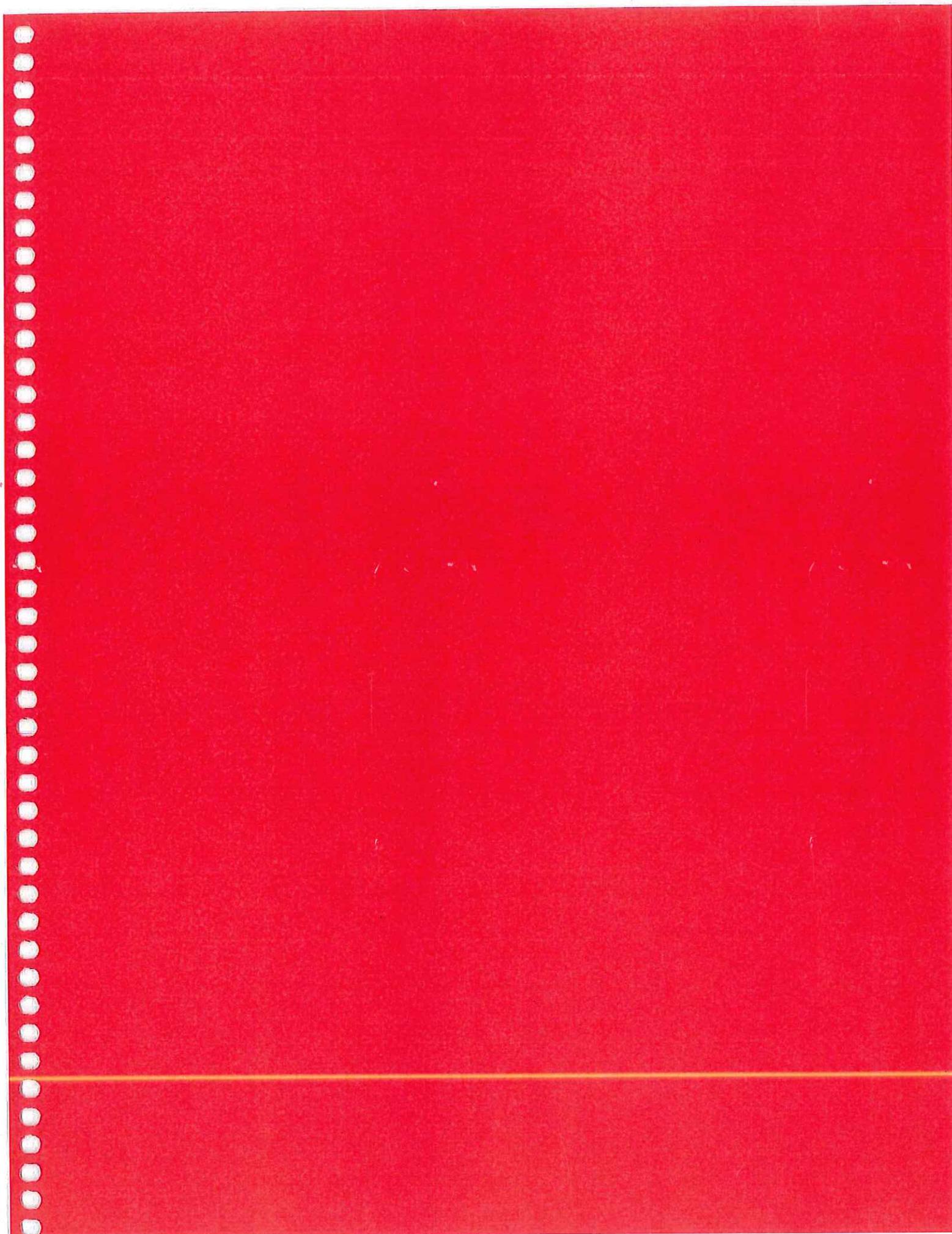
<sup>1</sup>Available in Brewster, Eastham, Orleans, Provincetown and Truro only.

<sup>2</sup>Available in Brewster, Eastham, Orleans, Truro and Wellfleet only.

A subscription to Limited Basic is required to receive video services unless otherwise indicated. TV Box, TV Adapter, CableCARD or compatible customer owned device is required to receive video services. Channel lineup for outlets with TV Adapters is same as the primary outlet with the following exceptions: premium channels are not available and only the following HD channels with channel numbers above 1000 are available: The Weather Channel, Fox News, CNN, HLN, MSNBC, CNBC, Bloomberg, Fox Business, CSPAN, CSPAN2, CSPAN 3, and your local news stations. Except for Limited Basic only customers, HD programming requires subscription to HD Technology Fee and HD compatible equipment. Channel lineup subject to change. Additional restrictions may apply. See Services & Pricing card for additional information. © 2019 Comcast. All rights reserved.

87731000: 2630;2640;2650;2660;2670;2680;2690;2700;2710;2720;2730;2740

For more information visit [xfinity.com/support/local-channel-lineup](http://xfinity.com/support/local-channel-lineup).



**Form 100**

**Exhibit D**

**Price Card**

*Please see the following page(s).*

## EASTHAM, MA

Orleans, Provincetown & Wellfleet, MA

### BUNDLED PACKAGES<sup>1,2</sup>

#### QUAD PLAY PACKAGES

QUAD PLAY PACKAGE PRICING BELOW IS ADDITIONAL TO TRIPLE PLAY PACKAGE PRICING

with Xfinity Home Security add <sup>41</sup>	\$39.95
with Xfinity Home Security Plus add <sup>42</sup>	\$49.95

#### TRIPLE PLAY PACKAGES<sup>40</sup>

##### Standard Triple Play

Includes Limited Basic, Kids & Family, Entertainment, Sports & News and HD programming for primary outlet, 10 Hour DVR Service, Performance Pro Internet and Voice Unlimited	\$129.99
- with Blast! Internet upgrade add	\$20.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Select Triple Play

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Preferred Tier, DVR Service and HD programming for primary outlet, Blast! Internet, and Voice Unlimited	\$149.99
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Signature Triple Play<sup>38</sup>

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Preferred Tier, Showtime, Starz, Streampix, DVR Service and HD programming for primary outlet, Extreme Pro Internet, Voice Unlimited and Netflix Standard HD Plan	\$169.99
- with Netflix Premium UHD Plan upgrade add	\$3.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Super Triple Play<sup>38</sup>

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Premier Tier, Sports Entertainment Package, Streampix, DVR Service and HD programming for primary outlet, Gigabit Internet, Voice Unlimited, Netflix Standard HD Plan	\$199.99
- with Netflix Premium UHD Plan upgrade add	\$3.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00
- with Xfinity Mobile deduct	-\$12.00

#### DOUBLE PLAY PACKAGES<sup>40</sup>

##### Choice Double Play<sup>39</sup>

Includes Choice TV, 10 Hour DVR Service and Performance Plus Internet	\$89.99
- with Performance Pro Internet upgrade add	\$15.00
- with Blast! Internet upgrade add	\$20.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Standard Double Play

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, 10 Hour DVR Service, and HD programming for primary outlet and Performance Pro Internet	\$109.99
- with Blast! Internet upgrade add	\$20.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Select Double Play

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Preferred Tier, HD programming for primary outlet, 10 Hour DVR Service and Performance Pro Internet	\$119.99
- with Blast! Internet upgrade add	\$20.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Signature Double Play<sup>38</sup>

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Preferred Tier, HD programming, Showtime, Starz and Streampix for primary outlet, 10 Hour DVR Service, Performance Pro Internet and Netflix Standard HD Plan	\$139.99
- with Netflix Premium UHD Plan upgrade add	\$3.00
- with Blast! Internet upgrade add	\$20.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

##### Super Double Play<sup>38</sup>

Includes Limited Basic, Kids & Family, Entertainment, Sports & News, Digital Premier Tier, HD programming and Streampix for primary outlet, 10 Hour DVR Service, Blast! Internet and Netflix Standard HD Plan	\$169.99
- with Netflix Premium UHD Plan upgrade add	\$3.00
- with Extreme Pro Internet upgrade add	\$25.00
- with Gig Internet upgrade add	\$30.00
- with Gig Pro Internet upgrade add <sup>27</sup>	\$238.00

## XFINITY TV<sup>1</sup>

#### BASIC SERVICES

##### Limited Basic<sup>9,11</sup>

Eastham, Provincetown, Wellfleet	\$10.00
Orleans	\$8.00

##### Broadcast TV Fee<sup>29</sup>

	\$0.75
--	--------

##### Franchise Related Cost<sup>10,11</sup>

Eastham	\$0.15
Orleans	\$0.12
Provincetown	\$0.48
Wellfleet	\$0.11

##### Expanded Basic<sup>3</sup>

Eastham, Provincetown, Wellfleet	\$57.27
Orleans	\$59.27

#### XFINITY TV SERVICES

Choice TV <sup>34</sup> Includes Limited Basic, Streampix and HD programming	\$30.00
--	---------

##### Genre Packs<sup>35</sup> Choose up to 2 packs

<b>Kids &amp; Family</b> Includes kid and family-friendly channels including Cartoon Network, Disney Channel, Nickelodeon and Universal Kids	\$10.00
<b>Entertainment</b> Includes entertainment channels including A&E, AMC, Bravo, Food Network, FX, TNT and VH1	\$15.00
<b>Sports &amp; News</b> Includes sports and news channels including CNBC, CNN, ESPN, Golf, MSNBC and NBC Sports	\$28.25

<b>Digital Starter</b> Includes Limited Basic, Expanded Basic for primary outlet, additional digital channels, MoviePlex, access to Pay-Per-View and On Demand programming and Music Choice	\$67.27
---	---------

Refer to the last page for additional information. For information about Xfinity policies and terms of service, go to [xfinity.com/policies](http://xfinity.com/policies).

<b>Digital Preferred Tier<sup>12</sup></b>	
Includes over 65 channels including CBS College Sports, Destination America, Disney XD, Encore and Science Channel	\$17.95
<b>Digital Preferred Tier plus One Premium</b>	
Includes Digital Preferred Tier and choice of Showtime®, Starz®, Cinemax® or The Movie Channel®	\$29.95
<b>Digital Preferred Tier with HBO®</b>	
Includes Digital Preferred Tier and HBO®	\$32.95
<b>Digital Premier Tier</b>	
Includes Digital Preferred Tier, HBO®, Showtime®, Starz®, Cinemax® and The Movie Channel®	\$64.95
<b>Sports Entertainment Package<sup>4</sup></b>	
Includes over 14 channels including NFL Red Zone and CBS Sports Network	\$9.95
<b>Deportes<sup>3</sup></b>	
Includes over 6 deportes channels including ESPN Deportes, FOX Deportes and NBC Universo	\$7.00
With Choice Double Play or Standard, Select, Signature, Super Double or Triple Play Packages	\$5.00
<b>Xfinity TV Latino<sup>9</sup></b>	
Includes over 50 channels of Spanish language programming	\$17.95
With Choice Double Play or Standard, Select, Signature, Super Double or Triple Play Packages	\$10.00
<b>HBO®<sup>3</sup></b>	\$15.00
<b>Showtime®<sup>3</sup></b>	\$12.00
<b>Starz®<sup>3</sup></b>	\$12.00
<b>Cinemax®<sup>3</sup></b>	\$12.00
<b>The Movie Channel®<sup>3</sup></b>	\$12.00
<b>Epix<sup>36</sup></b>	\$5.99
<b>Playboy®<sup>3</sup></b>	\$15.00
<b>HD Technology Fee<sup>8</sup></b>	\$9.95
<b>DVR Service<sup>5</sup></b>	\$10.00
<b>AnyRoom DVR Service<sup>6</sup></b>	\$10.00
<b>Service to Additional TV<sup>7</sup></b>	\$9.95
with DVR Service <sup>5</sup>	\$19.95
with AnyRoom DVR Service	\$19.95
with AnyRoom DVR Service (client)	\$9.95
with CableCARD <sup>13</sup>	\$7.27
<b>Service to Additional TV with TV Adapter<sup>15</sup></b>	\$6.99

### INTERNATIONAL SELECTIONS<sup>37</sup>

<b>ART: Arabic</b>	\$9.99
<b>TV Globo: Brazilian</b>	\$19.99
<b>Brazilian 2 Pack</b> Includes TV Globo and PFC	\$24.99
<b>Brazilian 4 Pack</b> Includes TV Globo, PFC, Band Internacional and Record TV	\$34.99
<b>Mandarin 2 Pack</b> Includes Phoenix Info News and Phoenix North America	\$6.99
<b>Mandarin 4 Pack</b> Includes CTI Zhong Tian, CCTV4, Phoenix Info News and Phoenix North America	\$19.99
<b>Filipino 2 Pack</b> Includes GMA Pinoy w/ GMA Video On Demand and GMA Life	\$14.99
<b>Filipino 3 Pack</b> Includes GMA Pinoy w/ GMA Video On Demand, GMA Life and TFC	\$22.99
<b>TV5MONDE: French With Cinema On Demand</b>	\$9.99
<b>DW Deutsche +: German</b>	\$9.99
<b>Antenna: Greek</b>	\$14.99
<b>The Israeli Network</b>	\$19.99
<b>Rai Italia: Italian</b>	\$9.99
<b>Italian 2 Pack</b> Includes Rai Italia and Mediaset	\$14.99
<b>TV JAPAN</b> Includes TV JAPAN On Demand	\$24.99
<b>TV Polonia: Polish</b>	\$19.99
<b>SIC: Portuguese</b>	\$9.99
<b>Portuguese 2 Pack</b> Includes RTP1 and SIC	\$14.99
<b>Impact TV: Russian Add-on</b> With any international package	\$6.99
<b>Russian 2 Pack</b> Includes Channel One Russia and NTV America	\$14.99
<b>Russian 4 Pack</b> Includes Channel One Russia, RTN, TV1000 Russian Kino and NTV America	\$26.99

<b>Russian 5 Pack</b> Includes Channel One Russia, RTVI, NTV America, RTR-Planeta and Rossiya 24	\$26.99
<b>Russian 8 Pack</b> Includes Channel One Russia, RTN, RTVI, TV1000 Russian Kino, NTV America, RTR-Planeta, Rossiya 24 and CTC	\$34.99
<b>Willow: Cricket Add-on</b> With any International package	\$6.99
<b>Willow: Cricket</b>	\$14.99
<b>Zee TV: Hindi</b>	\$14.99
<b>SET: Hindi</b>	\$14.99
<b>Hindi 2 Pack</b> Includes Zee TV and SET	\$24.99
<b>Hindi Pack</b> Includes Zee TV, SET, TV Asia, NDTV 24x7 and NDTV Good Times	\$29.99
<b>Hindi Plus Pack</b> Includes Zee TV, SET, TV Asia, NDTV 24x7, NDTV Good Times, Eros Now and Willow	\$39.99
<b>SBTN: Vietnamese</b>	\$14.99

### PAY-PER-VIEW AND ON DEMAND SUBSCRIPTION SERVICES<sup>14</sup>

<b>Eros Now On Demand</b>	\$12.99
<b>Eros Now On Demand</b> w/a South Asian International selection	\$9.99
<b>here! TV On Demand</b>	\$7.99
<b>Filipino On Demand</b>	\$7.99
<b>Filipino On Demand</b> w/a Filipino International selection	\$5.99
<b>The Jewish Channel On Demand</b>	\$6.99
<b>Disney Family Movies On Demand</b>	\$5.99
<b>Galam TV Fit &amp; Yoga On Demand</b>	\$6.99
<b>Lifetime Movie Club On Demand</b>	\$3.99
<b>History Vault On Demand</b>	\$4.99
<b>Kidstream On Demand</b>	\$4.99
<b>Grokker Yoga Fitness On Demand</b>	\$6.99
<b>UP Falth and Family On Demand</b>	\$4.99
<b>Anime Network On Demand</b>	\$6.99
<b>Stingray Karaoke On Demand</b>	\$6.99
<b>DOGTV On Demand</b>	\$4.99
<b>Gala On Demand</b>	\$9.99
<b>AMC Premiere On Demand</b>	\$4.99
<b>FX+ On Demand</b>	\$5.99
<b>Stingray Classica On Demand</b>	\$6.99
<b>TumbleBooksTV On Demand</b>	\$4.99
<b>FitFusion On Demand</b>	\$6.99
<b>CuriosityStream On Demand</b>	\$5.99
<b>PlayKids On Demand<sup>33</sup></b>	\$6.99
<b>Daily Burn On Demand<sup>33</sup></b>	\$14.99
<b>Xivo TV On Demand<sup>33</sup></b>	\$4.99
<b>Quark On Demand<sup>33</sup></b>	\$4.99
<b>Lion Mountain TV On Demand<sup>33</sup></b>	\$3.99
<b>Touchlit TV On Demand<sup>33</sup></b>	\$4.99
<b>Disney Story Central On Demand</b>	\$4.99
<b>Acorn TV On Demand</b>	\$5.99
<b>Stephens Drum Shed On Demand<sup>33</sup></b>	\$4.99
<b>Pro Guitar Lessons On Demand<sup>33</sup></b>	\$4.99
<b>MagellanTV History On Demand<sup>33</sup></b>	\$5.99
<b>Blueprint TV On Demand</b>	\$7.99
<b>Urban Movie Channel On Demand</b>	\$4.99
<b>The Great Courses Signature On Demand<sup>33</sup></b>	\$7.99
<b>Pantaya On Demand</b>	\$5.99
<b>DJAZZ On Demand<sup>33</sup></b>	\$6.99
<b>Ride TV On Demand<sup>33</sup></b>	\$4.99
<b>Outside TV Features On Demand<sup>33</sup></b>	\$4.99
<b>The Reading Corner On Demand<sup>33</sup></b>	\$3.99
<b>Hopster On Demand<sup>33</sup></b>	\$6.99
<b>Brown Sugar On Demand<sup>33</sup></b>	\$3.99
<b>Echoboom Sports On Demand<sup>33</sup></b>	\$5.99
<b>Stingray Qello On Demand<sup>33</sup></b>	\$7.99

Revolution Golf+ On Demand <sup>33</sup>	\$6.99
Hallmark Movies Now On Demand <sup>33</sup>	\$5.99
Dove Channel On Demand <sup>33</sup>	\$4.99
Kocowa On Demand <sup>33</sup>	\$6.99
WHAM On Demand <sup>33</sup>	\$2.99
Gravitas Movies On Demand <sup>33</sup>	\$4.99
MHz Choice On Demand <sup>33</sup>	\$7.99
Hi-YAHI On Demand <sup>33</sup>	\$2.99
True Royalty On Demand <sup>33</sup>	\$5.99
Real Vision On Demand <sup>33</sup>	\$14.99
Docurama On Demand <sup>33</sup>	\$2.99
Con TV On Demand <sup>33</sup>	\$4.99
Walter Presents On Demand <sup>33</sup>	\$6.99
Streamplx <sup>17</sup>	\$4.99
Pay-Per-View and On Demand Movies and Events <sup>16</sup> (per title or event)	Prices Vary
Revry On Demand <sup>33</sup>	\$6.99
Vivid On Demand Subscription <sup>18</sup>	\$19.99
Hustler On Demand Subscription <sup>18</sup>	\$19.99
TEN On Demand Subscription <sup>18</sup>	\$19.99
Brazzers On Demand <sup>18</sup>	\$19.99
Girlfriends Films On Demand <sup>18</sup>	\$19.99
Too Much for TV On Demand	\$14.99
Wicked On Demand <sup>18</sup>	\$19.99
Urban Fantasy On Demand <sup>18</sup>	\$19.99
Falcon On Demand <sup>18</sup>	\$19.99
Homegrown Amateur On Demand <sup>18</sup>	\$19.99
Evil Angel On Demand <sup>18</sup>	\$19.99
Mature Lust On Demand <sup>18</sup>	\$19.99
Penthouse On Demand <sup>18</sup>	\$19.99
XTSY On Demand <sup>18</sup>	\$19.99
Reality Kings On Demand <sup>18</sup>	\$19.99
Arouse On Demand <sup>18</sup>	\$19.99

#### SPORTS PACKAGES<sup>14</sup>

MLB Extra Innings <sup>®</sup>	Call 1-800-XFINITY for pricing
NHL <sup>®</sup> Center Ice <sup>®</sup>	Call 1-800-XFINITY for pricing
NBA League Pass	Call 1-800-XFINITY for pricing

#### XFINITY TV EQUIPMENT

TV Box Limited Basic	\$1.80
TV Box	\$2.50
Remote	\$0.18
HD TV Box Limited Basic	\$1.80
TV Adapter (Limited Basic — Primary TV)	\$0.00
TV Adapter (Limited Basic — 1st and 2nd Additional TVs)	\$0.00
TV Adapter (Limited Basic — 3rd Additional TV)	\$0.50
CableCARD (first card in device)	\$0.00
CableCARD (second card in same device)	\$0.00

INSTALLATION (PER OCCURRENCE UNLESS NOTED)	Initial Installation of Service	After Initial Installation of Service
Unwired Home <sup>19,20</sup> (Standard Installation)	\$49.00	N/A
Wired Home <sup>19,20</sup> (Standard Installation)	\$49.00	N/A
Professional Installation <sup>20,21</sup>	\$79.99	N/A
Installation of each Additional Outlet <sup>22</sup>	\$20.00	\$40.00
Connect Customer Owned Equipment	\$12.00	\$37.00

Upgrade of Service (In-home visit required)	\$40.00
Downgrade of Service (In-home visit required)	\$17.00
Hourly Service Charge <sup>20</sup> For custom installation work	\$50.00
In-Home Service Visit (Xfinity TV)	\$40.00
Xfinity Internet Gigabit Pro Professional Installation (per occurrence)	\$500.00
Wireless Networking On-Site Professional Set-Up (Separate trip, per occurrence)	\$99.95
Wireless Networking On-Site Professional Set-Up (each additional device over 4 devices per occurrence)	\$29.95

#### REACTIVATION

(NO IN-HOME VISIT REQUIRED—PER OCCURRENCE UNLESS NOTED)

Reactivation - TV	\$1.99
Reactivation - Internet	\$6.00
Reactivation - Voice	\$6.00

#### MISCELLANEOUS (PER OCCURRENCE UNLESS NOTED)

Customer-Owned Video Equipment Credit See www.xfinity.com/equipmentpolicy for additional information	\$2.50
Regional Sports Fee <sup>31</sup> (per month)	\$8.25
Field Collection Charge Visit to customer's residence required to collect past due balance or unreturned equipment	\$30.00
Returned Payment Item (each)	\$20.00
Late Fee	5% of overdue balance
Agent Assisted Payment For payment made by phone with a Customer Care Representative	\$5.99
Unreturned or Damaged Equipment Fees <sup>23</sup> (per piece)	Replacement Cost
Self Install Kit Shipping and Handling (Standard Shipping)	\$15.00
Self Install Kit Shipping and Handling (Priority Shipping)	\$29.95
Accessory Shipping and Handling	\$5.95

### XFINITY INSTANT TV<sup>1,30</sup>

#### BASIC SERVICE

Xfinity Instant TV Includes Limited Basic for simultaneous streaming on two devices, and 20 hours of Cloud DVR service	\$10.00
---	---------

#### XFINITY INSTANT TV ADDITIONAL SERVICES<sup>32</sup>

Kids & Family Includes 13 kid and family-friendly channels including Cartoon Network, Disney Channel, Nickelodeon and Universal Kids	\$10.00
Entertainment Includes 22 entertainment channels including A&E, AMC, Bravo, Food Network, FX, TNT and VH1	\$15.00
Sports & News Includes 14 sports and news channels including CNBC, CNN, ESPN, Golf, MSNBC and NBC Sports	\$28.25
Deportes Includes over 6 deportes channels including ESPN Deportes, FOX Deportes and NBC Universo	\$7.00
Latino Includes 13 latino channels including Cine Latino, Discovery en Espanol, Galavisión, Viendo Movies and VME Kids	\$5.00
HBO <sup>®</sup>	\$15.00
Starz <sup>®</sup>	\$12.00
Streamplx	\$4.99

### XFINITY VOICE<sup>1,24</sup>

Xfinity Voice—Unlimited With TV and Internet Service	\$44.95
Xfinity Voice—Local with More With TV or Internet Service	\$39.95
Xfinity Voice—Local with More With TV or Internet Service	\$34.95
Xfinity Voice—Local with More With TV or Internet Service	\$24.95

## XFINITY INTERNET<sup>1,2,5</sup>

	Xfinity Internet Service Only	with Xfinity TV or Voice Service <sup>2B</sup>
Performance Starter	\$49.95	\$49.95
Performance	\$74.95	\$61.95
Performance Plus	\$84.95	N/A
Performance Pro	\$89.95	\$76.95
Blast!	\$94.95	\$81.95
Extreme Pro <sup>26</sup>	\$99.95	\$86.95
Gigabit <sup>26</sup>	\$104.95	\$91.95
Gigabit Pro <sup>26,27</sup>	\$299.95	\$299.95
Modem Rental		\$13.00
Wireless Adapter (each, one-time charge)		\$30.00
Gigabit Pro Activation Fee (per occurrence)		\$500.00
In-Home Service Visit (per occurrence)		\$40.00
		Replacement Cost
Unreturned or Damaged Equipment Fees <sup>23</sup> (per piece, per occurrence)		

- Certain services available separately or as a part of other levels of service. Xfinity services are subject to Comcast's standard terms and conditions of service. Unless otherwise specified, prices shown are the monthly charge for the corresponding service, equipment or package. Prices shown do not include applicable taxes, franchise fees, FCC fees, Regulatory Recovery Fee, Public Access fees, other state or local fees or other applicable charges (e.g., per-call toll or international charges). Prices, services and features are subject to change. If you are an Xfinity TV customer and you own a compatible TV Box or CableCARD device, please call 1-800-XFINITY for pricing information or visit [www.xfinity.com/equipmentpolicy](http://www.xfinity.com/equipmentpolicy). © 2019 Comcast. All rights reserved.
- Requires a Modem and TV Box with remote, CableCARD or compatible customer owned device.
- Requires Limited Basic, TV Box, CableCARD or compatible customer owned device.
- Requires Digital Starter.
- Requires HD Technology Fee. Service to Additional TV with TV Box required for DVR Service on additional TVs. Not available to customers with Limited Basic only.
- Sold only with Service to Additional TV with TV Box for up to 3 TVs, maximum 3 clients per household. Requires HD Technology Fee and professional installation. Not available to customers with Limited Basic only.
- Not available to Limited Basic only customers. Digital service tier on additional TV corresponds to digital service tier on primary outlet.
- Not available to customers with Limited Basic only. Must subscribe to HD Technology Fee to receive HD programming.
- Requires TV Box, TV Adapter, CableCARD or compatible customer owned device.
- Franchise Related Costs are costs associated with providing public, educational and/or government access facilities and equipment and/or other related costs in your community.
- Discount of 10% off of Limited Basic (including discount on Broadcast TV Fee and FRC) available to seniors who qualify for discount. Age and income restrictions apply. Call 1-800-XFINITY for more information.
- Requires Digital Starter.
- Not available to customers with Limited Basic only. Includes a customer-owned video equipment credit. An additional charge will apply for additional CableCARDS in the same device.
- Requires Limited Basic, TV Box with remote or compatible customer owned device. Sports Package subscriptions can be billed at once or in 4 total payments. Restrictions may apply.
- Includes TV Adapter and remote. Digital service tier on additional TV corresponds to digital service tier on primary outlet. Does not include access to On Demand content, premium channels or channel numbers above 1000 unless otherwise noted on the channel lineup. Not available to customers with Limited Basic only.
- Price of Pay-Per-View or On Demand Movie or Event is displayed prior to the completion of the Pay-Per-View or On Demand ordering process.
- Requires Limited Basic and TV Box and remote or compatible customer owned device. Requires HD Technology Fee to receive HD programming. Streaming to device requires Xfinity TV app, Internet service with bandwidth of at least 600 Kbps and to Limited Basic. Streaming to laptop/computer requires equipment meeting minimum requirements posted at <https://www.xfinity.com/support/internet/requirements-to-run-xfinity-internet-service/>, Internet service with bandwidth of at least 600Kbps and to Limited Basic.
- One month minimum purchase required. Not available in all areas.
- Applies to Xfinity TV only installations.
- Standard installations include installations up to 125 feet from existing Comcast plant, unless noted differently in the local franchise agreement. Custom installations include installations which require in-wall wiring or installations in extensive drop ceilings, basements, or crawl spaces.
- Includes standard installation of Xfinity TV, Xfinity Internet and/or Xfinity Voice and installation of additional outlets and wireless networking set-up if requested at time order is placed. Does not include installations of Xfinity TV only, Xfinity Home or Xfinity Gigabit Pro Internet.
- Initial Installation of Service charges apply to Xfinity TV only installations.
- Contact 1-800-XFINITY for questions regarding equipment replacement charges.
- Requires a Modem. Unlimited Local and Long Distance package pricing applies only to direct dialed calls from home to locations included in the plan. Plans do not include other international calls. For more information regarding Xfinity Voice pricing go to <https://www.xfinity.com/Corporate/About/PhoneTermsOfService/ComcastDigitalVoice/cvresidential>.
- A Modem is required. For more information regarding Xfinity Internet go to <http://www.xfinity.com/Internet-service.html>.
- Not available in all areas. May require installation and non-refundable installation charge.

- Requires 2 year contract. Monthly rental of Gigabit Pro compatible cable modem/router additional. Activation and professional installation fees additional. Gigabit Pro does not qualify for Comcast 30-day money back guarantee.
- Xfinity Internet discount does not apply to Xfinity Instant TV.
- Applies to Limited Basic and Xfinity Instant TV.
- Requires Xfinity Internet.
- Applies to Digital Starter and above, and Xfinity Instant TV Sports & News.
- Requires Xfinity Instant TV.
- Requires Limited Basic with X1 TV Box and Xfinity Internet service.
- Requires TV Box, CableCARD or compatible customer owned device with Xfinity Internet service. Up to 10 hours of cloud DVR service available with either X1 TV Box (eligible with minimum subscription to one Genre Pack) with Xfinity Internet service or compatible customer owned device with Xfinity Internet service.
- Requires Choice TV. Cannot be combined with Limited Basic or Digital Starter.
- Requires Limited Basic, HD Technology Fee and TV Box, CableCARD or compatible customer owned device.
- Requires Limited Basic with X1 TV Box or compatible customer owned device and Xfinity Internet service.
- Netflix activation of subscription requires X1 equipment.
- Cannot be combined with the Sports & News genre pack.
- 10 Hour DVR Service requires Xfinity Internet Service and either an X1 TV Box or a compatible customer owned device.
- Equipment required at an additional cost. For additional information go to <http://www.xfinity.com/homesecurity>.
- Includes Xfinity Home Security and 24/7 Video Recording for up to 4 cameras. Equipment required at an additional cost. For more information on 24/7 Video Recording go to <http://www.xfinity.com/video-recording>.

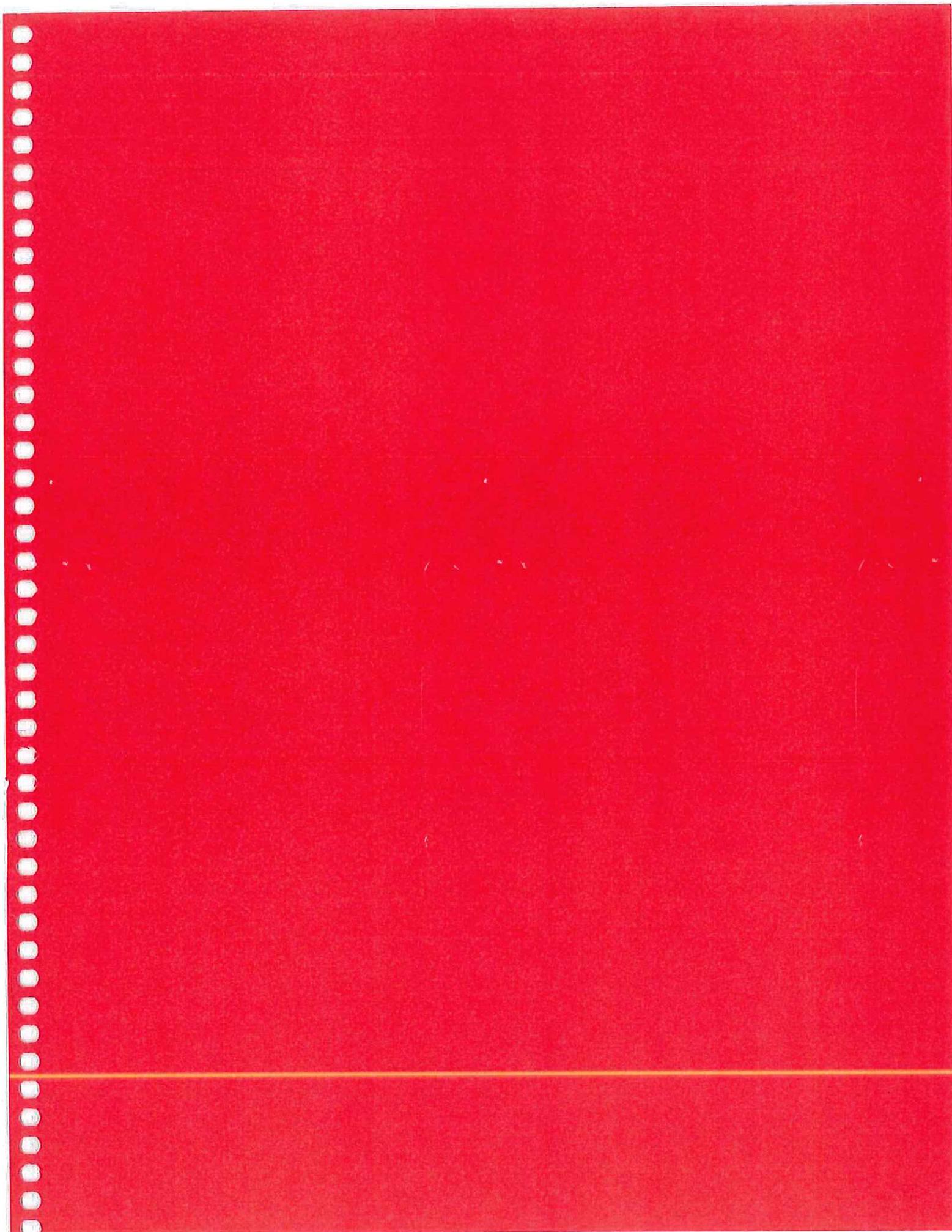
### Xfinity Home License Numbers:

AL: 001484, 001504; AR: 12-030; AZ: ROC 280515, BTR 18287-0; CA: GSLB 974291, ACO 7118; CT: ELC 0189754-C5; DE: FAL-0299, FAC-0293, SSPS 11-123; FL: EF0000921, EF20001002, EF0001095; GA: LVU406303, LVU406264, LVU406190, LVU406354; IL: PACA 127-001503; LA: F1691; MA: SS-001968; MD: 107-1776; ME: LM50017039; MI: 3601206217; MN: TS674412; NC: 2335-CSA, 29443-SP-FALV; NJ: Burglar and Fire Alarm Business Lic. # 348F00047700; NM: 373379; NV: Licensed by the N.Y.S. Department of State 12000305421; OH: LIC# 53-89-1732; OR: GCB 192945; SC: BAC-13497, FAC-13440; TN: ACL 1697, ACL 1604; TX: ACR-1672104, -1818, B16922, B02571; UT: 8226921-6501; VA: 902687, BBL 602512000005; WV: WV049211.

**MS: 15018010**

Valid 1/1/19. See [www.xfinity.com/home-security](http://www.xfinity.com/home-security) for current list.

87731000; 2640;2660;2670;2690

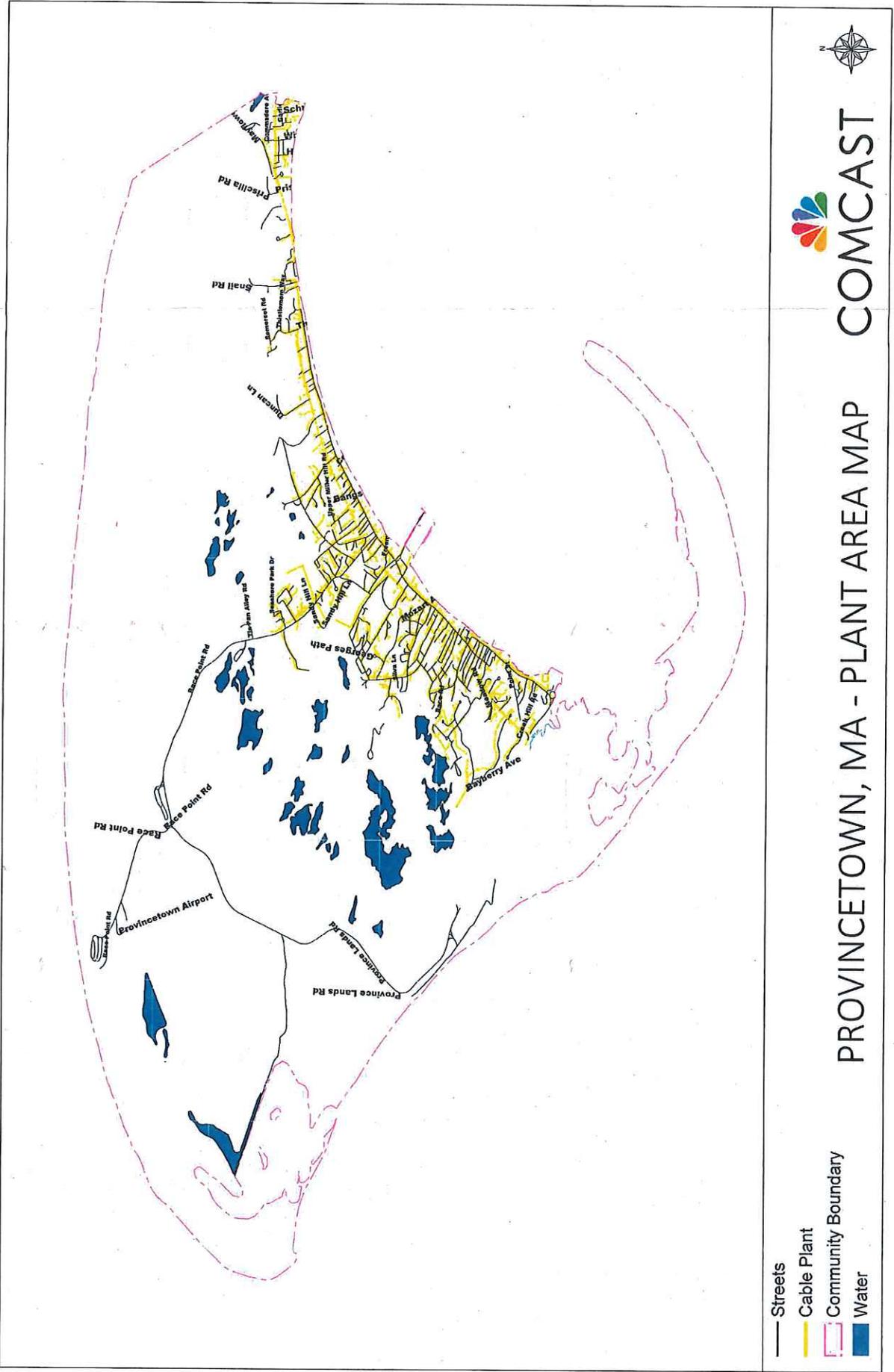


**Form 100**

**Exhibit E**

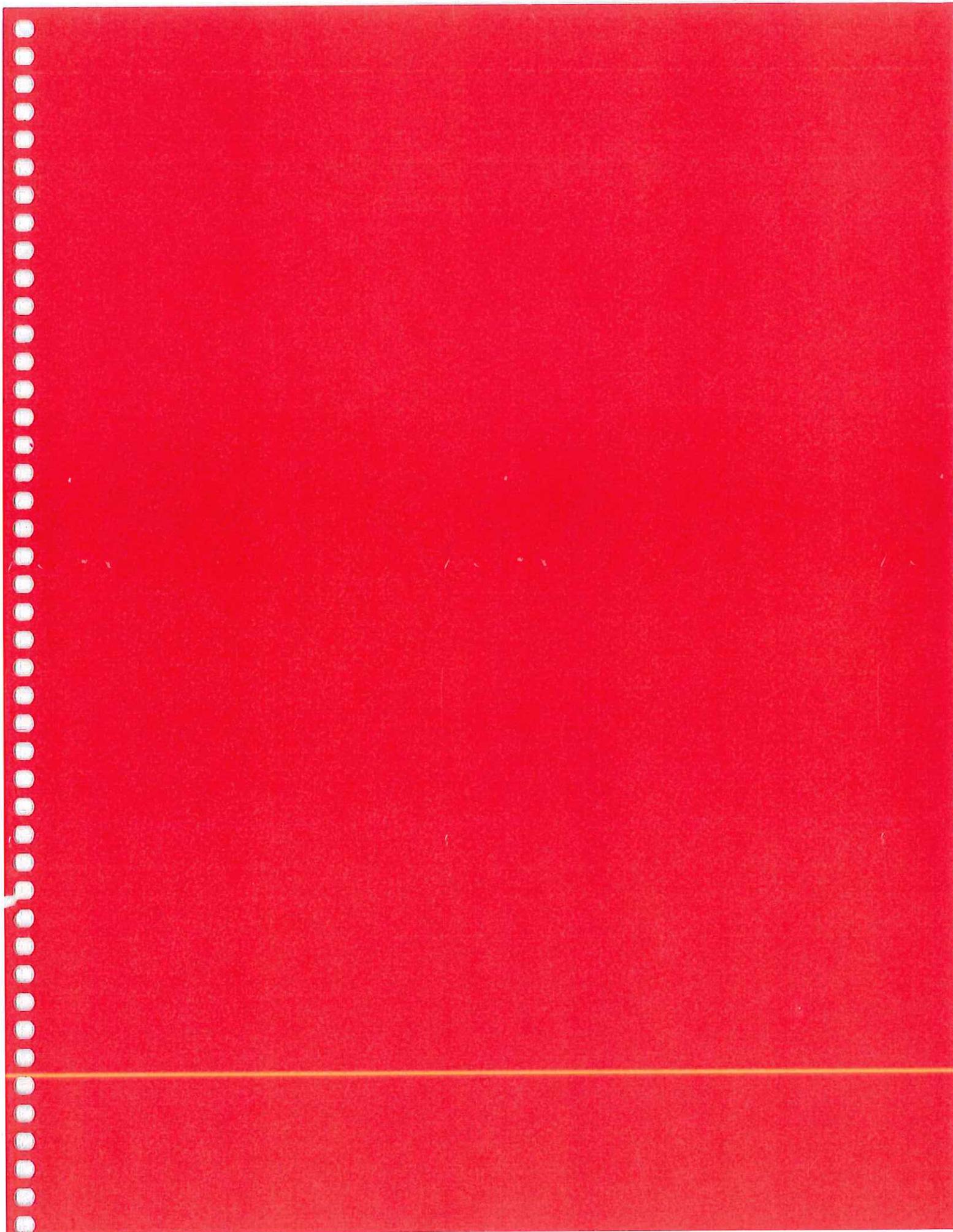
**Map of System**

*Please see the following page(s).*



PROVINCETOWN, MA - PLANT AREA MAP COMCAST

- Streets
- Cable Plant
- - - Community Boundary
- Water



# Form 100

## Exhibit F

### System Information

*Please see the following page(s).*

COMCAST  
DECEMBER 31, 2018

TOWN/CITY OF: Provincetown, MA

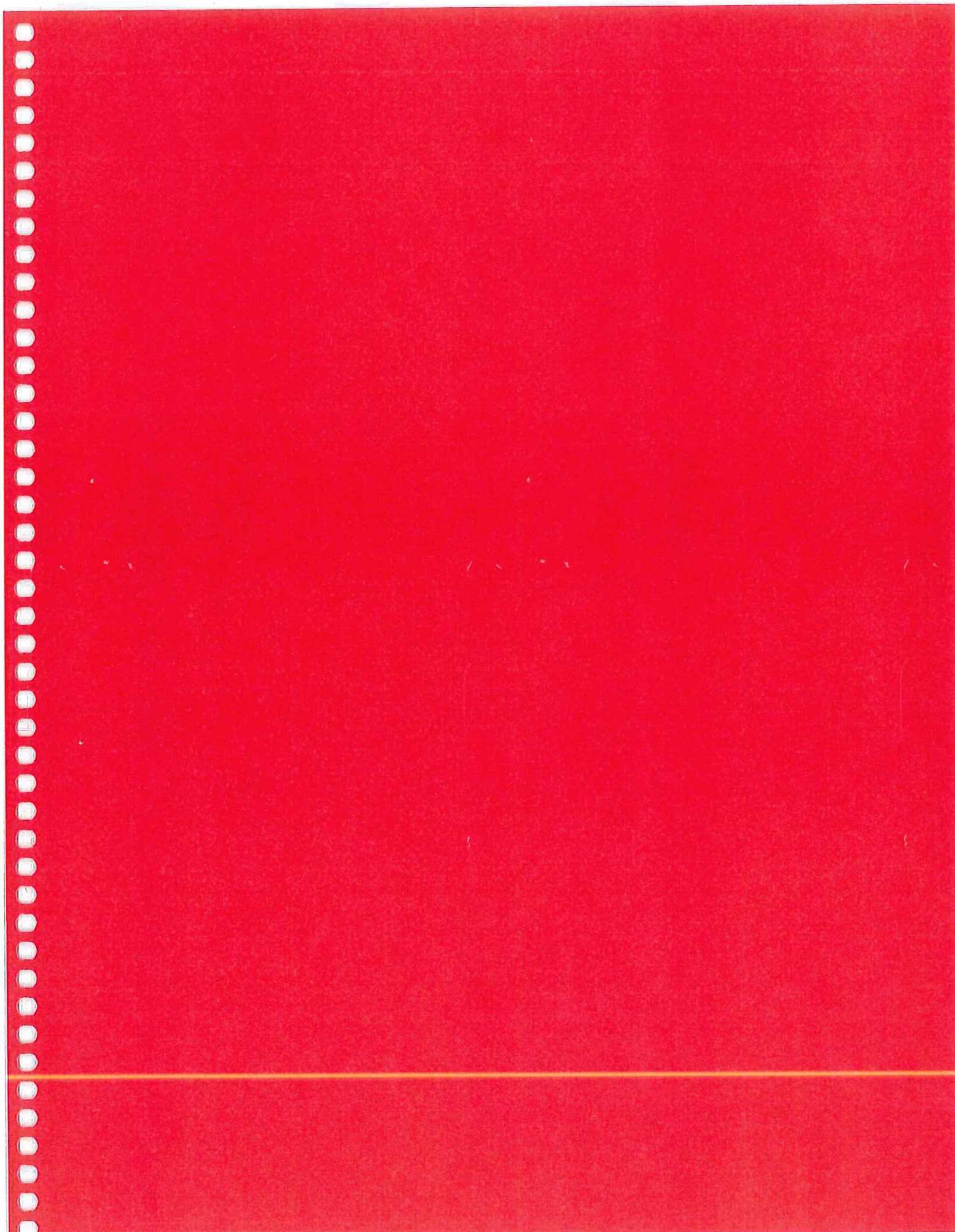
FORM 100  
LICENSE APPLICATION

**OWNERSHIP AND FINANCIAL INFORMATION**

**QUESTION 28. Provide the following system information as of the last complete year for which the data is available:**

- a. Total Homes in Service Area (passed and not passed by cable system)
- b. Homes Passed by Cable System
- c. Cable Subscribers
- d. Aerial Miles Constructed
- e. Underground Miles Constructed
- f. Total Cable Subscriber Revenues in Service Area

	6,389
	6,389
	3,471
	21.74
	7.27
\$	3,232,442



**Form 100**

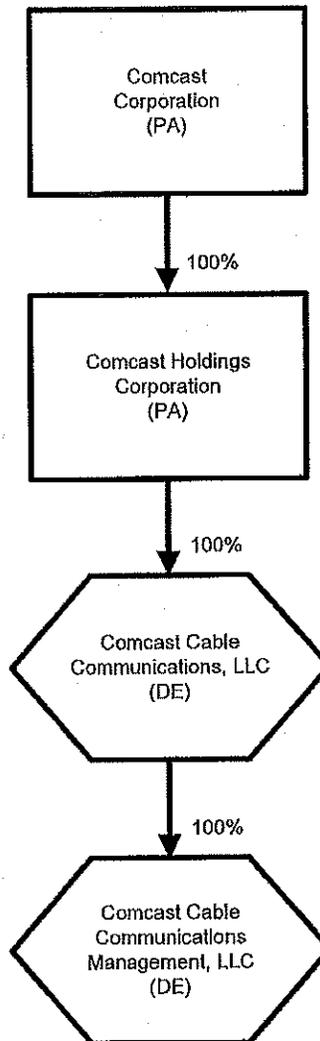
**Exhibit G**

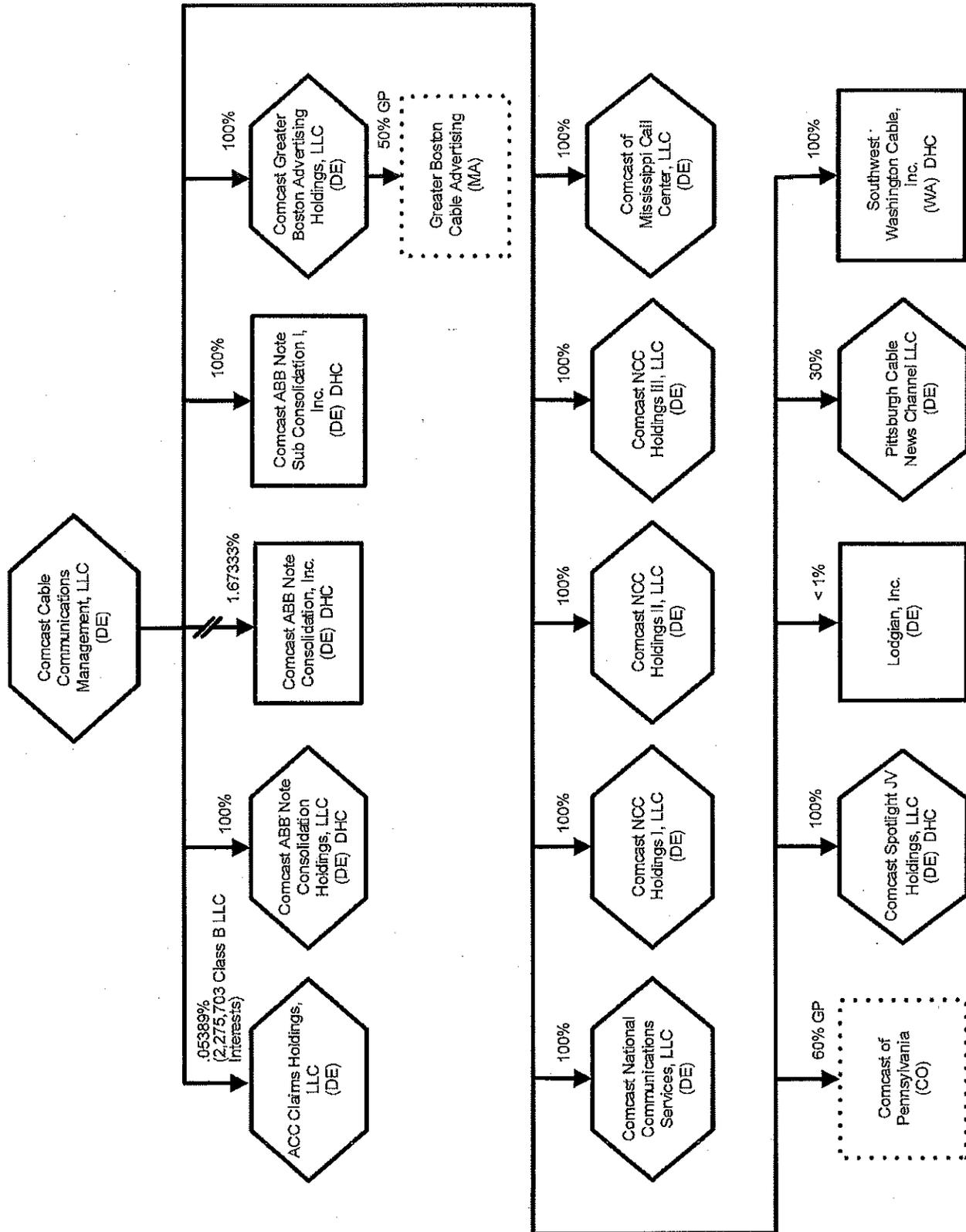
**Corporate Family Tree Information**

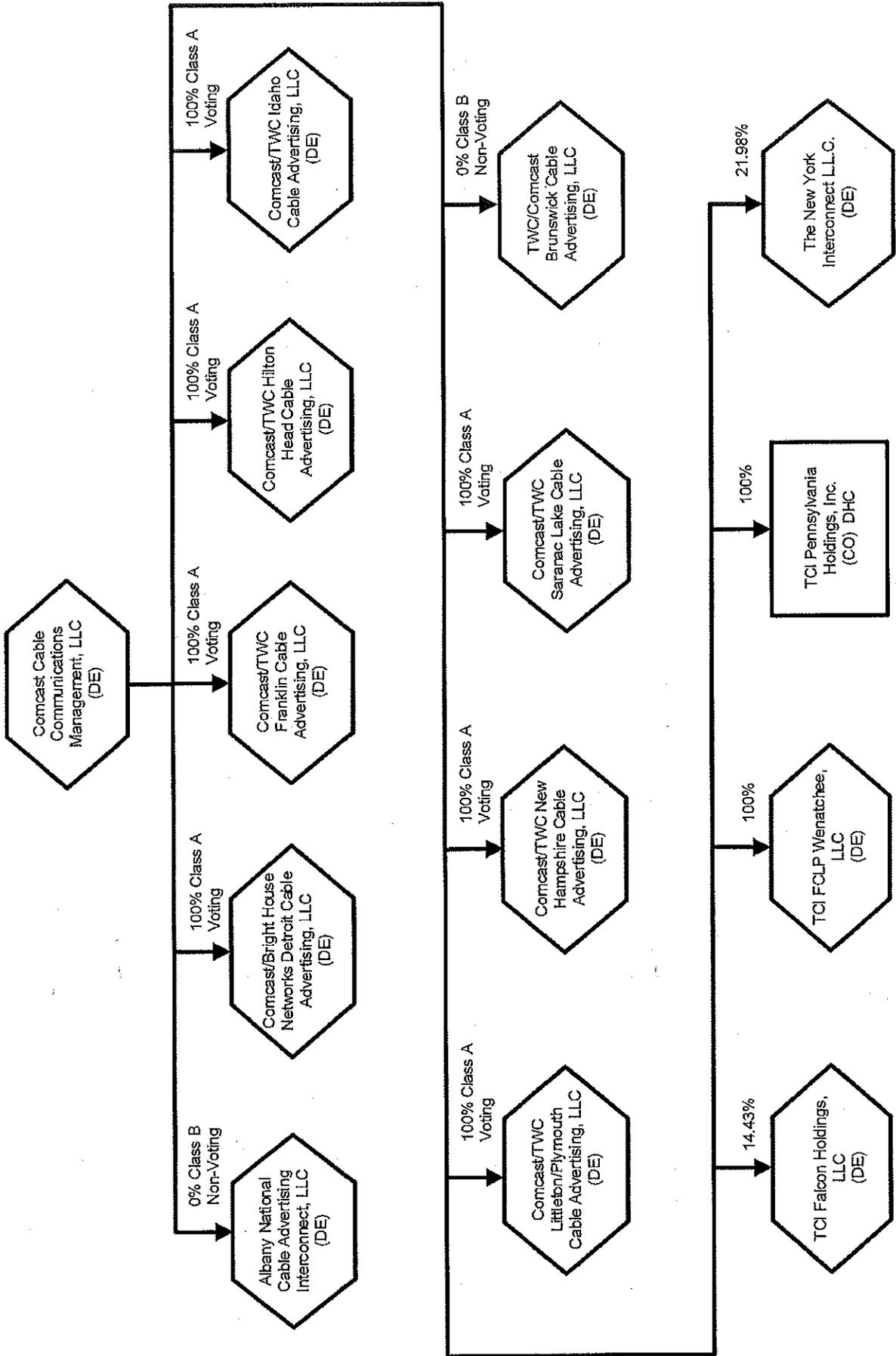
*Please see the following page(s).*



Comcast Cable Communications Management, LLC  
Organizational chart as of June 15, 2017









<b>Subsidiaries of Comcast Holdings Corporation</b>	
<b>Legal Entity Name</b>	<b>Direct Ownership %</b>
CBS Holdco, LLC	100%
Classic Services, Inc.	100%
Comcast 38GHZ, Inc.	100%
Comcast AG Holdings, LLC	100%
Comcast ASBC, Inc.	100%
Comcast Broadband Lab, LLC	100%
Comcast Cable Communications, LLC	100%
Comcast Cablevision of Garden State, Inc.	100%
Comcast Capital Corporation	100%
Comcast Cellular Holdings Corporation	100%
Comcast CHC Subsidiary Holdings, Inc.	100%
Comcast CHC, LLC	100%
Comcast Concurrent Holdings, Inc.	100%
Comcast Corporation & NBCUniversal Political Action Committee – Federal	100%
Comcast Corporation & NBCUniversal Political Action Committee - USA	100%
Comcast Corporation Political Action Committee - Texas	100%
Comcast Corporation Political Action Committee of Massachusetts	100%
Comcast Corporation Trust I	100%
Comcast Corporation Trust II	100%
Comcast Corporation Trust III	100%
Comcast CV GP, LLC	100%
Comcast CV, L.P.	99.08353%
Comcast DC Radio, LLC	100%
Comcast Entertainment Networks Holdings, LLC	100%
Comcast Funding I, LLC	100%
Comcast Holdings II, LLC	100%
Comcast Holdings III, LLC	100%
Comcast Holdings IV, LLC	100%
Comcast Holdings V, LLC	100%
Comcast ICG, Inc.	100%
Comcast International Holdings, Inc.	100%
Comcast JR Holdings, Inc.	100%
Comcast LCP, Inc.	100%
Comcast Media Services, LLC	100%
Comcast Metatv, Inc.	100%
Comcast New Media Development, Inc.	100%
Comcast Newco 13, Inc.	100%
Comcast Newco 17, Inc.	100%
Comcast Newco 18, Inc.	100%
Comcast Newco 19, Inc.	100%
Comcast Newco 2, Inc.	100%
Comcast Newco 20, Inc.	100%
Comcast Newco 21, Inc.	100%
Comcast Newco 22, Inc.	100%
Comcast Newco 23, Inc.	100%
Comcast Newco 3, Inc.	100%
Comcast Newco 4, Inc.	100%
Comcast Newco 5, Inc.	100%

### Subsidiaries of Comcast Holdings Corporation

Legal Entity Name	Direct Ownership %
Comcast Newco 6, Inc.	100%
Comcast Newco 7, Inc.	100%
Comcast Newco 8, Inc.	100%
Comcast Newco 9, Inc.	100%
Comcast Primestar Holdings, Inc.	100%
Comcast Programming Holdings, LLC	100%
Comcast QCOM TV Partners GP, LLC	100%
Comcast QIH, Inc.	100%
Comcast SC Investment, Inc.	100%
Comcast Spectacor Holding Company, LLC	100%
Comcast Spectacor, LLC	24.288%
Comcast SportsNet NE Holdings, Inc.	100%
Comcast SportsNet Philadelphia Holdings, LLC	38.45%
Comcast Support Services, LLC	100%
Comcast Technology, Inc.	100%
Comcast Visible World Holdings, Inc.	100%
Comcast WCS ME02, Inc.	100%
Comcast WCS ME04, Inc.	100%
Comcast WCS ME05, Inc.	100%
Comcast WCS ME16, Inc.	100%
Comcast WCS ME19, Inc.	100%
Comcast WCS ME22, Inc.	100%
Comcast WCS ME26, Inc.	100%
Comcast WCS ME28, Inc.	100%
Comcast WCS Merger Holdings, Inc.	100%
ComCon Production Services I, Inc.	100%
CSNNE Partner, LLC	100%
EI Holdings, Inc.	100%
Interactive Technology Services, Inc.	100%
NROCA Holdings, Inc.	100%
QCOM TV Partners	50%
SPX Holdings, LLC	100%
Versus Holdings, LLC	83%

**Subsidiaries of Comcast Cable Communications Management, LLC**

<b>Legal Entity Name</b>	<b>Direct Ownership %</b>
ACC Claims Holdings, LLC	0.05389%
Comcast ABB Note Consolidation Holdings, LLC	100%
Comcast ABB Note Consolidation, Inc.	1.67333%
Comcast ABB Note Sub Consolidation I, Inc.	100%
Comcast Greater Boston Advertising Holdings, LLC	100%
Comcast National Communications Services, LLC	100%
Comcast NCC Holdings I, LLC	100%
Comcast NCC Holdings II, LLC	100%
Comcast NCC Holdings III, LLC	100%
Comcast of Mississippi Call Center, LLC	100%
Comcast of Pennsylvania	60%
Comcast Spotlight JV Holdings, LLC	100%
Pacific Northwest Interconnect	50%
Pittsburgh Cable News Channel LLC	30%
Southwest Washington Cable, Inc.	100%
TCI Falcon Holdings, LLC	14.43%
TCI FCLP Wenatchee, LLC	100%
TCI Pennsylvania Holdings, Inc.	100%
The New York Interconnect L.L.C.	21.98%

### Subsidiaries of Comcast Corporation

Legal Entity Name	Direct Ownership %
18A Hotel LLC	80%
18A LLC	80%
19A LLC	100%
Advanced IS, LLC	100%
Comcast Alpha Holdings, Inc.	100%
Comcast Baseball Investment, LLC	100%
Comcast Cable EP Services, Inc.	100%
Comcast Contribution Holdings, LLC	100%
Comcast CSA Holdings, LLC	100%
Comcast DW Holding, Inc.	100%
Comcast Hockey Investment, LLC	100%
Comcast Holdings Corporation	100%
Comcast IP Holdings I, LLC	100%
Comcast Navy Acquisition, LLC	100%
Comcast Navy Holdings, LLC	100%
Comcast Philadelphia Holdings, LLC	100%
Comcast Spectrum Holdings, LLC	100%
Comcast STB Software DVR, LLC	100%
Comcast STB Software I, LLC	100%
Comcast STB Software II, LLC	100%
Comcast STB Software MOT, LLC	100%
Comcast STB Software PAN, LLC	100%
Comcast STB Software PM, LLC	100%
Comcast STB Software TW, LLC	100%
Comcast Ventures, LLC	100%
Crossover Connect, LLC	100%
Eight One Eight Sports & Entertainment LLC	11.11%
Entertainment for All, LLC	100%
Family Insight, LLC	100%
Faraway Connections, LLC	100%
LPT 19th & Arch Limited LP	49.5%
Next Pursuit, LLC	100%
One Belmont Insurance Company	100%
Roving, LLC	100%
SNL Entertainment Holdings, Inc.	100%
Strata Marketing, Inc.	100%
Surehouse, LLC	100%
The Comcast Foundation	100%
Three Belmont Insurance Company	100%
Video Technology Services, LLC	100%
vMOTE, LLC	100%
Xidio, LLC	100%
Zupp, LLC	100%

## Subsidiaries of Comcast Cable Communications, LLC

Legal Entity Name	Direct Ownership %
Beatrice Cable TV Company	100%
Big Rig Merger Sub, Inc.	100%
CCC-NJFT, Inc.	100%
Century-TCI California Communications, L.P.	70.37%
Colorado Terrace Tower II Corporation	100%
COM South, LLC	100%
Comcast ABB Business Services, Inc.	100%
Comcast ABB Cablevision V, LLC	100%
Comcast ABB CSC Holdings, LLC	61.9%
Comcast ABB Holdings I, Inc.	100%
Comcast ABB NOC, LLC	100%
Comcast ABB Note Consolidation, Inc.	25.0476%
Comcast ABB Note Sub Consolidation III, Inc.	100%
Comcast ABB Optionee Payroll, LLC	100%
Comcast ABB Overseas Holdings I, LLC	100%
Comcast Cable Communications Canada, Inc.	100%
Comcast Cable Communications Holdings, LLC	100%
Comcast Cable Communications Management, LLC	100%
Comcast Cable Funding I, LLC	100%
Comcast Cable of Indiana, LLC	100%
Comcast Cable of Maryland, LLC	100%
Comcast Cable SC Investment, Inc.	100%
Comcast Cable Trust I	100%
Comcast Cable Trust II	100%
Comcast Cable Trust III	100%
Comcast Cablevision of Southeast Michigan, Inc.	100%
Comcast CCH Subsidiary Holdings, Inc.	100%
Comcast Commercial Services Group Holdings, LLC	100%
Comcast Connected Health, LLC	100%
Comcast Enterprise Services, LLC	100%
Comcast Financial Agency Corporation	100%
Comcast Garden State, LLC	100%
Comcast India Holdings Limited	100%
Comcast Interactive Media, LLC	100%
Comcast IP Phone of Missouri, LLC	100%
Comcast IP Phone, LLC	100%
Comcast IP Services II, Inc.	100%
Comcast M2M, LLC	100%
Comcast Michigan Holdings, LLC	100%
Comcast MO Capital Corporation	100%
Comcast MO Digital Radio, LLC	100%
Comcast MO Federal Relations, Inc.	100%
Comcast MO Group Funding, Inc.	100%
Comcast MO Group Holdings, LLC	100%
Comcast MO Holdings I, LLC	100%
Comcast MO Holdings II, Inc.	100%
Comcast MO Investments, LLC	100%
Comcast MO of Minnesota, Inc.	100%
Comcast MO Racing, Inc.	100%
Comcast MO Real Estate, Inc.	100%
Comcast MO SPC I, LLC	100%

<b>Subsidiaries of Comcast Cable Communications, LLC</b>	
Legal Entity Name	Direct Ownership %
Comcast MO Telecommunications Corp.	100%
Comcast MVNO II, LLC	100%
Comcast of Alabama, LLC	100%
Comcast of Arkansas, Inc.	100%
Comcast of Arkansas/Florida/Louisiana/Minnesota/Mississippi/Tennessee, LLC	100%
Comcast of Avalon, LLC	100%
Comcast of Baltimore City, LLC	100%
Comcast of Brockton, Inc.	99.95%
Comcast of Burlington County, LLC	100%
Comcast of California I, Inc.	100%
Comcast of California II, LLC	100%
Comcast of California III, Inc.	100%
Comcast of California IV, Inc.	100%
Comcast of California XI, Inc.	100%
Comcast of California XII, LLC	100%
Comcast of California XIII, Inc.	100%
Comcast of California/Colorado, LLC	100%
Comcast of California/Colorado/Illinois/Indiana/Michigan GP, LLC	100%
Comcast of California/Colorado/Illinois/Indiana/Michigan, LP	99%
Comcast of California/Illinois, LP	83.62%
Comcast of California/Massachusetts/Michigan/Utah, LLC	100%
Comcast of Central New Jersey II, LLC	100%
Comcast of Central New Jersey, LLC	100%
Comcast of Coconut Creek, Inc.	100%
Comcast of Colorado IV, LLC	100%
Comcast of Colorado IX, LLC	100%
Comcast of Colorado V, LLC	100%
Comcast of Colorado VI, LLC	100%
Comcast of Colorado VII, LLC	100%
Comcast of Colorado VIII, LLC	100%
Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC	100%
Comcast of Connecticut, Inc.	100%
Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC	100%
Comcast of Delmarva, LLC	100%
Comcast of Eastern Shore, LLC	100%
Comcast of Elkton, LLC	100%
Comcast of Flint, Inc.	100%
Comcast of Florida	43.262%
Comcast of Florida I, Inc.	100%
Comcast of Florida/Georgia	20%
Comcast of Florida/Georgia/Illinois/Michigan, LLC	100%
Comcast of Georgia/Massachusetts, LLC	100%
Comcast of Georgia/Michigan, LP	63.04%
Comcast of Gloucester County, LLC	100%
Comcast of Grosse Pointe, Inc.	100%
Comcast of Hopewell Valley, Inc.	100%

<b>Subsidiaries of Comcast Cable Communications, LLC</b>	
<b>Legal Entity Name</b>	<b>Direct Ownership %</b>
Comcast of Illinois II, Inc.	100%
Comcast of Illinois IV, Inc.	100%
Comcast of Illinois IX, LLC	100%
Comcast of Illinois V, Inc.	100%
Comcast of Illinois VI, LLC	100%
Comcast of Illinois X, LLC	100%
Comcast of Illinois XI, LLC	100%
Comcast of Illinois/Indiana/Michigan, Inc.	92.59259%
Comcast of Illinois/Indiana/Michigan, Inc.	7.40741%
Comcast of Illinois/Ohio/Oregon, LLC	100%
Comcast of Illinois/West Virginia, LLC	100%
Comcast of Indiana/Kentucky/Utah	92.324%
Comcast of Indiana/Michigan, LLC	100%
Comcast of Indiana/Michigan/Pennsylvania, LLC	100%
Comcast of Indianapolis, LLC	100%
Comcast of Laurel, Inc.	100%
Comcast of Lawrence, LLC	100%
Comcast of Levittown, LLC	100%
Comcast of Lompoc, LLC	100%
Comcast of Long Beach Island, LLC	100%
Comcast of Lower Merion, LLC	100%
Comcast of Maine/New Hampshire, Inc.	100%
Comcast of Massachusetts II, Inc.	100%
Comcast of Massachusetts III, Inc.	100%
Comcast of Massachusetts/Virginia, Inc.	100%
Comcast of Mercer County, LLC	100%
Comcast of Meridian, Inc.	100%
Comcast of Michigan I, LLC	100%
Comcast of Michigan II, LLC	100%
Comcast of Michigan IV, LLC	100%
Comcast of Michigan, LLC	100%
Comcast of Michigan/Mississippi/Tennessee, Inc.	100%
Comcast of Monmouth County, LLC	100%
Comcast of Muncie, LLC	100%
Comcast of Muncie, LP	11%
Comcast of Needham, Inc.	99.77%
Comcast of New Jersey, LLC	100%
Comcast of New Mexico/Pennsylvania, LLC	100%
Comcast of North Broward, Inc.	100%
Comcast of Northwest New Jersey, LLC	100%
Comcast of Novato, Inc.	100%
Comcast of Ocean County, LLC	100%
Comcast of Oregon I, Inc.	100%
Comcast of Parkland, Inc.	100%
Comcast of Pennsylvania I, LLC	100%
Comcast of Pennsylvania, LLC	100%
Comcast of Philadelphia II, LLC	100%
Comcast of Plainfield, LLC	100%
Comcast of San Joaquin, Inc.	100%
Comcast of Santa Cruz, Inc.	100%
Comcast of Santa Maria, LLC	100%

### Subsidiaries of Comcast Cable Communications, LLC

Legal Entity Name	Direct Ownership %
Comcast of Sierra Valleys, Inc.	100%
Comcast of South Chicago, Inc.	100%
Comcast of Southeast Pennsylvania, LLC	100%
Comcast of Southern California, Inc.	100%
Comcast of Southern Mississippi, Inc.	100%
Comcast of St. Paul, Inc.	100%
Comcast of Taylor, LLC	100%
Comcast of the District Holdings, Inc.	100%
Comcast of the District, LLC	99.9%
Comcast of the Meadowlands, LLC	100%
Comcast of the South, L.P.	98.98989%
Comcast of Tupelo, Inc.	100%
Comcast of Utah II, Inc.	8.636%
Comcast of Wisconsin, Inc.	100%
Comcast of Wyoming II, Inc.	100%
Comcast Palm Beach GP, LLC	100%
Comcast Phone II, LLC	100%
Comcast Phone, LLC	100%
Comcast Real Estate Holdings of Alabama, LLC	100%
Comcast TCP Holdings I, LLC	100%
Comcast TW Exchange Holdings II GP, LLC	100%
Comcast TW Exchange Holdings II, LP	99%
Command Cable of Eastern Illinois Limited Partnership	54.624%
Community Realty, Inc.	100%
Continental Cablevision Asia Pacific, Inc.	100%
CVC Keep Well LLC	100%
Digiventures, LLC	100%
East Rutherford Realty, Inc.	100%
FAB Communications, Inc.	100%
FreeWheel Media, Inc.	100%
Guide Investments, Inc.	100%
Heritage Cablevision of Massachusetts, LLC	100%
Heritage Cablevision of South East Massachusetts, Inc.	100%
Jones Cable Corporation	100%
Jones Cable Holdings, LLC	100%
Jones Programming Services, Inc.	100%
Jones Spacelink Cable Corporation	100%
Lenfest Australia, Inc.	100%
Lenfest Delaware Properties, Inc.	100%
Lenfest International, Inc.	100%
Lenfest Jersey, LLC	100%
Lenfest Oaks, Inc.	100%
Liberty Ventures Group LLC	100%
MobileReactor, LLC	100%
NDTC Technology, Inc.	100%
Pacific Northwest Interconnect	50%
Parnassos Communications, L.P.	0.1%
Parnassos Communications, L.P.	66.57%
PowerCloud Systems, Inc.	100%
Preview Magazine Corporation	100%
RDK Management, LLC	34.2282%

### Subsidiaries of Comcast Cable Communications, LLC

Legal Entity Name	Direct Ownership %
Satellite Services, Inc.	100%
Saturn Cable T.V., Inc.	100%
SCI 48, Inc.	100%
SCI 55, Inc.	100%
TCI Atlantic, LLC	100%
TCI Bay, Inc.	100%
TCI Cablevision of Massachusetts, Inc.	100%
TCI Cablevision of Minnesota, Inc.	100%
TCI Cablevision of Nebraska, Inc.	100%
TCI Cablevision of South Dakota, Inc.	100%
TCI Cablevision of Vermont, Inc.	100%
TCI Command II, LLC	100%
TCI CSC II, LLC	100%
TCI CSC VI, Inc.	100%
TCI Evangola, Inc.	100%
TCI Falcon Holdings, LLC	7.03%
TCI FCLP Northwest, LLC	100%
TCI FCLP Redding, LLC	100%
TCI Gilbert Uplink, Inc.	100%
TCI Great Lakes, LLC	100%
TCI Hits At Home, Inc.	100%
TCI Holdings, LLC	100%
TCI Internet Services, LLC	100%
TCI IP-VI, LLC	94.14%
TCI IT Holdings, Inc.	100%
TCI Lake, Inc.	100%
TCI Lenfest, Inc.	100%
TCI Materials Management, Inc.	100%
TCI Michigan, LLC	100%
TCI National Digital Television Center - Hong Kong, Inc.	100%
TCI Northeast, LLC	100%
TCI of Council Bluffs, LLC	100%
TCI of Indiana Holdings, LLC	48.54%
TCI of Maine, Inc.	100%
TCI of Missouri, LLC	100%
TCI of North Dakota, Inc.	100%
TCI of Overland Park, LLC	100%
TCI of Paterson, LLC	100%
TCI of South Dakota, LLC	100%
TCI of Watertown, Inc.	100%
TCI Pacific Communications, Inc.	100%
TCI Realty, LLC	100%
TCI Southeast, LLC	100%
TCI Spartanburg IP-IV, LLC	100%
TCI Starz, Inc.	100%
TCI Technology Management, LLC	100%
TCI Telecom, Inc.	100%
TCI TKR of Metro Dade, LLC	100%
TCI TKR of Southeast Texas, LLC	100%
TCI TKR of Wyoming, LLC	100%
TCI TW Texas JV Holdings IV, Inc.	100%

<b>Subsidiaries of Comcast Cable Communications, LLC</b>	
<b>Legal Entity Name</b>	<b>Direct Ownership %</b>
TCI West, LLC	100%
TCI.NET, Inc.	100%
TCID Data Transport, Inc.	100%
TCID of Michigan, Inc.	100%
TCID X*PRESS, Inc.	100%
TCID-Commercial Music, Inc.	100%
Tele-Communications of Colorado, Inc.	100%
Televents of Colorado, LLC	100%
Televents of Florida, LLC	100%
Televents of Powder River, LLC	100%
Televents of Wyoming, LLC	100%
Tempo DBS, Inc.	100%
Tempo Development Corporation	100%
TEMPO Television, Inc.	99.805%
This Technology, Inc.	100%
Tribune-United Cable of Oakland County	10%
UACC Midwest Insgt Holdings, LLC	100%
UA-Columbia Cablevision of Massachusetts, LLC	100%
United Cable Television of Oakland County, Ltd.	99%
United of Oakland, Inc.	7.5%
United of Oakland, Inc.	90%
Visible World Inc.	100%
Western Satellite 2, Inc.	100%
WestMarc Cable Holding, Inc.	100%
WestMarc Development II, LLC	100%
WestMarc Realty, Inc.	34.042%

## MEMORANDUM

**TO:** Town Manager/Town Administrator/Mayor/Cable Advisory Committee  
**FROM:** William Hewig  
**DATE:** September 16, 2019  
**RE:** Cable Television Renewal License Procedures – Roadmap Memorandum

---

This memorandum is intended to provide for you a roadmap of the process you should follow to prepare for and conduct cable television renewal license negotiations with your current cable operator. The process, in general, is called “ascertainment”, and it is designed to determine two separate things, both of which are essential to renewal negotiations: (1) is the cable operator in compliance with its current license?; and (2) what are the Town’s future community cable-related needs? The following steps should serve to guide you through the first stages of the process.

(a) Notify Cable Operator:

Send to the cable operator a copy of the Notification of Commencement of Formal Renewal Proceedings contained in the separate materials. You may select actual dates for public hearings, or you may simply state that the dates will be determined in the future and that you will advise the cable operator then. If possible, this should be sent out within the thirtieth month prior to the expiration of the license, but if that time is past, send it anyway.

(b) Invoke FCC Customer Service Standards:

Review your current license to determine whether FCC Customer Service Standards are incorporated into it anywhere. The license should specifically refer to FCC Customer Service Standards. If the FCC Customer Service Standards are not referred to anywhere in the license, send to the cable operator a “90-Day Letter”, which will trigger the applicability of the FCC Regulations ninety days after receipt. A sample 90-Day letter is also included for you in the enclosed materials.

(c) Consider Preparing and Distributing a Survey:

Consider preparing a survey for your local cable subscribers. The survey should be short and succinct, but should include a specific inquiry as to how much the customer is willing to pay for additional PEG Access Services. See Section 7 in the Sutton survey, and Section 4 (under Community Service) in the Southwick survey, in the enclosed materials as an example. I would be pleased to review your survey for you, or you could simply incorporate some of the ideas in the samples provided and finalize it. There are several ways by which the survey may be distributed and I can discuss those with you at your convenience.

(d) Solicit Town-Wide Participation:

Send letters or e-mails out to town department heads, and to other interested communities of interest within the town (such as, for example, senior centers, historical societies, libraries, etc.) advising them that the cable license renewal proceeding is coming up, and seeking their active participation in the ascertainment process. Your local access channel(s) should be able to cablecast this information as well. To participate, they should begin to prepare a list of their future cable-related needs, and submit their lists to the Board of Selectmen, or to the Cable Committee (if so authorized by the selectmen) with a copy to you.

(e) Prepare a Business Plan:

Consider preparing a "business plan" for the Town's future PEG Access activities. If you wish, I can provide you with sample business plans, but in general they should include a sample program listing, proposed budgets, proposals for training and studio operations, a list of current equipment, and a list of new or replacement equipment which will be needed over the presumptive term of the renewal license. In general, the business plan should permit you to calculate the annual operating costs of the Town's current (or future proposed) access program, and the cost of the new equipment that the Town will need to upgrade its current plant. Grants for equipment renewal typically are spread out over the term of the license.

(f) Plan One or More Public Hearings:

State regulations require at least one public hearing during the "ascertainment" phase. I will leave the decision to your judgment about whether your municipality will need more than one hearing. The purpose of the hearing is to seek public input as to whether the current cable operator is in compliance with its current license, and as to the Town's future community cable-related needs during the presumptive term of a renewal license (the renewal license may be anywhere from 3 to 10 years in duration). You will find a sample Notification of Public Hearing in the enclosed materials. When you decide the date of the hearing or hearings, you should have that notification published in a paper of local circulation within the Town weekly, for two successive weeks, the first date of which is at least fourteen (14) days before the hearing date.

(g) Commence Informal Negotiations:

Following the compilation of the survey returns (if a survey is distributed) and at least one public hearing, and following the preparation of a business plan, you are ready to sit down with the cable operator and begin negotiations. In our view, it does not make sense to begin actual negotiations until all of these tasks are complete.

EXECUTIVE SUMMARY OF CABLE TELEVISION LICENSING PROCEDURES  
UNDER 47 USC sec. 521 et seq, and MGLA c. 166A sec 1-22.

(1) OVERVIEW

Cable licensing in the United States is governed by both federal and state statutes. The two do not overlap or conflict.

- (a) The federal statute at 47 USC sec. 521 et. seq., provides the structural framework requiring a license [called a “franchise” in the federal scheme] to deliver cable service, and the procedure for the granting of initial or renewal licenses. It also provides that issuing authorities may require so-called Public, Educational and Governmental [“PEG”] access support cash payments up to 5 % of the cable company’s gross annual revenues from operations in that market [“GAR”], and capital, which is excluded from the 5% ceiling [both payments are collectively known as the “franchise fee”], and further provides that states may regulate cable rates if the local market is non-competitive.
- (b) The state statute at GL c. 166A, sec. 1-22, fills in where the federal statute is silent. It identifies local municipal executives as the “issuing authority” for ”licenses” in Massachusetts [each state names its own issuing authority, and in many other places, the state itself issues the license]; it fixes maximum terms on Massachusetts licenses [15 years for initial licenses and 10 years for renewal licenses]; and it establishes requirements for additional obligations in the licenses beyond just the PEG Access funding support requirements set forth in federal law [requiring, for example, insurance, bonds, indemnities, cooperation with municipalities for street and other building and construction projects, street repairs avoidance of tree damage, conditions of revocation, and the payment of fees to the municipality and the state [called “License fees”]. And finally, the state regulatory authority may regulate the rates of a cable operator’s “basic service” tier if the market in the municipality is non-competitive [defined by the percentage of market share held by one operator, verses either another cable operator, or a satellite carrier].
- (c) Both federal [FCC] and state [DTC] regulatory agencies provide more details into the two spheres of oversight through their own separate sets of regulations, but again, they do not overlap. In fact, the federal and state oversight schemes complement each other and work together reasonably well.

(2) ORIGINAL PHILOSOPHY UNDERPINNING FEDERAL REGULATION

In 1984, when the federal cable act was being enacted, Congress recognized that it was going to be the nature of the business to be monopolistic because the initial capital outlay to construct a cable system was going to be so large that no operator would be able to expect to make a profit with less than about 50% of the market. As compensation to the communities affected by the impending cable monopoly they were about to enable, Congress granted municipalities the right to get financial and other forms of support for local access initiatives in exchange for the granting of a license.

This is an important point to remember because although cable companies today love to complain about being over-regulated, they have enjoyed the financial benefit of operating in or close to a monopolistic environment, in many cases for more than 30 years.

### (3) NEGOTIATING STRATEGY NOTES

- WHAT YOU CANNOT GET IN LICENSE RENEWAL NEGOTIATIONS

- (a) A new cable company. Cable licenses holders have, like liquor license holders, a presumptive right to renewal, meaning that the law is configured to make it very difficult to deny a renewal license and have the denial survive a legal challenge. This is, however, offset by the fact that cable licenses are non-exclusive, meaning that the issuing authority can grant as many cable licenses as there are applicants. But because of the economies of cable plant construction noted above, unless the applicant already has spent capital for poles and wires for other than cable purposes [like Verizon, for example, or RCN], you won't get another pure cable company interested in coming in and seeking a competitive license.
- (b) Programming changes. Here, FCC regulations say that an issuing authority cannot negotiate for specific programming in exchange for the granting of a license. That means when a person shows up at a hearing irate because he can't get the golf channel, we can't help him. The only requirements we can make are for "general categories" of programming, such as "news", "family" "sports", etc. The cable companies always include that laundry list in their licenses anyway, so we have no entitlement to discuss programming whatsoever. The FCC says that the "market" is supposed to drive programming decisions.
- (c) Coverage of specific over-the-air markets. The FCC regulations, in response to pressure from local TV stations, have long required that cable operators be required to offer in their basic service tiers the over-the-air channels [that is, those channels you could receive with an antenna] from the CLOSEST large market [known as the "are of dominant influence".] This becomes a hardship for municipalities near state boundaries because it may mean that the only over-the-air signals they are given in their basic service tiers come from a city in another state [such as, for example, Providence, R.I., instead of Boston]. This has all kinds of implications for election coverage, local or state-specific news, or national sports team coverage. In western Massachusetts, for example, cities or towns closer to Albany NY [or to Hartford, CT, for that matter] than to Springfield have to watch the Yankees and the Giants, instead of the Red Sox and the Patriots. Cable companies COULD offer over-the-air signals from more than one city if they chose to, but that costs them money, so they rarely ever do. This is entirely the product of flawed FCC regulations – skewed by industry lobbying - and there is no remedy for it, other than for the FCC or Congress to act to change the rule.]

- (d) Rate reductions. Rates are either regulated by the state DTC [basic service only], or they are unregulated in markets where there is “effective competition”. The issuing authority, and the leverage of license renewals, have no power to force any change in cable rates.
- (e) Technical obligations. Once again, this is governed by an FCC rule, and it says the issuing authority may not require specific equipment or technical requirements or improvements in exchange for granting a license. That, too, is supposed to be driven by the market.
- (f) Prohibition against the cable operator “passing through” costs to the subscriber in the forms of a surcharge to the monthly cable bill. Cable companies are allowed to pass directly through to subscribers all costs arising from obligations imposed upon them in a license. This includes not just the PEG support cash payments, but also required plant construction and maintenance costs for INETs, and all PEG access lines and equipment.
- (g) An obligation to provide cable service to every household in the municipality. Line extension obligations are generally negotiable, but the increased costs incurred must be “reasonable”, and that means that if there is a particular neighborhood which, due to its configuration or topography, its lot sizes, or its remoteness from nearby cable plant, has become prohibitively expensive to cable, the issuing authority will not likely have the power to compel the cable company to extend cable service to such a neighborhood.

- WHAT YOU CAN GET IN LICENSE RENEWAL NEGOTIATIONS

- (a) Cash funding grants to support local PEG programs. The federal cable act permits issuing authorities to require cable companies to pay up to 5 % of its GAR [earned in the municipalities in question] for annual PEG operating costs, and to pay for reasonable future capital cost requirements, as identified by the local authority. But as noted above, these required costs may all be passed through to subscribers.
- (b) Construction or upgrading of PEG lines, and additions or upgrades to local origination sites, or studio configurations, etc. But again, these costs may be passed through directly to the subscribers.
- (c) Some limited technology upgrades such as an HD channel for PEG services [this seems to be an exception to the FCC prohibition on bargaining for equipment or technology].
- (d) Local customer service offices.
- (e) Senior Citizen Discounts.
- (f) License compliance and enforcement tools such as requirements for public hearings, reports, and liquidated damages for repeated failures to cure a license breach.

(4) CONCLUSIONS

Cable licensing is a fairly comprehensively regulated field. What we can and can't get from a cable company, and the limitations on our powers to bargain and to compel concessions during negotiations, are limited, and are restricted by statutes and regulations, both federal and state. Members of the public should be informed of the rules that limit our bargaining powers, and cautioned not to raise their expectations based on promises beyond our legal power to deliver.

673418/8000/0018

KP LAW, PC  
SUMMARY OF FCC THIRD REPORT AND ORDER  
MB DOCKET NO. 05-311, DATED AUGUST 2, 2019

The following four points are a summary of the FCC Third Report and Order dated August 2, 2019, relating to changes to the calculation of cable television license franchise fees.

FIRST: Cable-related “In kind contributions” that is, non-monetary obligations of a cable license imposed upon a cable operator, will now count towards the 5% Franchise Fee cap at their fair market value. The following in kind contributions may now be added to the 5% franchise fee by the cable company:

- (1) Free basic service drops at public buildings;
- (2) The costs of providing PEG access facilities [such as studios], except capital costs which are not included;
- (3) Construction, service and maintenance of cable-company owned I-NETS; and
- (4) The costs of maintaining the “transport” lines from local studios or hubs upstream to the cable company’s head end.

SECOND: Excluded from counting as in kind contributions are the following:

- (1) Costs essential to the provisions of cable service [e.g., build-out costs; customer service costs];
- (2) Capital costs to support PEG Access;
- (3) Contributions in support of PEG access; and
- (4) Installation or construction costs of transport lines.

THIRD: No decision was reached by the FCC on the following:

- (1) Whether the fair market value of the PEG channel(s) should be considered an in kind contribution [this would have been the biggest “hit” for PEG access support had this cost been permitted].

FOURTH: What to Expect Next:

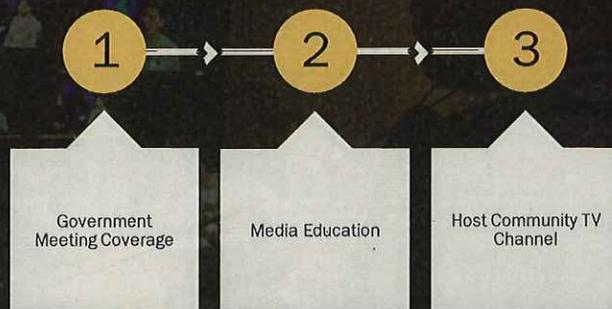
- (1) Valuation of In Kind Contributions. Cable Operators must assign in-kind contributions a fair market value.
- (2) License Amendments. If license modifications are desired or required, the parties shall follow the 120-day time period for license amendments found in 47 USC §545(b); and 555(a).
- (3) Changes are Prospective. All changes apply to currently-effective licenses, but will be prospective, affecting only future in-kind costs.
- (4) Legal Challenges. We anticipate legal challenges by access advocacy groups, or large municipalities or counties, with the possibility of stays or injunctions stopping implementation of the August 2, 2019 Order.

Should you have any questions about these new rules, call William Hewig, KP Law, at (617) 654-1700  
The full FCC Report may be found at <<https://docs.fcc.gov/public/attachments/fcc-18-111A1.pdf>>.

# PROVINCETOWN COMMUNITY TELEVISION



## What we do



# Government Channel 18

PTV provides coverage for  
**12 Boards & Commissions.**

Many meetings are cablecast **live** on  
Channel 18.

All are **replayed** on a regular schedule  
on the channel.

## We also

- Live stream Channel 18
- Maintain an indexed on-demand archive
- Cover regular & special town meetings
- Record special topic forums
- Provide town information



## PTV's government coverage compared to other Cape Cod nonprofit stations

### Provincetown

- Number of Boards \* **9**
- Avg Meeting Length **101 mins**
- Avg Hours per Month **30.4**
- Cable Subscribers **3,500**

### Falmouth

- Number of Boards **5**
- Avg Meeting Length **135 mins**
- Avg Hours per Month **22.5**
- Cable Subscribers **17,427**

\*Meetings contracted in the agreement between PTV & the Town

## PTV's government coverage compared to other Cape Cod nonprofit stations

### Provincetown

- Number of Boards \* **9**
- Avg Meeting Length **101 mins**
- Avg Hours per Month **30.4**
- Cable Subscribers **3,500**

### Mashpee

- Number of Boards **9**
- Avg Meeting Length **112 mins**
- Avg Hours per Month **33.6**
- Cable Subscribers **8,744**

\*Meetings contracted in the agreement between PTV & the Town

## PTV's government coverage compared to other Cape Cod nonprofit stations

### Provincetown

- Number of Boards \* **9**
- Avg Meeting Length **101 mins**
- Avg Hours per Month **30.4**
- Cable Subscribers **3,500**

### Bourne

- Number of Boards **3**
- Avg Meeting Length **112 mins**
- Avg Hours per Month **10.5**
- Cable Subscribers **8,128**

\*Meetings contracted in the agreement between PTV & the Town

## PTV's government coverage compared to other Cape Cod nonprofit stations

### Provincetown

- Number of Boards \* **9**
- Avg Meeting Length **101 mins**
- Avg Hours per Month **30.4**
- Cable Subscribers **3,500**

### Sandwich

- Number of Boards **4**
- Avg Meeting Length **77 mins**
- Avg Hours per Month **10.2**
- Cable Subscribers **7,822**

\*Meetings contracted in the agreement between PTV & the Town

# PTV Government Channel Future Needs

## Playback System

- Replace playback equipment
- Replace outdated live stream system
- Evaluate on-demand library host

## Judge Welsh Room Audio

- Evaluate current equipment
- Replace outdated equipment in rack
- Replace microphones



## Public Channel 99

PTV offers **media classes** for the community.

PTV **Produces** low or no cost production for other nonprofits.

PTV **Entertains and informs** viewers about what is happening in their town.

### We also

- Encourage the community to produce programming about their interests
- Lend high quality video equipment
- Produce local stories
- Offer a variety of community programs from around the region and country



## Media Classes

Basic Camcorder

Editing Nuts & Bolts

Artist Profiles

Studio Production

iPhone Storytelling

DIY Talk Show

Intro to DSLR

# PTV Public Channel Future Needs

## Production & Editing Equipment

- Replace field camera
- Replace microphones
- Replace editing computers

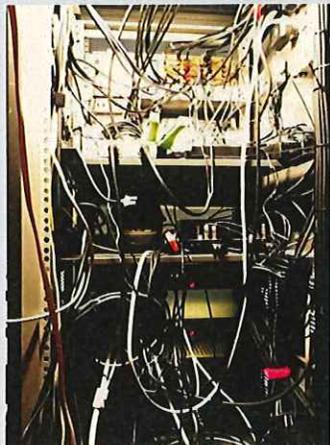


## PTV & Our Members Support Nonprofits

Alzheimer's Family Center  
AIDS Support Group of Cape Cod  
Camp Lightbulb  
Carrie A. Seaman Animal Shelter  
Cape Cod Chamber of Commerce  
Center for Coastal Studies  
Fine Arts Work Center  
The Generations Project  
Helping Our Women  
Jamaican Film Festival  
Outer Cape Chorale & Chamber Singers  
Outer Cape Health Services

Pilgrim Monument & Museum  
Provincetown Art Association & Museum  
Provincetown Bark Park  
Provincetown Business Guild  
Provincetown Commons  
Provincetown Community Compact  
Provincetown Film Society & Festival  
Provincetown Portuguese Festival  
Provincetown Public Library  
Provincetown Theater  
Soup Kitchen in Provincetown  
TEDx Provincetown  
WOMR

## Playback rack cable upgrade



Before



After

## Commercial Street studio upgrade



Before



After

Upgraded set & lights  
Control room rewiring

## Additional Upgrades

- Town Hall control room & camera upgrade
- Town Hall control room rewiring
- Purchased new public access cameras
- Purchased new public access microphones
- Purchased new public access tripods
- Increased storage capacity

# Special Projects

Purely PROVINCETOWN

Creative Exchange Podcast

#PTOWN24



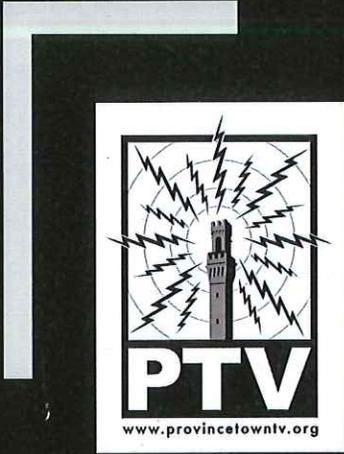
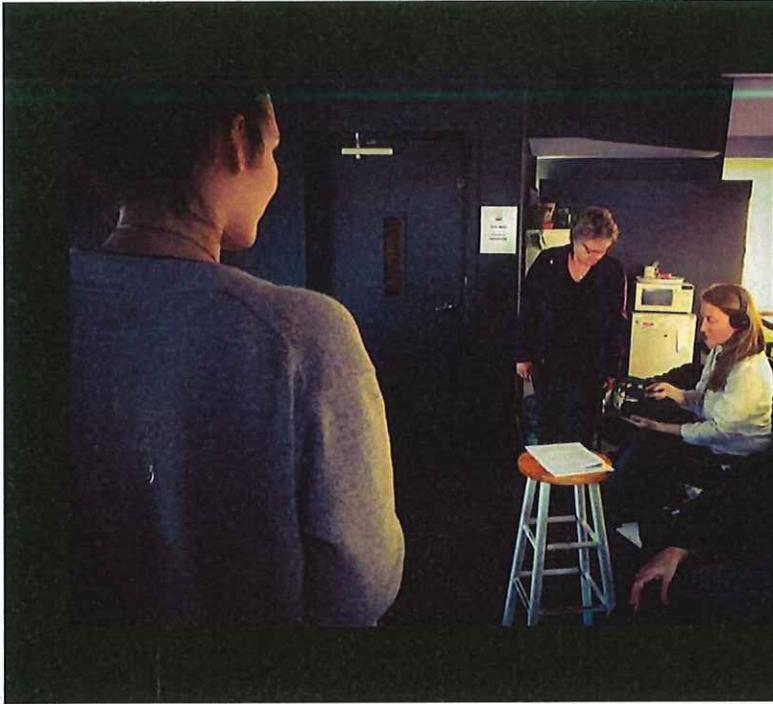
## Comcast Subscriber Survey Results

### About Respondents

- 138 Provincetown residents responded
- 120 Subscribe to cable
- 82 Year-round, 38 Part-time
- 18 Do not subscribe to cable
- 15 Year-round, 3 Part-time

### Support for .5% Increase

- 61.67% Support
- 38.33% Do not support



[amy@provincetowntv.org](mailto:amy@provincetowntv.org)

# Town of Provincetown Comcast / PTV Survey

February 2019

Gregg Almquist



## Primary Summary Findings

---

### Respondents

- 138 Provincetown residents completed the survey
  - 120 subscribe to cable TV (Year-round = 82; Part-time = 38)
  - 18 do not subscribe to cable TV (Year-round = 15; Part-time = 3)

### Support for .5% Increase

- In response to the question: *Would you be willing to pay an additional .5% of your monthly cable TV cost to support local community media?*
  - Yes: 61.67% (74)
  - No: 38.33% (46)
- We found no variable(s), such as residency status, Comcast ratings or frequency of PTV viewing, which correlated to respondents' responses.

### Comcast Service Ratings

- Respondents rated "Value for your money" lowest with only 21.67% (26) respondents rating it 'Excellent' or 'Good'.
- All other aspects rated 'Excellent' or 'Good' with a low of 65% (Resolution of complaints) to a high of 85% (Quality of picture/sound).

### PTV Awareness, Viewership and Class Participation

- Respondents had a high awareness of PTV channels. Yes = 78.33% (94); No = 21.67% (26)

---

55% of respondents said they 'Somehow' or 'Often' saw Comcast PTV Board meetings.



# Detailed Findings

## Demographics



### Cable TV subscriber

120 subscribed total

### Residency status

Year-round 68.3% (82)

Part-time 31.6% (38)

### Age group

18 – 24 0% (0)

25 – 34 1.67% (2)

35 – 44 10% (12)

45 – 54 26.67%

(32)

55 – 64 33.33%

(40)

65+ = 28.33%

(34)



## Support for .5% Increase

Would you be willing to pay an additional .5% of your monthly cable TV cost to support local community media?

If your cable TV service costs \$100, this increase would be .50 cents. The fee increase does not apply to the cost of any other Comcast services such as internet, phone, etc.

Yes 61.67% (74)

No 38.33% (46)

**NOTE:** We looked at variable(s), such as residency status, Comcast ratings or frequency of PTV viewing, for a correlated to respondents' responses to this question.

However, we found no variables correlated to their responses.



## Comcast Service Ratings

Rate your satisfaction with these aspects of your Comcast Cable

### TV service.

- Respondents rated "Value for your money" lowest with only 21.67% (26) respondents rating it 'Excellent' or 'Good'.
- All other aspects rated 'Excellent' or 'Good' with a low of 65% (Resolution of complaints) to a high of 85% (Quality of picture/sound).

	EXCELLENT	GOOD	FAIR	POOR	TOTAL
Quality of picture and/or sound	29.17% 35	55.83% 67	10.83% 13	4.17% 5	120
Quality of cable equipment	18.33% 22	56.67% 68	21.67% 26	3.33% 4	120
Customer Service	45.83% 55	32.50% 39	15.00% 18	6.67% 8	120
Service and Repair	26.09% 30	46.96% 54	16.52% 19	10.43% 12	115
Billing accuracy	31.09% 37	49.58% 59	11.76% 14	7.56% 9	119
Value for your money	6.67% 8	15.00% 18	41.67% 50	36.67% 44	120
Resolution of complaints	16.81% 19	48.67% 55	24.78% 28	9.73% 11	113



## PTV Findings

### PTV Awareness, Viewership and Class Participation

- Respondents had a high awareness of PTV channels. Yes = 78.33% (94); No = 21.67% (26)
- Nearly 55% of respondents said they 'Sometimes' watch Select Board and Town Board meetings.
- Nearly 16% 'Regularly' watch Select Board meetings, and over 9% 'Regularly' watch Town Board meetings.
- While a low number of respondents have taken a class, interest does exist: Yes = 27.50% (33); Possibly = 43.33% (52)



## PTV Awareness and Viewership (Channel 18)

**Are you aware that PTV Channels 18 & 99 are PEG Channels, local public access channels focused on Public, Education, Government activity and locally produced programming in Provincetown?**

Yes = 78.33% (94)  
No = 21.67% (26)

**How often do you watch the following Town government programming? (Channel 18)**

	REGULARLY	SOMETIMES	NEVER	TOTAL
Select Board Meetings	15.97% 19	54.62% 65	29.41% 35	119
Town Boards and Committees	9.24% 11	55.46% 66	35.29% 42	119
Annual and Special Town Meeting	17.65% 21	40.34% 48	42.02% 50	119



## PTV Viewership (Channel 99)

How often do you watch the following community programming?  
(Channel 99)

	REGULARLY	SOMETIMES	NEVER	TOTAL
Community Events	7.63% 9	38.98% 46	53.39% 63	118
Arts Programming	10.08% 12	36.13% 43	53.78% 64	119
Talk Shows	5.93% 7	39.83% 47	54.24% 64	118
Non-profit Programming	8.55% 10	41.03% 48	50.43% 59	117
LGBTQ+ Programming	14.29% 17	36.97% 44	48.74% 58	119



## Additional PTV Channel Programming (Channel 99)

Would you like to watch any of the following on Channel 99 if it was offered?

	YES	NO	TOTAL
Sports Programming	21.74% 25	78.26% 90	115
Lectures	55.26% 63	44.74% 51	114
Religious/Spiritual Programming	6.96% 8	93.04% 107	115
More Community Events	61.74% 71	38.26% 44	115
More Arts Programming	60.87% 70	39.13% 45	115
More Talk Shows	37.39% 43	62.61% 72	115
More Non-profit Programming	46.43% 52	53.57% 60	112
More LGBTQ+	62.28% 71	37.72% 43	114



## Awareness of & Participation in PTV Education and Training

Did you know that PTV provides education and training in broadcast television and media to Provincetown residents?

Yes	50.83% (61)
No	43.33% (52)
Somewhat	5.83% (7)

Have you ever taken a class at PTV?

Yes	4.17% (5)
No	95.83% (115)

Would you consider taking a class at PTV?

Yes	27.50% (33)
No	29.17% (35)
Possibly	43.33% (52)



## Non-Subscriber Findings

- What are the specific reasons you don't subscribe or you discontinued your subscription to Cable TV? (Check all that apply.)
- Have you watched any Provincetown government meetings or local programming on the Town's website or PTV?



## Non-Subscriber Findings (18 respondents)

**What are the specific reasons you don't subscribe or you discontinued your subscription to Cable TV? (Check all that apply.)**

No TV in home	16.67% (3)
Don't watch much TV	5.56% (1)
Too Expensive	83.33% (15)
Stream other services	61.11% (11)
Poor picture/audio quality	11.11% (2)
Poor customer Service	27.78% (5)

**Have you watched any Provincetown government meetings or local programming on the Town's website or PTV?**

Yes	72.22% (13)
No	27.78% (5)



## Appendix: Survey Questions



## Questions: Cable TV Subscribers

- Q1. What is your residency status?
- Q2. Are you a subscriber to Comcast Cable TV?
- Q3. Rate your satisfaction with these aspects of your Comcast Cable TV service.
- Q4. Are you aware that PTV Channels 18 & 99 are PEG Channels, your local public access channels focused on Public, Education, Government activity and locally produced programming in Provincetown?
- Q5. How often do you watch the following Town government programming? (Channel 18)
- Q6. How often do you watch the following community programming? (Channel 99)
- Q7. Would you like to watch any of the following on Channel 99 if it was offered?
- Q8. Did you know that PTV provides education and training in broadcast television and media arts to Provincetown residents?
- Q9. Would you be willing to pay an additional .5% of your monthly cable TV cost to support local community media? If your cable TV service costs \$100, this increase would be .50 cents. NOTE: The fee increase does not apply to the cost of any other Comcast services such as internet, phone, etc.
- Q10. Have you ever taken a class at PTV?
- Q11. Would you consider taking a class at PTV?
- Q12. Please select your age group.



## Questions: Non Cable TV Subscribers

- Q1. What is your residency status?
- Q2. Are you a subscriber to Comcast Cable TV?
- Q3. What are the specific reasons you don't subscribe or you discontinued your subscription to Cable TV? (Check all that apply.)
- Q4. Have you watched any Provincetown government meetings or local programming on the Town's website or PTV?

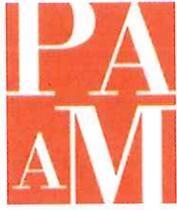
Thank you!

Questions:

[gregg@experientdesign.com](mailto:gregg@experientdesign.com)

617-512-5636

**experient**  
ux**design**



September 10, 2019

Provincetown Select Board  
Attn: Elizabeth Paine  
260 Commercial Street  
Provincetown, MA 02657

Dear Ms. Paine,

I write in support of Provincetown Community Television (PTV) as the Town of Provincetown renegotiates its cable contract with Comcast. PTV is a critical resource in our community for a number of reasons. Specific to my interactions with PTV, they have the ability to bring local government and issues into our home and provide a free speech forum for the community.

Programmatically, PTV offers curricula particular to my community that is not shown on other TV channels. PTV documents important parts of our communities, which will go on to support the important legacy that Cape Cod represents.

Educationally, PTV allows individuals and organizations to volunteer, learn new skills and promote the creative process. Many of the non-profits on Cape Cod have worked with PTV to inform the public of our missions and garner support from new audiences.

Lastly, PTV provides entertaining and informative local, regional and national programming and a window into what is happening around us.

Provincetown Television is a critical asset in our Town, by not only providing necessary services, but also their commitment to the community and as a collaborator is exceptional. If you need any further information, please do not hesitate to contact me at [cmccarthy@paam.org](mailto:cmccarthy@paam.org)

Sincerely,

Christine McCarthy  
Chief Executive Officer

RECEIVED  
BOS

SEP 11 2019

CC: BOS/TM/ATM

---

September 12, 2019

PTV

Renewal Comcast contract  
*via electronic submission*

To Whom It May Concern:

This letter serves as a letter of support for Provincetown Television. As a new non-profit organization, one of The Commons challenges has been to “get the word out” on what we offer. PTV produced a video that showed our newly renovated space and interviewed us to gain insight into our membership program works. They did this as a service to the community and we are grateful for their contribution.

The Commons is excited that PTV encourages media education in the community and we hope to partner with them in providing space for digital media professionals in our coworking lab

Personally, I have taken advantage of watching Select Board and other government meetings from home.

Provincetown is known nationally as a arts & culture destination, PTV supports the Towns brand by offering a creative outlet for the community.

PTV has provided information to the Community on the offerings of The Commons, Provincetown’s newest nonprofit.

The Commons appreciates PTV’s leadership, staff, volunteers & are grateful they provide notifications about local events.

The Commons supports PTV’s request to Comcast for contract renewal.

Sincerely,

Jill Stauffer  
Executive Director  
The Commons  
46 Bradford Street  
Provincetown, MA 02657

RECEIVED  
BOS  
SEP 12 2019  
CC: BOS/TM

## Elizabeth Paine

---

**From:** Suzanne Scallion <sscallion@provincetownschools.com>  
**Sent:** Tuesday, September 17, 2019 1:53 PM  
**To:** Elizabeth Paine  
**Subject:** LA TV

Hello,

I am writing to support our local television network.

It is an essential link between the schools and community and I can imagine an expansion on our current connection. This could include televised student performances and timely school related announcements.

Thank you for the opportunity to support the hard work of the Provincetown Television community.

Best wishes,

Suzanne Scallion, Ed. D.  
Superintendent of Schools



PROVINCETOWN 400  
1-617-5030

## Elizabeth Paine

---

**From:** Anthony Fuccillo  
**Sent:** Tuesday, September 17, 2019 4:21 PM  
**To:** Elizabeth Paine  
**Subject:** PTV

Liz,

PTV is as real asset to the Tourism Department and the VSB. People who are not able to get away from work, are out of town or prefer to watch from the comfort of their home, enjoy watching the meetings live. Many people watch the recordings of the meetings too. Stakeholders will contact our office after a meeting with questions, and sometimes suggestions, and it allows everyone to participate if they are not able to be present at a meeting.

**Anthony Fuccillo**  
**Director of Tourism**  
**Town of Provincetown**



## Elizabeth Paine

---

**From:** Eric Sussman  
**Sent:** Tuesday, September 17, 2019 7:52 PM  
**To:** Elizabeth Paine  
**Subject:** I support PTV

Here you go, I hope this helps, lemme know if I should change it at all.

“In an era plagued by the decline of investigative journalism, the corrosion of traditional media sources, the perceived influence of corporate finance on public sector interests, and an Administration in DC willing to test and stretch the bounds of truth- our citizens deserve open and transparent governance to deliver the services and freedoms envisioned by our earliest leaders. As such, the quality broadcasting, recording, and archiving of Town Hall sessions via PTV remains paramount in our quest to uphold these values. We pride ourselves on our sense of community—a community composed of diverse and distinct populations that contribute to the rich tapestry of our town. From folk with Access & Functional Needs to people who do not speak English as a first language to busy workers who cannot attend meetings in person, we have citizens who rely on PTV as a trusted sources of information pertaining to local concerns. If the current installation is not able to delivery clear and consistent audio/visual quality to meet these ends, then we are failing our constituencies. I support PTV in their efforts to upgrade their equipment.”

-e

---

**Eric Sussman**  
Emergency Management,  
Transportation Coordination  
Town of Provincetown  
260 Commercial St.  
Provincetown, MA 02657  
P: 508-487-7000 ext. 587  
E: [esussman@provincetown-ma.gov](mailto:esussman@provincetown-ma.gov)

This electronic message is confidential and intended for the named recipient only. Any dissemination, disclosure, or distribution of the contents of this communication is unlawful and prohibited. If you have received this message in error, please contact, by return e-mail and delete the copy you received. Thank you.



September 12, 2019

Provincetown Select Board  
Attn: Elizabeth Paine  
260 Commercial Street  
Provincetown, MA 02657

Dear Provincetown Select Board Members:

On behalf of Outer Cape Health Services, I am writing this letter to express support for PTV during the Town of Provincetown's contract renewal process. As an independent 501c3 nonprofit, PTV offers vital services related to Government and Public access television to the residents of Provincetown. Outer Cape Health Services has also benefited from production services over the years to help raise awareness and support for our healthcare services.

As such, we ask that Comcast consider funding PTV at the highest level possible in the upcoming renewal process. With maximum funding of 5% of all revenues, PTV will be able to sustain and even expand services including media education in the community, timely information about local nonprofit offerings and events, and emergency and storm information.

Public access is extremely important to communities, especially a relatively rural one like Provincetown. By default, PTV provides government transparency fostering better understanding of the governing process for residents, staff and elected officials. Moreover, PTV offers a free speech forum free from censorship. It is also a creative outlet for the community. This is especially appreciated and important for Provincetown, which identifies with the arts and creative ventures as hallmarks of its identity.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Weiner", with a long horizontal flourish extending to the right.

Kathleen Weiner, CFRE  
Chief Development Officer

RECEIVED  
BOS  
SEP 17 2019  
CC: BOS/TM/ATM

Provincetown Select Board  
ATTN: Elizabeth Paine  
260 Commercial Street  
Provincetown, MA 02657

RE: PTV Contract

We are writing to express our strong support of Provincetown Community Television's request for the full 5% of franchise fees in their next contract. In addition, their request for an additional \$100,000 in funding is sorely needed in order to purchase new equipment and upgrade existing equipment. As a Comcast subscriber, we are aware that this will raise our monthly bill by a small amount, but that is fine in order to help this important community resource become even stronger.

PTV is a much-needed community asset. The government transparency it provides by taping Town Board meetings is an invaluable resource, offering a true record of each meeting and their outcomes. This is especially helpful to the many, many people who are unable to actually attend meetings because of work schedules, being in other locations, and other factors. With only a weekly newspaper and the never-ending stream of inconsistent social media postings, having PTV as a source for live, recorded, and fully documented programming provides a true account of government and Provincetown activities.

We know many people who have participated in classes and loved learning new things. Having a resource that is up-to-date and immediate with emergency and storm information is key. PTV is a resource that this community, its residents, visitors, and fans, have come to rely on.

We strongly urge you to support the requests of PTV during the contract renewal process. Thank you for your time.

Sincerely,



Edward Malone  
7 Province Lands Road  
Provincetown, MA 02657

James Pipilas  
7 Province Lands Road  
Provincetown, MA 02657

RECEIVED  
BOS

SEP 17 2019

CC: BOS/TM/ATM



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**5A**

**MENTAL HEALTH / SUBSTANCE ABUSE**

Case management grant and public health needs assessment

**Requested by:** Health Director Morgan Clark

**Action sought:** Discussion

**Proposed Motion(s)**

Discussion Dependent/Votes May Occur

**Additional Information**

- Please see attached documents:
  - Memo on Gaps in Public Health Services
  - Overview of Public Health Action Items
  - 2015 Public Health Needs Assessment
  - Final Grant Report for Community Resource Navigator Program

**Board Action**

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



**Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657**

**Department of Health  
Telephone (508) 487-7020  
Fax (508) 487-7040**

---

**TO: David Gardner, Acting Town Manager**  
**CC: Chris Hottle, Human Services Director**  
**Board of Health**  
**FROM: Morgan Clark, Health Director**  
**DATE: August 6, 2019**  
**RE: Gaps in Public Health Services**

The Provincetown Health Department enhances the public's health through innovative, community-based approaches and programming to fill gaps and meet underserved community needs. The Health Department prioritizes evidence-based methods and harm reduction principles in its public health work. Whereas the Town's human services grantmaking program awards funding to Cape agencies to ensure that existing programs and services are provided to Provincetown residents, the public health grantmaking program awards funding to address identified gaps that are not currently served by existing programs and services.

The Health Department issues a public health needs assessment every five years. Attached to this memo is the 2015 Public Health Needs Assessment. The next assessment will be written in the fall of 2020, and Select Board will be included in the process as they were in the previous period. In the time since the 2015 Needs Assessment was written, both state and local sources of data have improved greatly and Health Department staff anticipate a better quality, data-informed needs assessment in 2020. During the period between needs assessments, the Health Department relies on regular data reporting from the Mental Health and Substance Abuse Case Management services grant recipient to provide real time snapshots of the most pressing issues in the Town. These reports are also shared with the Select Board.

The public health budget funding priorities for 2015-2020 are:

- Maintaining or improving the level of existing ("legacy") public health services funded by the Town's public health department
- Providing grants, programming, or other supports in the following core areas of need:
  - Substance use disorder
  - Connection to community/mental resilience
  - Access to fresh produce

For each core area of need, the Health Department drafted an action plan for addressing those needs, and is working through the items in those action plans. An overview of the action items with the status and budget is attached. These action plans are dynamic and are constantly adapted to the changing landscape of needs and services.

The Health Department's public health work is very collaborative and seeks input from those affected by a given issue, issue experts, and other local stakeholders, including board members. If Select Board members have any questions about Health Department-funded grants and programming, please contact Health Director Morgan Clark at any time.

Overview of Public Health Action Items

Legacy/Updated Public Health Service Programs/Contracts	Action Items/Details	Vendor (if applicable)	Status	Budget
Well child contract	<ul style="list-style-type: none"> <li>Maintain contract with VNA to provide in home well child visits, if needed.</li> </ul>	VNA	Ongoing	510
Lactation support	<ul style="list-style-type: none"> <li>Redesigned lactation support program with Truro and Wellfleet. Launching in FY20</li> </ul>		Launch imminent	1,500
Sharps Disposal	<ul style="list-style-type: none"> <li>Expanded number of sharps collection sites</li> </ul>	CC Cooperative Extension	Ongoing	500
Wastewater & Other Hazardous Materials Education	<ul style="list-style-type: none"> <li>Redesigned DEP-mandated Fats, Oils, and Grease training for local business owners and offer it at least once a year</li> <li>Cohosted "Hidden Hazards in the Arts," a free training on hidden hazards in art media for artists and hobbyists with the Cape Cod Cooperative Extension</li> <li>Offered "Bug Off: Safe Ways to Control Mosquitos and Ticks," a panel discussion with county and state experts on pest management in conjunction with the Wellfleet and Truro Health and Conservation Departments</li> <li>Hosted Wastewater 3.0, quarterly talks on the future of wastewater planning</li> </ul>		Ongoing FY16 FY18 FY19	- 750 - 600

Overview of Public Health Action Items

FY20 Focus Areas			
Objective	Action Items/Details	Vendor (if applicable)	Status
Provide case management services, particularly for those with substance use or mental health issues	<ul style="list-style-type: none"> <li>Offer a full time case manager to underserved Provincetown residents to help connect them to services and advocate on their behalf</li> </ul>	Homeless Prevention Council	Ongoing, new grantee in FY20
Increase availability of support group meetings for crystal meth users	<ul style="list-style-type: none"> <li>Crystal Free, a weekly drop in support group for men who use crystal meth</li> </ul>	ASGCC	Ongoing
Increase availability of evidence-based adjunct therapies for substance abuse disorder	<ul style="list-style-type: none"> <li>Yoga for Addiction Recovery, a twice weekly class that teaches yoga asana (poses) and meditation techniques to support those struggling with addictions and their loved ones, sponsored by the Health and Recreation Departments</li> </ul>	Jen Kopec	Ongoing
Change name of Mayflower Street to eliminate confusion due to address of VMCC, which hosts many recovery meetings	<ul style="list-style-type: none"> <li>Hire a surveyor to determine feasibility of dividing lot at 12 Winslow and change the address</li> </ul>		In process
Provide a centralized location for up-to-date information on existing community resources, groups, and other supports	<ul style="list-style-type: none"> <li>Building a website resource for public health resources in and around Provincetown</li> </ul>		Launch in FY20 expected
Advocate for other resources necessary for successful recovery	<ul style="list-style-type: none"> <li>Launched the Recovery Housing Working Group, which sought to explore housing options for those in recovery in Provincetown</li> </ul>		FY16
<i>[Health Department has an extensive plan to further address and support substance use disorder with marijuana tax revenue, to be shared with BOS at a later date]</i>			

[Health Department has an extensive plan to further address and support substance use disorder with marijuana tax revenue, to be shared with BOS at a later date]

Overview of Public Health Action Items

Objective	Action Items/Details	Status	Vendor (if applicable)	Budget
<b>Objective: Increase community access to fresh produce and healthful eating habits</b>	<p><b>Goals</b></p> <p>Provide education/outreach on how to use fresh produce, food waste, ugly fruit, etc</p> <ul style="list-style-type: none"> <li>Sponsored "Shopping and Cooking for One" class at the Senior Center in April 2018, will offer again this winter</li> <li>Designed and printed educational magnets on how to prepare vegetables and how to avoid food waste (with the Lovin Spoonfuls Food Rescue of Boston). Magnets are distributed by community partners and at the Library, Schools, and Senior Center</li> <li>Sponsor educational talks</li> </ul> <p>Coordinate a central location for free fresh produce for all pantries and donors to utilize, and coordinate the logistics</p> <ul style="list-style-type: none"> <li>Crop Swap, Provincetown's Produce Swap Shop, a collaboration between the Provincetown Public Library, Provincetown Health Department, and SKIP (Soup Kitchen in Provincetown)</li> </ul> <p>Provide additional opportunities for the community to share meals</p> <ul style="list-style-type: none"> <li>TBD</li> </ul> <p>Provide healthful cooking demonstrations or classes</p> <ul style="list-style-type: none"> <li>TBD</li> </ul>	Completed. Future class TBD.  Ongoing Ongoing		500
		Launching September 2019		5,000
		FY20		
		FY20		
<b>Objective: Increase Opportunities for Community Connection/Mental Resilience</b>	<p><b>Goals</b></p> <p>Provide opportunities for community members to connect in the off-season</p> <ul style="list-style-type: none"> <li>Winter Wednesdays, a collaboration between Provincetown Schools, Library, Health and Economic Development office and Wellfleet Health Department</li> <li>Winter Wellness speaker series</li> </ul> <p>Provide opportunities for the disconnected in the community to reconnect</p> <ul style="list-style-type: none"> <li>Offered Hoarding: On to Recovery, a free educational workshop about recovery and support for people suffering from hoarding disorder and their loved ones</li> <li>TBD</li> </ul> <p>Provide opportunities for residents to enhance resiliencies</p> <ul style="list-style-type: none"> <li>Blue30, a social media challenge designed to encourage folks to connect with the blue spaces around them</li> <li>TBD</li> </ul>	Ongoing FY17  FY17 FY20		2,000  TBD  TBD
<b>Other Public Health Programs as Needed</b>	<p><b>Goals</b></p> <p>Reduce barriers to STI testing and treatment</p> <ul style="list-style-type: none"> <li>Grant to purchase common prescription medications for sexually transmitted infections and HIV prevention for patients for who are not eligible for insurance coverage of the necessary prescription medications or existing prescription assistance programs and to pay for lab work necessary for starting PrEP (Pre-Exposure Prophylaxis) to an at-risk individual who is uninsured or underinsured.</li> </ul>		OCHS - Provincetown	2,000

5



**Provincetown Department of Health**

**Public Health Needs Assessment**

**October 2015**

## EXECUTIVE SUMMARY

The goal of this assessment is to report on the gaps in service and other identified public health needs facing Provincetown residents. The needs or gaps that were identified are:

- Expanded direct mental health services, including inpatient and long term care, and case management
- Substance abuse related services
- Housing opportunities
- Transportation, particularly to and from care outside Provincetown
- Wellness and prevention programming specific to the needs of Provincetown residents
- Injury prevention

The goal of this needs assessment is to stimulate conversation at a summit of local public health providers and agency representatives about new and innovative partnership ideas, direction for the Health Department's new public health programming, and other actionable steps to meet identified needs in our community.

## REPORT

The Provincetown Health Department took over the duties of the Town's Public Health Department in July 2015. Prior to planning programming or services, the Department sought to survey the landscape of public health services and programs currently available to Provincetown residents. This needs assessment was designed to gauge existing needs to inform the program planning process.

The goal of this needs assessment is to stimulate conversation at a summit of local public health providers and agency representatives about new and innovative partnership ideas, direction for the Health Department's new public health programming, and other actionable steps to meet identified needs in our community.

The needs assessment herein is the first step in understanding the strengths and gaps in public health services in Provincetown. We defined public health as anything that has an effect on the health of people living in, working in, or visiting Provincetown. There are two main sources for data: interviews with Provincetown-serving agencies, and county- or town-specific data from national, state, county, and local reports.

### Interviews

In August 2015 the Provincetown Health Department conducted interviews with 36 local and regional service agencies to determine areas of critical need. The interviews yielded common concerns among agencies, particularly regarding **mental health, housing, transportation, and substance abuse.**

Provincetown's remote location was frequently mentioned as a key factor in service gaps. Many agencies cited the need for **case management** and **social workers** to address a spectrum of issues facing residents, particularly those who are **mentally** or **physically impaired** and **those who suffer from addiction.** Many noted that **outreach** and **education** are critical components in connecting residents to services but are seriously lacking in Provincetown, particularly **multicultural** or **bilingual outreach** and **education.** Interview subjects indicated Provincetown **needs to establish service delivery components within its boundaries because services located further down the Cape are too remote and often insufficient.** Agency coordination is a critical factor in realizing this goal. Some also felt that **the small cadre of service professionals already serving Provincetown residents in town are not enough.**

The following is a synopsis of the information on gaps in service provided by the interview subjects. Starred items are solutions that were suggested in during the interviews.

## Mental Health

- **Remote location** limits services available to Provincetown residents. Only two organizations offer direct mental health care on the Outer Cape: Gosnold and Outer Cape Health Services. There are few private practice therapists and they are hard to find.
- **No in-patient care or long-term programs;** supportive counseling services only.
- **Waiting time for access to therapists is long.** Mental health workers need options for client referral that offer local care, reasonably speedy access, and treatment specific to client needs.
- Underserved people often end up in police custody or at Cape Cod Hospital, rather than treatment. Police are not adequately trained to handle incidents where mental health issues are the catalysts; **crisis intervention training for law enforcement officers** could result in treatment options rather than incarceration.
- **Lack of community outreach and education** contributes to the problem: people want to get help for themselves or others but don't know where to turn. Community-wide education is needed on how to handle situations in which mental health is a factor, who to call when professional help is required, and where individuals can seek assistance without embarrassment or fear.
- **Hoarding** is a growing concern.
- The **suicide** rate in the county is among the highest in the state. Samaritans of Cape Cod aims to offer elder suicide prevention training in Provincetown.
- ★ **Case managers** and **social workers** could recognize situations where there are layers of need and provide access to appropriate treatment.

## Substance Abuse

- There are **limited services** available for treatment on the Outer Cape, access to those services is often restricted, and no long-term treatment is available.
- **MassHealth** covers only part of treatment costs and does not cover comprehensive rehabilitation.
- **Crises require faster responses** than existing services can support. Gosnold's rehab and detox services are offered only in Falmouth; the Cape's only methadone clinic is in Yarmouth; provider shortages and insurance issues result in long waits or denied service.
- **Limited bed space** in the existing treatment centers delays treatment for clients who are ready to enter detox, thus compromising the chances of successful recovery.
- **Heroin** use is becoming more "normalized." Younger people don't seem as averse to the risks and stigma.
- **Crystal meth** addiction is increasing. Limited resources are available to treat this addiction; Massachusetts has no treatment centers.
- ★ As with other critical health issues, **community outreach and education** are needed.

## Housing

- Almost all responding agencies describe the **limited housing** for residents, both year-round and seasonal, as dire. Without adequate, affordable, and consistent housing, residents are susceptible to all other critical health issues identified in this assessment.
- Residents with year-round housing but **seasonal employment** find it difficult to afford housing off-season. Year-round employment makes housing more affordable, but most of Provincetown housing is still out of reach.
- Housing development is needed for **special groups**: transitional sober and halfway housing, elder housing, and handicapped-accessible housing. Residents with disabilities often are not part of community networks that provide information on available housing.
- **Rental housing**, rather than home ownership, should be the focus of development.
- **Homelessness** is far more prevalent than most people know. Chronic homelessness is challenging because the only Cape shelter is in Hyannis, and substance abuse and mental health issues plague most of this population. At-risk households might not identify themselves as on the verge of homelessness so don't seek preventive counseling. Homelessness prevention is less costly – financially and psychically – than recovery from homelessness. Regional and local homelessness prevention programs (counseling, short- and long-term housing cost assistance, and other services) are available to home owners and renters and should be advertised to the community aggressively.
- ★ Suggestions for **increasing housing stock** include living spaces above local businesses, asking second-home owners to rent during the off-season, and local inns providing lower rates for patrons who need a few hours or a few days while in transition.

## Transportation To and From Care

- Many **residents do not own cars** so must use buses (limited options) or taxis (costly).
- Travel options increase in the summer but remain **limited during the winter**.
- There can be mental, emotional, and physical **discomfort in bus travel** – navigating schedules, boarding with physical disabilities, enduring long travel times.
- **Medical appointments** frequently require transportation off-Cape.
- ★ A few agencies rely on **volunteer drivers** to transport clients, but this option needs to be expanded, even to establishing a 24-hour transport service.

## Other Areas of Need

The following public health needs were identified from sources other than the interviews. These sources include national, state, and county reports on public health in the region and local police and rescue logs.

### Wellness and Prevention

Wellness and prevention programs are hallmarks of public health work. Designing wellness and prevention efforts to the specific needs and desires of Provincetown residents will likely involve further conversations and partnerships across agencies and departments. The following are examples of areas that the Health Department may want to consider for wellness and prevention programming.

- Cape Cod Healthcare's Community Benefit Plan has identified priorities to improve Cape Cod residents' health, including:
  - The management and prevention of **chronic and infectious disease**<sup>1</sup>
  - **Innovative and preventive health initiatives** for youth 15-24 years old and **seniors** over the age of 65<sup>1</sup>
- The following rates of cancer in Provincetown from 2006-2010 were statistically significantly higher than expected for a town of its population size and demographics:
  - **Liver and Intrahepatic Bile Duct Cancer in men** (more than 3 times the expected number)<sup>2</sup>
  - **Melanoma of Skin in men** (approximately 2.5 times the expected number)<sup>2</sup>
- Barnstable County as a whole ranks seventh out of 14 counties in Massachusetts for health outcomes according to County Health Rankings and Roadmaps. Some of the measures that show downward trends/increasing rates are:
  - **Sexually transmitted infections**<sup>3</sup>
  - **Unemployment**<sup>3</sup>
  - **Children in poverty**<sup>3</sup>

### Injuries and Other Emergencies

Injury prevention is a growing domain in public health. It may be an area of need for outreach and education in Provincetown. The following data give some indication of types of injuries that could be relevant to local injury prevention efforts.

- **Workplace Injuries**
  - Out of the 57 on-the-job fatalities in Massachusetts in 2013, those industries at highest risk are some of the Cape's largest sectors, including:

- **Fishermen** and agricultural workers (6 deaths statewide)<sup>4</sup>
  - Transportation and **material moving** occupations (8 deaths statewide)<sup>4</sup>
  - **Self-employed workers** (14 deaths statewide, half of whom worked in **agriculture/fishing and construction**)<sup>4</sup>
  - **Construction workers** (14 deaths statewide)<sup>4</sup>
- Fatal injuries at work are **predominantly preventable**<sup>4</sup>
- In 2013, **suicides** in the workplace were the leading cause of death at work in Massachusetts<sup>4</sup>
- **Rescue Calls**
  - Call data in the Provincetown Annual Report 2014, condensed into more general categories, indicated that some of the top ten types of call could be public health-related:
    - **Injuries** were the most frequent type of call (162 or 16% of calls)<sup>5</sup>
    - There were 79 **cardiovascular related** calls (8%)<sup>5</sup>
    - 53 **substance or alcohol abuse related** calls (5%)<sup>5</sup>
    - 50 **behavioral/psychiatric disorder related** calls (5%)<sup>5</sup>
- **Police Calls**
  - Police log data from 2013 and 2014 may indicate areas for public health outreach and education:
    - **Assaults** (25 in 2013; 12 in 2014)<sup>5</sup>
    - **Domestic disturbance/assault** (65 in 2013; 73 in 2014)<sup>5</sup>
    - **Alcohol/drugs/mental health** (43 in 2013; 30 in 2014)<sup>5</sup>
    - **Harassment** (106 in 2013; 102 in 2014)<sup>5</sup>
    - **Incapacitated persons** (163 in 2013; 195 in 2014)<sup>5</sup>
    - **Medical emergencies** (516 in 2013; 474 in 2014)<sup>5</sup>

## CONCLUSION

Both the interviews and the community reports make it clear that the challenges facing Provincetown demand a unified approach from various community resources, both public and private. The scope – and in some cases the depth – of the need also require innovation and determination. This assessment is the first step; with solid partnerships and creative programs to follow we can address public health issues with resolve and with optimism.

## WORKS CITED

<sup>1</sup> Cape Cod Healthcare, 2015. "FY2015 & F&2016 Community Benefits Priorities." Available at <http://www.capecodhealth.org/about/caring-for-our-community/community-benefits-priorities/>.

<sup>2</sup> Gershman, Susan T., 2014. "Cancer Incidence in Massachusetts, 2006-2010, City and Town Supplement." Memo to Local Boards of Health.

<sup>3</sup> County Health Rankings & Roadmaps, 2015. "Barnstable County, Massachusetts." Available at <http://www.countyhealthrankings.org/app/massachusetts/2015/rankings/barnstable/county/outcomes/overall/snapshot>.

<sup>4</sup> Massachusetts Department of Public Health, Occupational Health Surveillance Program, April 2015. "Fatal Injuries at Work: Massachusetts Fatality Update, 2013."

<sup>5</sup> Town of Provincetown, 2014. "2014 Annual Report." Available at <http://www.provincetown-ma.gov/ArchiveCenter/ViewFile/Item/13710>.

## APPENDIX

## PROVINCETOWN RESCUE CALL DATA, 2014, CONDENSED

2014 Rescue Calls	
Injury	162
Other	121
Pain (inc. Back)	105
Abdominal/GI Related	97
Unconscious/Fainting/Heat Stroke/Dehydration	94
General Malaise/No Apparent Injury/Illness	84
Cardiovascular Related	79
Substance/Alcohol Abuse	53
Behavioral/Psychiatric Disorder	50
Nausea/Vomiting/Fever	40
Respiratory Issues (inc Asthma)	34
Hemorrhage (traumatic and non-traumatic) and Epistaxis	23
Not Recorded/NA/Not Known/Not Reporting/Unknown Problem	21
Diabetic Symptoms	18
Allergic Reaction	9
Seizure or Other CNS Problem	9
Poisoning/Drug Ingestion	8
Blood Pressure	6
Sepsis	4
Obvious Death	3
OB/Delivery	1
<b>TOTAL CALLS</b>	<b>1021</b>

## PROVINCETOWN POLICE CALLS FOR SERVICE, 2013 &amp; 2014

CALLS FOR SERVICE	2013	2014
911 General	330	280
Aircraft	138	95
Alarm - Fire	134	100
Alarm - General	411	351
Animal Call	515	609
Assault	25	12
Assist Citizen	522	413
Assist Agency / Mutual Aid	367	327
Bar Check	197	273
B&E Burglary	29	23
Bike Accident	15	28

# 1 Provincetown Health Department

Bike General	50	68
Bike - Stolen	60	78
Building / Property Check	6711	6816
Boat / Harbormaster	211	34
By-Law Violation	51	30
Child Endangerment	3	6
Complaint	443	510
Complaint-Street Performers	84	61
Crowds / Overcrowding	5	9
Disorderly	44	60
Disturbance	146	157
Domestic Disturbance/Assault	65	73
Drugs/Alcohol Mental Health	43	30
Escort/Transport	35	24
Fire, Brush	4	2
Fire, CO Alarm	4	4
Fire, Vehicle	4	1
Fire, Structure	20	16
Fire, Other	35	30
Fire, System Test	62	51
Fire Vehicle In/Out Service	32	30
Firearms/Weapons	4	24
Follow Up	247	245
Foot Patrol	257	312
General Info	212	106
Harassment	106	102
Hazards	149	121
Info Services - Lobby	372	357
Info Services - Phone	7	0
Incapacitated Person	163	195
Juvenile Offense	0	3
Keep the Peace	16	23
Larceny/Forgery/Fraud	105	142
Landlord/Tenant	37	46
Licensing Inspection	68	34
Liquor Law Violation	0	2
Lost/Found Property	926	857
Medical Emergency	516	474
Missing Person	37	38
MV Accident	198	169
MV Breaking & Entering	1	2
MV Complaint	425	413
MV Disabled	143	126
MV Hit & Run	67	46
MV Observance/Assignment	1922	1945
MV Stop	2104	1280
MV Vandalism	9	15
Noise Complaint	208	207
Officer Injured	1	5
Parade	8	20
Park, Walk & Talk	893	1025
Parking Complaint/General	309	270

Public Health Needs Assessment 1

Phone Calls - Annoying	9	12
Property Damage	35	40
Rape	2	0
Serve Restraining Order	40	52
Serve Summons	47	78
Serve Warrant	38	39
Service Call	300	491
Sex Offender Registration	5	22
Shoplifting	19	28
Stolen MV	2	3
Soliciting	1	0
Speed Dolly Assignment	82	5
Station Coverage	239	188
Sudden Death	1	4
Suspicious Activity	127	125
Taxi Calls/Complaints	7	0
Threats	29	30
Traffic Control	116	113
Trespass	22	30
Vandalism	28	29
Wires Down	96	54
<b>TOTAL CALLS FOR SERVICE</b>	<b>21550</b>	<b>20548</b>



## Provincetown Community Resource Navigator Program Final Progress Report | July 2018 – June 2019

### Overview

The Outer Cape Health Services (OCHS) Community Resource Navigator program's goal is to increase access to mental health, substance use treatment, and primary care services for Provincetown residents. The Navigator helps clients access resources for emergency interventions, treatment, and wrap around services to address social determinants of health needs such as transportation, physical health needs, safety, housing, insurance coverage, and other services as needed. Through coordination with behavioral health and substance use treatment providers, social service agencies and other stakeholders, the Navigator program identifies, and provides coordination services for individuals in need of services.

The Provincetown Navigator program completed contracted services as of July 1, 2019. The Navigator program will refer case management requests for Provincetown residents to Homeless Prevention Council as of July 1, 2019.

### The Provincetown Navigator Program provided the following responsibilities over the course of Fiscal Year 2019:

- Establish contacts and build relationships with clients presenting with mental health, substance abuse issues, and related co-occurring conditions.
  - The Navigator program received 84 referrals for Provincetown residents, from July 1, 2018 – June 30, 2019.
  - The Navigator had 454 face-to-face encounters residents at the library, health center, and in the Provincetown community over the course of the fiscal year.
- Build a network to provide at risk clients access to services.
  - The Navigator Program has been in communication with Provincetown school to increase access-to-care for families through collaborations with school staff.
  - Navigator staff outreached to Senator Cyr's office for discussions regarding increased access to mental health services, substance use treatment, and recovery.
  - The Navigator staff meets with Cape Cod Hospital (CCH) staff weekly to case conference and coordinate the continuum of care after discharge from the emergency room and psychiatric inpatient to reduce recidivism, and offer interventions with patients in the community with the goal that return transport to emergency room through ambulance is reduced.
  - More than 50 percent of clients have co-occurring needs, often related to social determinants of health such as housing, transportation, insurance, etc. that require support from multiple agencies. Coordinating services through multiple services and treatment can be stressful and difficult. The Navigator helps to facilitate services with staff from other agencies to support the client. The Navigator program has coordinated services with over 40 service providers across the region.
  - Participated with Gosnold's Community Outreach, Emergency Department and Recovery Services to see how the Navigator Program can better collaborate to improve access to care. The Navigator Program is specifically discussing access for Steward Mass Health patients using their Partial Hospitalization Programs (PHP), and increased access to their full continuum of services that include;

- Medical Detox, Inpatient Residential, Extended Care Residential, Sober Living, Private Recovery Coaching and a multitude of Outpatient Services, as well as transportation as a barrier to care.
- The Navigator keeps referrals for services as local as possible, and refers to transportation support through the Regional Transit Authority, such as Prescription for Transport (PT-1) or referrals to other agencies for transportation assistance if available.
  - Urgent Care Center/Emergency Services Program (ESP) continues to provide crisis evaluations at the office in Hyannis, in the community, and at Cape Cod and Falmouth Hospitals.
    - Emergency Services phone:
    - 1-833-BAYCOVE (229-2683) Urgent Care Center/ESP provides crisis evaluations at our office in Hyannis, in the community, and at Cape Cod and Falmouth Hospital.
    - Samaritans of Cape and Islands crisis lines:
      - 508-548-8900
      - 800-893-9900
  - The OCHS Navigator team participated in a Rural Health Networking conference in November 2018 at which additional networking occurred around identification of existing services, gaps, and brainstorming for service coordination.
  - The Navigator program helped to coordinate the Outer Cape Community Solutions group, as an extension of the Rural Health Networking conference. The Navigator Program has collaborated with Helping Our Women to facilitate a discussion group with community partners serving the Outer Cape towns and have had meetings on 5/21/19, and 6/18/19, with plans for regular ongoing meetings.
  - Follow up on community partner (e.g., first responder, police) notifications involving overdoses, suspected substance abuse and possible mental health needs.
    - The Navigator Program completed work with Human Services Resource Institute regarding data management workflow in collaboration with Provincetown police and first responders.
    - Plans are underway with National Alliance on Mental Illness (NAMI) and the regional Emergency Services Program (Bay Cove) to coordinate regional Community Crisis Intervention Team meetings for Outer Cape town's police departments and first responders.
  - Assess each client's needs using evidence-based tools.
    - The Navigator utilizes the following assessments tools to assess needs: Self Sufficiency Matrix (SSM), the Protocol for Responding to and Assessing Patients' Assets, Risks, and Experiences (PRAPARE), Drug Assessment and Screening Tool (DAST), and the Patient Health Questionnaire (PHQ9) to develop a treatment plan centered on the clients priorities. These tools help identify and prioritize services to address gaps.
  - Provide promotional and informational materials in various media to inform the public of the Navigator services available.
    - The Navigator distributes promotional material with community partners, town staff, and coordinates with the Marketing and Development staff at OCHS for media and public distribution of materials.
    - The Navigator Program was featured in the OCHS Summer 2019 newsletter.
    - Community Development Partnership's radio/television show, This Place Matters with the show's host, Jay Coburn, at Lower Cape TV on Tuesday, November 6, 2018, at 9:00 am.

- Provide a minimum of three weekly office hours at the Provincetown library.

Office Hours:            Wednesday – Friday 10:00 am – 12:00 pm

- Provide home visits to clients
  - The Navigator Program recorded 454 home visits to residents and over 1,200 phone calls with clients and collateral contacts.

### Evaluation of Services

The following is a summary of statistics documenting contacts and follow ups to the initial contacts, referrals from First Responders and other agencies, family members, etc.

### Referral Sources to Navigator Program

Referral Source	First Responders	CCH	OCHS medical staff	Agencies	Family	Self	Total
Referrals	5	14	49	8	2	6	84

Since July 1, 2018, through June 30, 2019, the Navigator program received 84 new referrals. Individuals are met in the library, the health center, homes, and various community businesses. The age ranges of participants are from 18-years-old to 86-years-old. More than 80 percent of Navigator participants have a mental health and/or substance use disorder diagnosis.

The goal of the Navigator program is to increase access –to-care and self-sufficiency of participants that include connections to available services to support individuals struggling with mental health or substance use disorder. While self-sufficiency is not the requirement for the program, it helps to guide and provides a measure for “success.” The Navigator supports the work of individuals and the health center by honing in on the challenges, strengths, and motivations of the clients and their daily lives. Not bound by the four walls of the clinic or a focus on specific diagnoses or treatments, the Navigator works to eliminate barriers for their clients through community education, accompaniment, and coordination of enabling services. The tasks performed by the Navigator are diverse; however, it most often involves case coordination, outreach, and enrollment into care. The Provincetown Navigator is trained as a community health worker to identify barriers to self-sufficiency and create service plans to address these challenges, including referrals for treatment of primary and behavioral health conditions.

The Provincetown Navigator assessed needs, with clients accepting services, and supported referrals and coordination with community partners for wrap-around services. Below is breakdown of referrals to resources (e.g., court/legal assistance, transportation, housing, child care, food stamps, access to health insurance, emergency funding, other).

**Outcome: Improved access to health care services, behavioral health services, and other service needs**

Analysis of client data from FY19 showed improved assessment scores from baseline with 3-month reassessments or discharge from program. Improvements are shown from clients regularly engaged with the Navigator program in the following domains:

- Increased income stability
- Access to health care and health insurance
- Access to behavioral health services
- Increased outcomes for clients diagnosed with substance abuse disorder in collaboration with treatment from medical staff

Through ongoing communication and meetings, and in some cases by personally escorting them, the Navigator supported clients in following through with appointments and obtaining needed services.

**Conclusion**

The Community Resource Navigator program served the Provincetown community and participants over the past three years. The OCHS Navigator program will continue to innovate and collaborate with community partners towards the goal of enhancing mental health, substance use treatment, and recovery services throughout the communities served by the health center. The Provincetown Navigator program was able to leverage additional funding secured by OCHS from other local and federal sources to provide an additional depth and breadth of services and program support. These sources helped fund costs for program management, administration and back-up across the entire OCHS service area, including Provincetown. In addition, OCHS provides integrated primary care and other healthcare services for all patients regardless of insurance status or ability to pay.

Outer Cape Health Services works with University of Massachusetts Medical School, Simmons College, Cape Cod Community College and other academic institutions on program research, evaluation, training, and workforce development to grow the entire region's Behavioral Health workforce, including Community Health Workers. These benefits include the Provincetown community as medical students, interns, and staff work with Navigators to increase their knowledge as they are exposed to the unique characteristics faced by the Provincetown community.

The Navigator Program will continue to support participants in collaboration with community partners to support residents challenged with serious and persistent mental health barriers, admissions to detox facilities, psychiatric inpatient admissions, dual diagnosis facilities, or are involved in the legal system. Involvement in any of these facilities has a significant impact on social determinants of health. The OCHS Navigator program remains committed as a resource for all patients in ongoing care.



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**5B**

**BOARD OF HEALTH FEE CHANGE**

**Sanitation and Disposal System Construction Permit Fee**

**Requested by:** Health Director Morgan Clark

**Action sought:** Approve

**Proposed Motion(s)**

Move that the Select Board approve the change in the private hauler fee for Single-Stream Recyclables as approved by the Board of Health.

and

Move that the Select Board approve the Disposal System Construction Permit as approved by the Board of Health at a public hearing.

**Additional Information**

- The Board of Health held a public hearing on August 15, 2019 to increase the fee for private haulers to bring their single stream recyclables to the Provincetown Transfer Station. The fee change was the result of a request from DPW Director Waldo, based on a change in the fees charged by the Casella Recycling. The Town had been paying \$35/ton to Casella, and as of July 1, 2019 pays as much as \$100/ton. The Board of Health voted unanimously to approve the fee change from \$40/ton to \$100/ton.
- The Board of Health held a public hearing on April 18, 2019 to consider changing its flat fee for Disposal System Construction Permits to a fee based on the estimated cost of construction. No members of the public spoke for or against the fee change. The Board of Health approved the change unanimously.

**Board Action**

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



## Board of Health

# Public Hearing

**August 15, 2019**

The Provincetown Board of Health held a public hearing on **Thursday, August 15, 2019**, at 4:00 p.m. in the **Judge Welsh Room, Provincetown Town Hall, 260 Commercial Street, Provincetown, MA**. The Board of Health voted 5-0-0 to approve the fee change below, effective upon posting:

**PART VI. ARTICLE 5 - Solid Waste Fees**

**k. Single-Stream Recyclables \$100 per ton or \$0.05 per lb** due to the increased cost of recycling per the Town's contract with Casella, LLC.

The existing regulation is available on [www.provincetown-ma.gov](http://www.provincetown-ma.gov) in the offices of the Town Clerk or the Health Department, Monday – Thursday 8:30 am to 4:30 pm and Friday 8:30 am to 11:45 am. For further information, please contact the Provincetown Health Department at (508) 487-7020.

*Mark Phillips, Chair*

Posted by the Town Clerk, DJ, Date of posting:  
Printed in the Banner: August 29, 2019



# Public Hearing

April 18, 2019

The Provincetown Board of Health held a Public Hearing on Thursday, April 18, 2019, at 4:00 p.m. in the Judge Welsh Room, Provincetown Town Hall, 260 Commercial Street, Provincetown, MA on Board of Health Regulations, PART VIII

The proposed fee schedule enacted upon posting, as follows:

**ARTICLE 1 – Fee Schedule, DISPOSAL SYSTEM-RELATED FEES**

Test Hole Witness Fee \$150.00

**Disposal System Construction Permit (new construction, upgrade, or repair)**  
**Construction Estimate x \$0.035**

Disposal System Construction Permit (abandonment) No Fee

Title 5 Variance Filing Fee \$200.00

Title 5 Official Inspection Form Review Fee – Per Parcel \$50.00

Septic System Installation Re-Inspection Fee \$25.00

*Adopted by Vote: 5-0-0.*

*For further information please contact the Provincetown Health Department at (508) 487-7020.*

*Stephen Katsurinis, Vice Chair*

*Posted by the Town Clerk, , Date of posting:  
Printed in the Banner:*



**Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657**

**Board of Health  
Telephone (508) 487-7020  
Fax (508) 487-7040**

---

## **AGENDA ACTION REQUEST**

**Board of Health Meeting Date:** September 20, 2018

### **DISCUSSION ITEM**

---

**TOPIC:** Disposal System Installation Fees  
**REQUESTOR:** Morgan Clark

**HEALTH AGENT'S REPORT:**  
**Reviewing Health Agent – Morgan Clark**

The Board of Health's fees for disposal works systems have been the same for years: \$300 for a new system and \$250 for a repair, including a d-box replacement which is a relatively minor and common repair. After trying to look into the cost of septic system installations in Provincetown, it occurred to me that it may be more appropriate and fair to charge a fee similar to a building permit fee – a percentage of the cost of construction.

This would mean that small repairs like d-box repairs would cost less, and more extensive installations, which correspond with larger, more complex plans that take longer for review and inspection, would cost more.

If the Board is interested, I can look into what a reasonable percentage would be that would not make the fees considerably higher than they are today.

### **BOARD OF HEALTH ACTION:**

**Mr. Katsurinis noted that this change could encourage people to make repairs and Ms. Chute added that this type of fee calculation was less arbitrary.**



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**5C**

**MACMILLAN PIER WAVE ATTENUATOR**

Update on construction project

**Requested by:** Pier Manager Doug Boulanger

**Action sought:** Discussion

**Proposed Motion(s)**

Discussion Dependent/Votes May Occur

**Additional Information**

- Please see attached presentation

**Board Action**

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



## Update to the Provincetown Select Board

September 2019

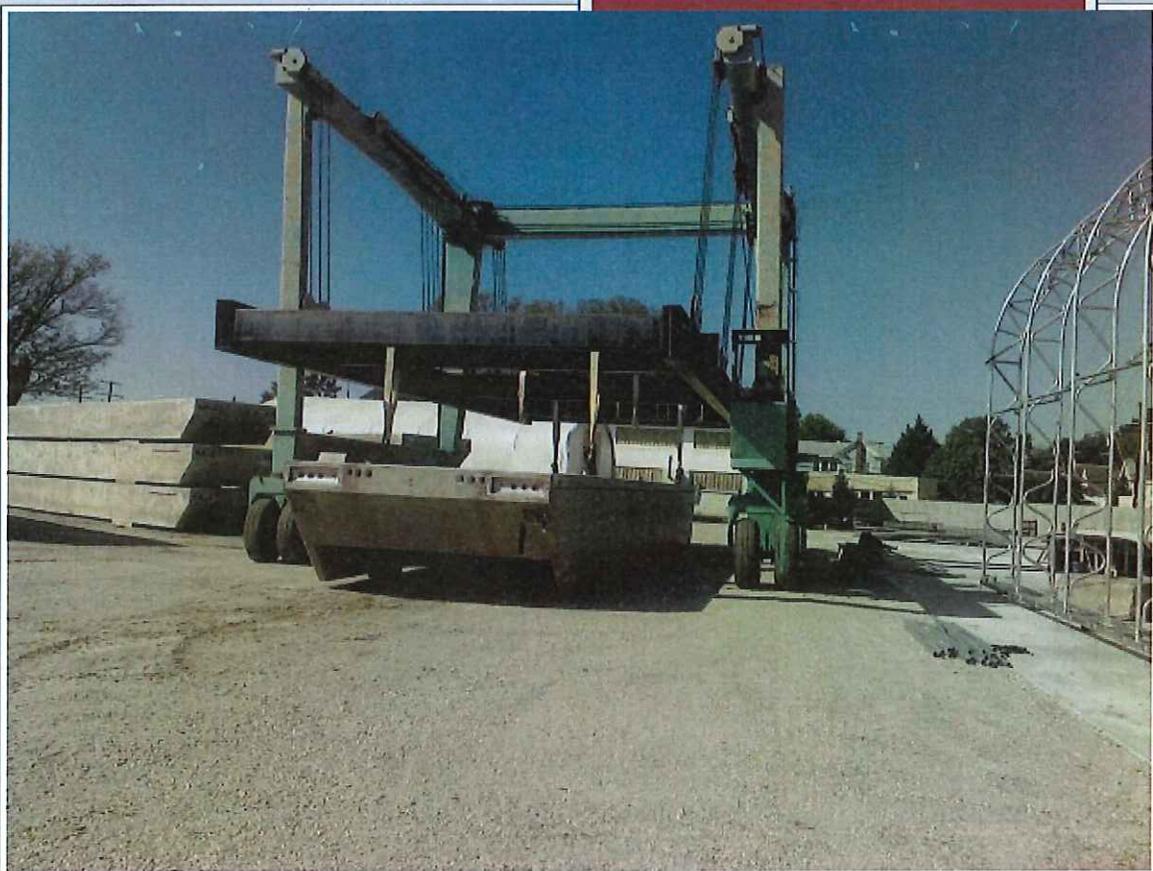
## PPPC Mission Statement

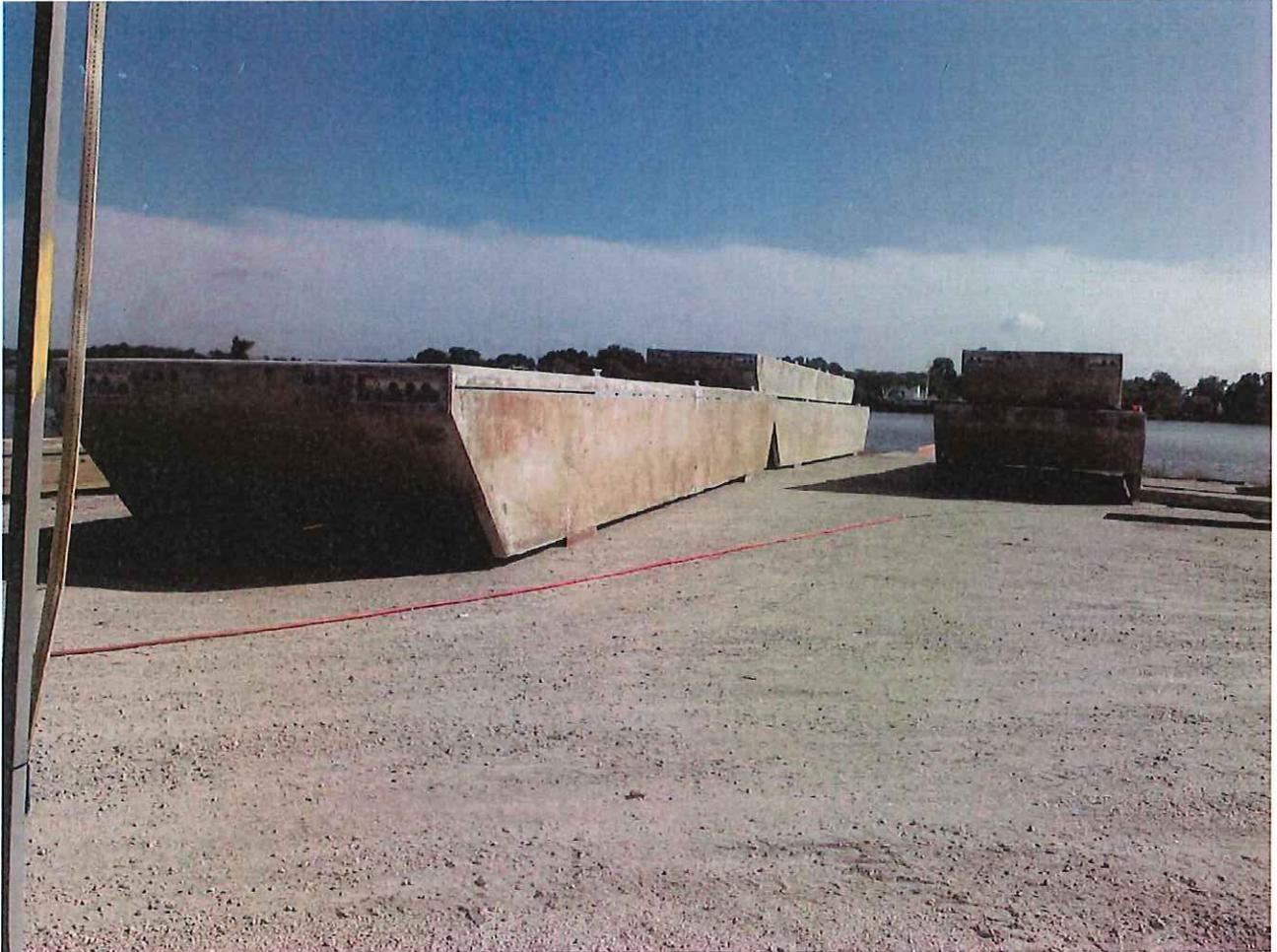
- o *The Public Pier /MacMillan Pier*
- o **Objective: To effectively manage, maintain and improve Provincetown's marine facilities; to stimulate economic development; to encourage and support commercial fishing; and to ensure a safe and welcoming harbor.**

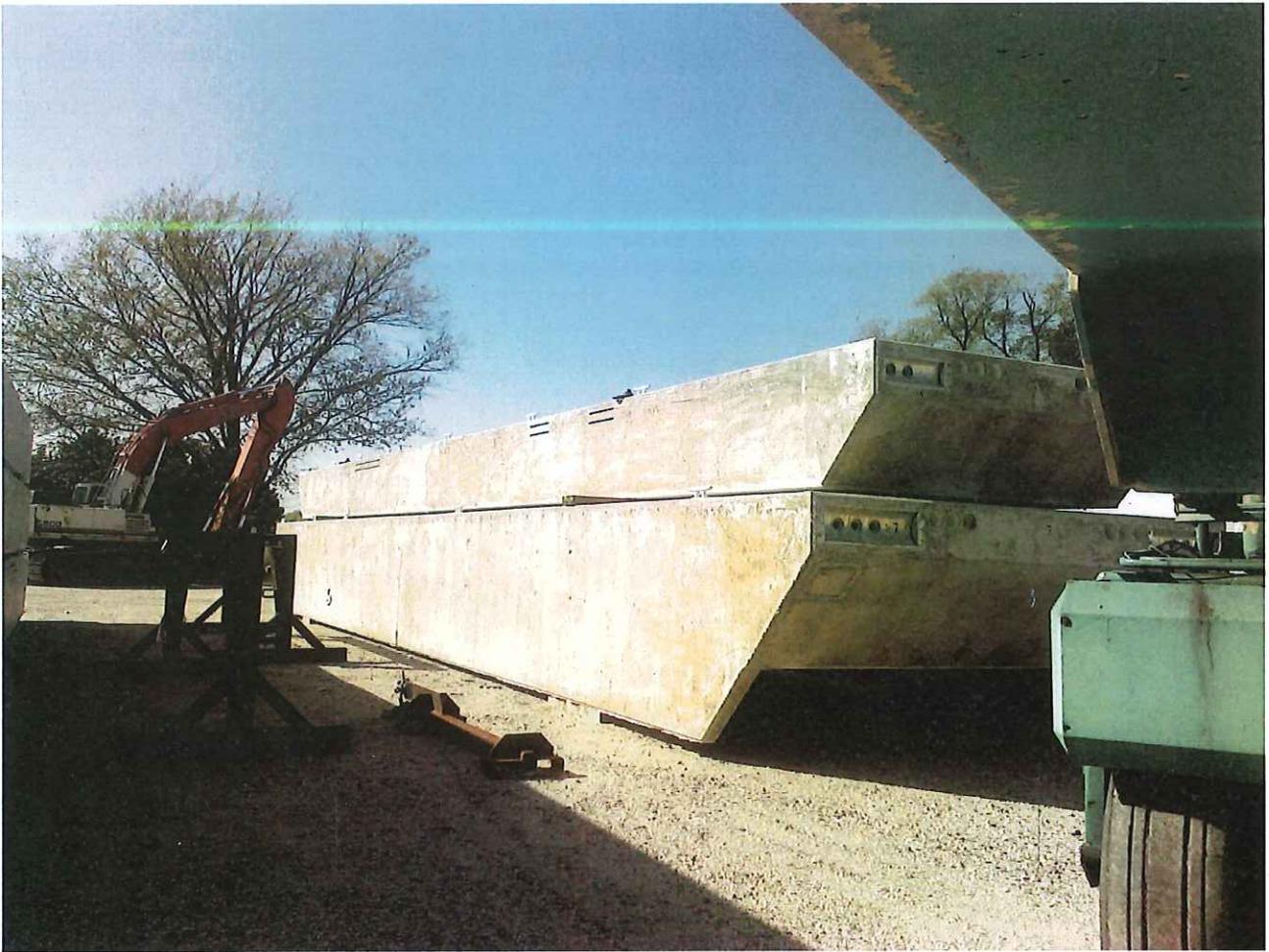


## Executive summary

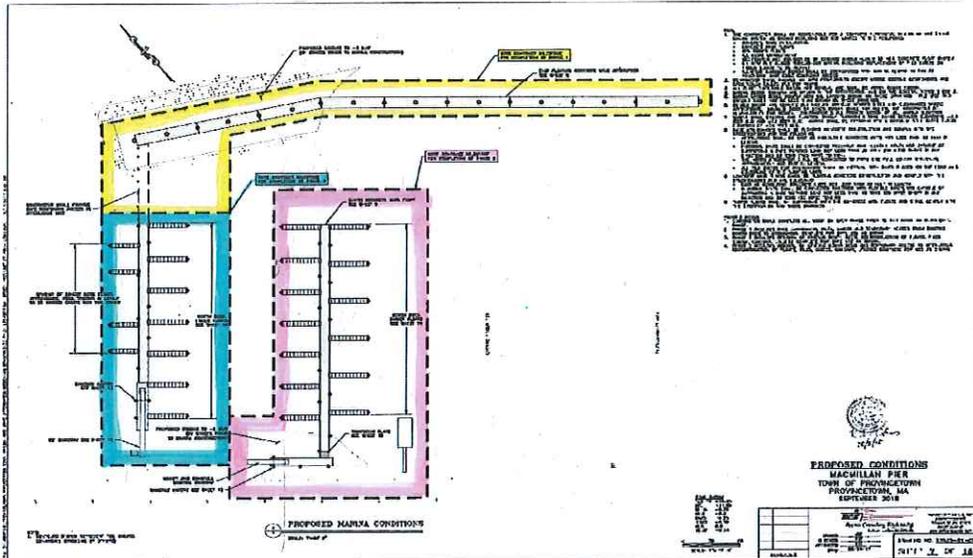
- Review site visit and recent photos
- Revised schedule & Shipping details
- Mobilization Plan
- "Ground Breaking" Ceremony
- Communication Plan
- Remaining updates on the Pier







# MacMillan Pier Floating Dock Reconstruction Project



## Reconstruction Updated schedule

- o Very excited to announce that materials are due to start arriving over the next few weeks, And mobilization is to begin at the end of September
- o **Phase I**-the area highlighted in Yellow
  - o The wave attenuator floats are being shipped now along with the floating dock sections all on one barge from Norfolk VA that will arrive in New Bedford and then to be towed here to Provincetown Harbor. We are still discussing a direct barge shipment to Provincetown, concern is the unloading process/need of a large crane barge.
  - o Phase one is expected to begin the week of Oct 7th
- o **Phase II**- the area highlighted in pink.
  - o The South floating docks will begin demolition the week of October 28<sup>th</sup>
  - o Remaining Fishing boats still in the water will be relocated to the North Floating docks, as well as the transportation platform and or out to the Wave attenuator (there will be no power out on the Attenuator) I have also reached out to our neighbors at the Provincetown Marina and started discussion regarding being able to accommodate some of our fishing fleet for dockage only, all loading and unloading would continue on MacMillan Pier.
  - o The Floating docks will be assembled and piles driven through November. This Phase will be completed with power and water by the 1<sup>st</sup> week in December
- o **Phase III**- the area highlighted in Blue
  - o The North floating docks (& dinghy docks) This phase will completed by end of January.
  - o With Punch list items for the entire project being taken care of the 1<sup>st</sup> two weeks in February.
  - o Monthly FEMA reimbursements submittals have begun and will continue throughout the proj





## Communication Plan:

- Construction updates to the Fishing Fleet are on going.
- Correspondence frequency will increase to a daily update, as needed.
- 2 week forecast will be given weekly.
- Communication will be conducted through email, text, and phone calls.



## Remaining Updates on the Pier

- Electrical Shock incident-The electrical issue that caused an electrical shock on Sunday Sept 1<sup>st</sup> around 3:14 pm has been identified and has been corrected per recommendations from the Electrical engineer: BALA Consulting Engineers as well as the Electrical Testing agents: American Electrical Testing Co., LLC. The Direction that was given by these engineers has been completed and the Electrical engineer has signed off with approval of work that has been done.
- We thank you all for your continued support and look forward to a productive FY ahead, and happy to answer any questions you may have.





Provincetown Select Board  
**AGENDA ACTION REQUEST**

Monday, September 23, 2019

5D

---

WAMPANOAG MEMORIAL COMMITTEE

Report

Requested by: Select Board Member Lise King

Action sought: Discussion

Proposed Motion(s)

Discussion Dependent/Votes May Occur

Additional Information

Board Action

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



**Provincetown Select Board  
AGENDA ACTION REQUEST  
Monday, September 23, 2019**

**6**

## TOWN MANAGER'S REPORT

Administrative Updates

**Requested by:** Acting Town Manager David Gardner

**Action Sought:** Discussion

### Proposed Motion(s)

Discussion dependent – votes may be taken.

### Additional Information

Please See attached documents:

- Town Manager's Report – Administrative Updates
  - Biweekly Staff Report

### Board Action

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



## PROVINCETOWN DEPARTMENT OF PUBLIC WORKS

# Memo

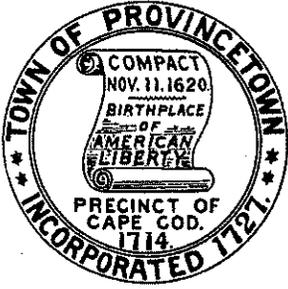
**To:** David Gardner, Acting Town Manager  
**From:** Richard J. Waldo  
**Cc:**  
**Date:** September 18, 2019  
**Re:** Wastewater Update

---

Back in October 2018 the Town had submitted a Grant/Loan application into USDA for a \$6 million dollar project to expand our wastewater system. The project included construction of a peak flow storage tank, treatment plant modifications and construction of two new pump stations. Subsequently, the USDA Northeast Regional Office received significant less funding to their Rural Development Program than they had in years past. This notice was received after the Federal Government reconvened from their 2 month furlough when the Government shutdown.

The reduction in Regional funding caused Provincetown to slide in status whereby we now relied on a National polling for unused funds that other regions would not be able to allocate before the end of the fiscal year. The nationwide polling has taken place and USDA has informed the Town that there is not enough funding to award a \$6 million dollar project.

The Town had proposed a reduced project scope that entails only the construction of the peak flow storage tank at an estimated project cost of \$3 million. Since the tank permitting and construction process is estimated to take 2 years to complete it would allow the Town to re-apply next year while taking advantage of funding that remains this fiscal year. USDA was supportive of that approach and has been working with the Town to submit a reduced project application to the Federal office by the end of their fiscal year which is September 30th. We expect to hear word of an award by October 1st.



## TOWN MANAGER

# Memo

**To:** The Select Board  
**From:** David Gardner, Acting Town Manager  
**Date:** September 18<sup>th</sup>, 2019  
**Re:** Town Manager's Report

---

This report is for the period September 4<sup>th</sup> through September 18<sup>th</sup>, 2019

1. Meetings and/or Conferences
  - September 9<sup>th</sup> – Select Board Special Joint Meeting
  - September 9<sup>th</sup> – Select Board Regularly Scheduled Meeting
  - September 11<sup>th</sup> – 9/11 Remembrance Ceremony
  - September 17<sup>th</sup> – VFW and Current Police Station Housing Forum
2. Personnel Matters
  - Open Positions:
    - Zoning Enforcement and Code Compliance Officer
    - Town Engineer
    - On-Call Telecommunicators
3. Department Update

*This bi-weekly update provides an update of recent town department activity.*

### **Items of Note**

Pier Operations: The electrical issue that caused an electrical shock on Sunday, September 1<sup>st</sup>, around 3:14 pm, has been identified and corrected per recommendations from the Electrical engineer, BALA Consulting Engineers, and the Electrical Testing agents, American Electrical Testing (AET) Co., LLC. The results of their tests are as follows: The stray current that caused the electrical shock coming from the expansion plate covering the expansion joint came from a compromised wire inside of a nearby light bollard (the short light poles along the east sidewalk). This compromised wire sent stray non consistent electrical current down into the pier that then traveled to the metal expansion joint causing the shock. Direction was given to repair the compromised wire and light fixture, and it was recommended to bond and ground the metal expansion joint to remedy deficiencies and avoid any similar issues in the future. Both of these have

been completed, and the Department is awaiting the final sign off from the Electrical engineer (*Harbormaster*).

## **Economic Development**

### **Objective: Support and increase the year round population**

**Maps:** MIS continues to update structure and parcel information for the Town's maps. This involves collaboration between the Assessor's office, the Finance office, and PeopleGIS, where the Town's maps are hosted online. This process is repeated several times a year to keep up with the many changes that take place in the community (*Management Information Systems Department*).

### **Objective: Support efforts of Provincetown 2020 Celebration**

**Bas Relief:** Phase II of the Bas Relief and Park Restoration began on September 3<sup>rd</sup>. The landscape removals are complete, with upcoming work including the realigning the sidewalks due to encroachment concerns, landscaping, and site improvements such as new benches, trash cans, and bike racks. The anticipated completion date for this work is the beginning of November (*Housing and Economic Development Division*).

### **Objective: Develop a film and television policy and permit process that promotes economic opportunities for the town and local businesses**

**Film Policy:** On September 9<sup>th</sup>, Anthony Fuccillo, Tourism Director, and Erin Ellis, Project Administrator, presented the first draft of a Film Policy and Application/Checklist. The Select Board provided constructive feedback, and recommended that a follow up with the Massachusetts Film Office be performed to explore additional economic incentives for production companies to select Provincetown. Lisa Strout, Director for the Massachusetts Film Office, suggested that while some financial incentives had been offered in other states, her office found it rare that an incentive created by a city or town had a significant return on investment. A final draft of the Policy and Application/Checklist will be provided for Select Board approval at an upcoming meeting (*Town Manager*).

## **Housing**

### **Objective: Increase Community Housing availability**

**VFW & 26 Shank Painter Road Housing Development:** On September 17<sup>th</sup>, the Town hosted its 2<sup>nd</sup> Forum at Town Hall to discuss housing development options for these sites. The 3<sup>rd</sup> Forum has been scheduled for November 13<sup>th</sup>. The end result will be a scope for a Request for Proposals for development, which then will be issued in the winter (*Housing and Economic Development Division*).

**Harbor Hill:** The initial work to lay the sewer line for buildings #4 and #7 has been completed, as well as interior work such as removal of carpets and prepping for new windows and doors. It is anticipated that a portion of the units available in the 3 remaining

buildings will come online in December/January. Out of the 6 total units available in Building #5, 5 are leased, and a verbal commitment has been received for the 6<sup>th</sup> (*Housing and Economic Development Division*).

## **Community Connectivity and Communications**

### **Objective: Develop and sustain existing programs and community forums that foster education on issues of public concern**

Hoarding Support Services: Two support programs are being offered at the Veterans Memorial Community Center (VMCC) for those that are coping with hoarding, collecting, or cluttering issues. *Buried in Treasures*, a facilitator-led, 14-session, action-oriented workshop, will begin in October, and registration is required. *Clutterers Anonymous* is a self-help, 12-Step Recovery Program, with weekly meetings. Both are free, confidential, and open to all ages (*Council on Aging*).

### **Objective: Use the Town Library as a resource, continue to invite and encourage community engagement through outreach and programing**

Crop Swap: September 3<sup>rd</sup> was the Launch Party on the Library's lawn for the Crop Swap: Provincetown's Produce Swap Shop, with over 40 people in attendance. Senator Julian Cyr, Representative Sarah Peake, Select Board Chair Dave Abramson, and Select Board member Lise King were present to recognize this collaborative program between the Library, the Health Department, and SKIP. Donations keep the fridge stocked with free, uncut produce for residents. A great deal of gratitude goes to everyone who made this possible (*Library and Community Development-Health Division*).

Tech Help: Ed Terrill has returned to the Library to offer free weekly walk-in technology help to patrons. Mr. Terrill is at the Library to provide one-on-one instruction on Library online resources, device use, or other technological concerns (*Library*).

Museum Passes: The Provincetown Public Library provides passes that allow for free or reduced-price admission to museums and other places of interest. All of the following passes are available at the circulation desk at the library: Museum of Fine Arts, Pilgrim Monument & Provincetown Museum, Provincetown Art Association and Museum, John F. Kennedy Hyannis Museum, Isabella Stewart Gardner Museum, Cape Cod Maritime Museum, Cahoon Museum of American Art, Edward Gorey House, The Sandwich Historical Society Sandwich Glass Museum, Cape Cod Museum of Natural History, Cape Cod Museum of Art, and Massachusetts DCR Parks Pass (*Library*).

### **Objective: Adopt means of creating public engagement with seniors, young adults, youths, people of color, and immigrants**

Special Town Meeting: On September 10<sup>th</sup>, the Town Clerk was presented the Petition received by the Select Board's Secretary during the Select Board's regularly scheduled meeting on September 9<sup>th</sup>. This petition, submitted by Mike Trovato, was

invalid as the incorrect petition was used, and the number of signatures obtained was less than the required amount necessary. Since this time, the Clerk has met with Mr. Trovato to give instructions on what is required, and the proper form to be submitted directly to the Town Clerk. Mr. Trovato plans to gather signatures and resubmit in order to call a Special Town Meeting (*Town Clerk*).

## **Built and Natural Environment**

### **Objective: Promote Policies and programs that protect and sustain the natural environment, and our community's way of life**

Environmental Health: On September 12<sup>th</sup>, the Rat Task Force held their initial meeting. The committee is comprised of representatives from the Board of Health, Animal Welfare Committee, Visitor Services Bureau, Open Space Committee as well as Health Department staff, DPW Operations Director, Environmental Planner, Animal Control Officer, and Dr. Stormy Mayo. This group will continue to meet on a regular basis met to discuss options and recommendations for the Town (*Community Development-Health Division*).

Waterfront Property at 387 Commercial Street: During the recent regularly scheduled meetings of the Recreation Commission, the group has discussed the interim use of the park at 387 Commercial Street while a master plan is in development for the site. The focus has been whether or not to permit the rental of this space for events. The Commission has decided to allow events on this property, but in a strictly regulated fashion. The Commission has drafted a Facility use request form and regulations for this usage, and on October 9<sup>th</sup>, starting at 6pm in the VMCC, will be holding a public hearing to hear feedback on their proposal. The Commission will be inviting boards, including the Select Board, along with abutters, with hopes of engaging the community in a constructive manner. The Commission wants public input before approving event usage on the site. The Commission's proposal will be available prior to the October 9<sup>th</sup> meeting to allow time for public review and submission of comments (*Recreation Department*).

### **Objective: Promote efforts to improve our streetscapes and intersections for safety and convenience of pedestrians, bicycles, and vehicles**

Fall Maintenance: The Department of Public Works will be addressing catch basin and vegetation pruning throughout Town. The work being performed on the VMCC roof will be completed by the end of the month, and the Department is working on producing a Request for Bids for the painting of Town Hall (*Department of Public Works*).

### **Objective: Implement the recently adopted Harbor Plan**

Provincetown Pier 5 Year Scheduled inspection: The Pier receives a full conditions survey and marine structural inspection every five years, scheduled for October of 2019. This year's inspection will include examination of all Utilities throughout the Pier. The review will include diving under and around the pier, with all Vessel tenants notified to be aware of diving flags and Harbormaster boats in diving areas (*Harbormaster*).

Floating Dock Reconstruction Project: The Production of the floating docks will continue through to the end of September. On-site mobilization is scheduled to begin at the end of September. The Department is exploring having a ribbon cutting ceremony to take place when the Wave attenuator and floating dock sections arrive in Provincetown Harbor. Additional information will be provided to the Select Board as it becomes available. At this time, the Department is still hopeful this project will meet the closeout schedule and be completed by mid-February (*Harbormaster*).

## Emergency Planning and Management

***Objective: Ensure that business continuity and system recovery plans are in place, so that recovery efforts can begin immediately after the emergency, ensuring return of normal activities***

Sandbags: Since the annual hurricane season runs through November 30<sup>th</sup>, the Highway Department continues to have on hand sandbags for homeowners to fill and utilize during a storm event. Please contact the Department of Public Works with any additional questions on how to obtain them (*Department of Public Works*).

## Climate Change Planning and Resilience

***Objectives: Become certified as Municipal Vulnerability Preparedness community and pursue MVP action grant funding to implement mitigation measures identified in the MVP Community Resilience Building process***

MVP Designation: The Environmental Planner has received formal notification of the Town's designation as a Municipal Vulnerability Preparedness (MVP) community from the Executive Office of Energy and Environmental Affairs. This designation caps a year-long planning process that included significant public participation in an 8-hour community resilience building workshop and three follow-up information sessions. This designation qualifies the Town to apply for MVP action grants to implement our priority climate change mitigation action items, and the Town will need to submit annual progress reports to EOEEA. The summary of findings will be posted to the website and broadcast on social media. The first round of MVP action grant opportunities is expected to open at the end of September (*Community Development-Conservation Division*).

***Objective: Develop a comprehensive shoreline management and beach nourishment plan, and in coordination with other Outer Cape communities, where appropriate***

FY20 CZM Coastal Resilience Grant: The Massachusetts Office of Coastal Zone Management (CZM) has awarded a \$115,000 grant to fund a joint project of the Towns of Provincetown, Truro, Wellfleet, and Eastham to develop a comprehensive framework for managing approximately 35 miles of shoreline in a mutually beneficial manner. The project is a first step in addressing the complexities of inter-municipal shoreline management with the goals of maximizing and sustaining the resilience of Eastern Cape

Cod Bay through effective management techniques and consistent responses to the increased threat of coastal storms and climate change. The towns will contract with the Center for Coastal Studies (CCS) to perform this project; CCS has performed sediment transport studies of the Cape Cod Bay shoreline of each of the four towns. Provincetown's share of the cash match is \$7,500, which will be provided from the CIP for beach nourishment approved at the 2018 and 2019 Town Meetings. This collaborative project is the result of over two years regular meetings of the health and conservation staff of the four towns to seek ways to more effectively and efficiently address regional goals (*Community Development-Conservation Division*).

**Objective: Identify and prioritize mitigation measures to maintain, upgrade, harden, and reinforce existing utilities from the effects of sea level rise and climate change**

Floodplain information: Inquiries regarding properties in the Floodplain and the triggers and requirements for FEMA compliance have been on the increase. The Department attributes this renewed interest is due to the recent Hurricane activities that included Tropical Storm warnings for our area. Our State Coordinating Agency, the Department of Conservation and Recreation (DCR), has been very helpful in assisting and answering any questions as they arise (*Community Development-Building Division*).

## **Government, Operations, and Finance**

### **Government and Operations**

**Objective: Provide training and educational opportunities for staff and Board to improve operational effectiveness:**

- **Create strategies to retain staff**
- **Pursue and promote 3<sup>rd</sup> Party accolades**

Local Inspector Jim Nickerson: Mr. Nickerson has been with the town for six months, and is scheduled to take his 2<sup>nd</sup> Building Inspector Certification test in early October. He is well within the prescriptive time required by the State to get the three required certifications to be a fully Certified Local Building Inspector (*Community Development-Building Division*).

Town Clerks Association: On September 17<sup>th</sup>, the Town Clerk attended the Annual Fall Meeting on in Oak Bluffs. Some of the topics that were discussed included Early Voting, the Presidential Primary, and Census 2020 (*Town Clerk*).

CATMan Cape Area IT Managers (IT/MIS Directors) continue to meet regularly to discuss common issues and to share best practices. A consistent topic has been the adoption of standardized IT policies. These meetings have been a valuable resource as the Town of Provincetown is in the process of drafting a set of these policies (*Management Information Systems Department*).

MMA Conference 2020: For those who are interested, registration is now open for the January 2020 annual conference. Josee Young, Finance Director for the Town of Provincetown, will be in attendance at this event (*Finance Director*).

Cape Cod and Islands Water Protection Fund (CCIWPF): The Finance Director continues to represent the Town at the CCIWPF meetings. The next one has been scheduled for September 26<sup>th</sup>. An update to the Select Board will be provided on this group's progress following this meeting (*Finance Director*).

***Objective: Implement policies and programs that support year-round culture and economy***

Human Services Committee: The Human Services Committee will begin review of the RFP for the FY2021 Human Services Grant Program funding cycle this month, voting on a final version following a Public Hearing on October 9<sup>th</sup>. For those who would like to apply for one of these grants, the deadline for submission of proposals will be December 4<sup>th</sup>, 2019 (*Council on Aging*).

Wi-Fi: MIS is in the process of upgrading the Wi-Fi at both Town Hall and the Fire Station. Staff will be replacing legacy equipment with the same access points used at the Public Library and the School. This will allow us to standardize policies and take advantage of better performance and reliability (*Management Information Systems Department*).

Data Compromise/Cyber Insurance: As recommended by Paul Silva of Benson Young & Downs Insurance Agency (BY&D), the Town will be adding a policy for data compromise and cyber insurance in FY20 (*Finance Director*).

***Finance***

***Objective: Enforce strong financial policies and internal controls to improve transparency and to continue Provincetown on a secure and stable financial path***

FY20 Tax Bills: The FY20 Tax bills have been submitted to the printer and are scheduled to be mailed on October 1<sup>st</sup>. For those who are interested, payment options will include snail mail or through the Town of Provincetown Website (*Finance Director*).



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**7**

**MINUTES OF THE SELECT BOARD'S MEETINGS**

**Requested by:** Select Board

**Action Sought:** Approval

**Proposed Motion(s)**

Move that the Select Board approve the minutes of:

- September 9, 2019 5 pm      (Special) [ ] as printed [ ] with changes so noted
- September 9, 2019 6 pm      (Regular) [ ] as printed [ ] with changes so noted

**Additional Information**

See attached minutes.

**Board Action**

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

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
SEPTEMBER 9, 5:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chair Abramson convened the open meeting at 5:00 pm noting the following:

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

Excused:

Other attendees: Acting Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

- 1. 5 pm - Joint Meeting with the Harbor Committee. Topics to include but are not limited to: (Votes May Occur)**
  - a. Harbormaster position**
  - b. Provincetown Public Pier Corporation**
  - c. Other concerns**

Harbor Committee: Chair David Flattery, Vice Chair Susan Avellar, Members Elise Cozzi and Laura Ludwig

The Select Board and the Harbor Committee held a joint meeting. The Harbor Committee expressed concerns to the Select Board on the handling of the personal matters of the Harbor Master and felt they had not been properly included by the Provincetown Public Pier Corporation. Each committee member spoke about the important work the Harbormaster has done for the Harbor Committee, the MacMillan Pier and the Town's coast resiliency efforts. At their September 4<sup>th</sup> meeting, the Harbor Committee approved the following motion: Given that the HC has purview over harbor regulations and the Municipal Harbor Plan, we move to recommend to the Select Board to separate the Harbormaster's position and office [Harbormaster Services] from the PPPC and that the management of the Harbor and Harbormaster position be overseen by Town Manager pursuant to the Town Charter. The Harbor Committee is requesting the Select Board votes to support this motion.

Harbor Committee adjured at 5:49 pm

- 2. 5:30 pm Joint Meeting with the Animal Welfare Committee. Topics to include but are not limited to: (Votes May Occur)**
  - a. Rodent Control**

Animal Welfare Committee opened the meeting at 5:50 pm.

Animal Welfare Committee Chair requested Stephanie Ellis, executive director of wild care and biologist Stormy Mayo speak on behalf of the Animal Welfare Committee. Ms. Ellis spoke about the increases Wild Care is seeing with raptors being poisoned from rodenticides and spoke about alternative methods. Dr. Mayo spoke about the high number of rodents he is seeing on his property and stressed the major issue with people not using containers for their trash. The Animal Welfare committee would like to see the town use their resources to assist in controlling the situation and hopes that after the rat taskforce meets can return to the Board with ideas to be funded. Acting Town Manager Gardner spoke about the newly formed a rat task force, and how they are looking

at doing public education program, doing a town wide mailing and an event is coming up at the library. The Select Board also spoke about the number of trash bins without lids and seeing trash put out for pick up just in black bags.

Animal Welfare Committee adjured at 6:00 pm

DRAFT

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
SEPTEMBER 9, 2019, 6:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

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

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

Excused:

Other attendees: Acting Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

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

- A. Approve the parade permit submitted by Recreation Director Brandon Motta on behalf of the Recreation Commission's Annual Halloween Parade to be held on Thursday, October 31, 2019.
- B. Declare the following list of equipment as surplus and authorize the Chief of Police under the direction of the Acting Town Manager to dispose of same in the manner deemed most advantageous to the Town.  
2013 Ford Transit Connect Van - VIN# NM0LS6BN8DT138678
- C. Approve the appointment of Human Resources Director Elise Zarcaro to the position of alternate Board Delegate of the Cape Cod Municipal Health Group.

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

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

- **John Siniko** – Speaking on behalf of the Board of Fire Engineers – Asking the Select Board to hold a special town meeting to vote on designating the VFW site as a joint Police/Fire facility.
- **Frank Vasello** – As a member of the PLC, felt was not fully included in the process for Pilgrims' First Landing Park will be meeting this week to vote on the Pilgrim's First Landing Park, we feel that we were not including and I ask the PLC be included in the conversation before approving anything.
- **John Krajovic** – also speaking about the Pilgrim's First Landing Park, ask the BOS to adopt a two phase project at the park. The initial design would be to clean up the park where as the second phase would be to develop a master plan. Urge the select board to take their time with this park.
- **Rick Kapler aka Wave** – speaking to the BOS about the Wampanoag memorial, the stone is not a tomb stone. Takes offense by Ms. Kings comments about Linda Combs. The town did not do their job by not notifying the other boards. The memorial should be front and center.

**2. Select Board Member's Opening Statements – (Votes may be taken)**

- **Louise Venden** – I am really sorry that the weather effected the swim for life event. Just as a matter of getting information together when we are looking at the budget, I would like to look at how many permits are before the regularity boards. I would like to have some sense of how many permits and applications are before these boards. I think we need to understand what that work load is and understand more about budget request. We need to make sure we have adequate personnel to handle this. We have been working on the LCP for the last 5 years and ours is going to be 20 years old soon.

It really is disheartening to hear the lack of communication between the harbor committee and the PPPC. There are lots of stakeholders in a lot of these projects, and we just have to do a better job of figuring out who needs to be at the table to move a project forward.

- **John Golden** – Everyone watch their trash. It is after Labor Day, it is time to focus on what is ahead of us as the board, sort of frazzled from the summer season, looking forward to getting something accomplished.
- **Robert Anthony** – one of the members mentioned how we got the pier corp, the pier corp was a mandate for getting the 14 million for building the pier. We have to work this out in regard to what the charter says, we have pier management down there and pier finance. Once tomorrow is over we can all sit down and work this out.
- **Lise King** – this is the first time swim for life has been cancelled, wanted to say how much that event has grown, over 400 swimmers has raised over 4 million dollars for AID and I just hope everyone who wasn't able to attend for the hurricane to make those donations. As a community we are grateful for those events.
- **David Abramson** – for the Swim, they still had the pond swim and I attend the mermaid bunch on Saturday, and there was still a significant crowd that came. Award and ribbons were given out for money raised. Issue of the pier, there is a lot of information that has been distributed, there is a lot to digest, more will come up in the fall.

**3. Appointments – None**

**4. Public Hearings – None**

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

**A. Initial presentation of First Landing Park Improvements for 2020 Commemoration presented by Todd Westrick**

DPW Richard Waldo and Landscape Designer Todd Westrick – seeking direction on a project that fell to the wayside due to the departure of the previous town manager. A lot of the delay was due to the acquisition of the property from the DOT. The presentation is just a short term vision for the 2020 commemoration. Mr. Westrick presented a conceptual plan to the Board that included relaying the bricks angled to face the breakwater, additional shade trees, painted crosswalk, and additional benches. Staff asked the Select Board for input and direction. Staff, Mr. Westrick and the Select Board discussed the species being proposed, how many parking spaces would be there after the project was completed and timeline of the project.

**Move that the Select Board schedule a public hearing to discuss the pilgrim's first landing park for October 15, 2019.**

**Motion: Louise Venden Seconded: Lise King**

**Vote 5-0-0**

**B. Review draft Film, Videography, Photography and Droning Policy and Application presented by Tourism Director Anthony Fuccillo and Project Administrator Erin Ellis**

Mr. Fuccillo and Ms. Ellis spoke to the Select Board about the process of which the Tourism Director, Assistant Tourism Director and Project Administrator worked together with to develop a policy and application. The draft is in the packet, the application process would be initially handled through the tourism office and they would work

with the applicant. The Select Board discussed with staff the process the applicant would need to go through, incentives the Town could offer to applicants and clarify some of the language on the application.

### **C. Consideration of Economic Development Permit Criteria Policy Statement presented by Acting Town Manager David Gardner**

Acting Town Manager David Gardner presented the statement for consideration. The proposed language is to make it clear to businesses that applications will be placed in the cue, allow employee housing be approved without the need of a public hearing and the other changes are in hopes of cleaning up the policy. The Board asked what staff recommends for projects that may use up all the gallons; specifically, employee housing. Staff suggest adding in a threshold of 2 bedrooms or less not needing a public hearing. The Chair requested staff return at the next meeting with changes and place it on consent for approval.

### **D. Continued discussion of Scholarship Criteria**

Member Lise King brought this forward to see the attorneys were looking at the wills with the current situation for students in Provincetown. The way it is written in now, it would allow for any student to come to Provincetown, and be eligible for the scholarship, but Provincetown residents who choose school choice are not eligible. In Ms. King's opinion, the intent of the will is for Provincetown students. The Oliver will require residency requirements, whereas the John Francis requires students to attend the school. She would like Town Counsel to look at the wills again and see whether or not the will can be expanded to allow for children to choose another middle school. Ms. King feels it is important to further spread the word of the scholarship, folks understood they can donate to the scholarship fund at large for the town and revisit the language on the restricted will on the intend of the recipient on the scholarship fund. The Board discussed the memorandum written by Town Counsel in Nov. 9, 2016 and directed staff to seek counsels' opinion on whether or not school choice was taken into consideration the last time the will was looked at.

Lise King – recused herself and left room

Moved that the town manager ask the town counsel “given the fact that school choice now allows Provincetown resident students to go to middle school and other places, they will not achieve an 8<sup>th</sup> grade graduation, and does that eliminated them from the John Francis will?” Is it in fact true, students from other towns that elect to come to Provincetown and graduate 8<sup>th</sup> grade are eligible?”

Motion: Louise Venden Seconded: Robert Anthony

Vote: 4-0-0

### **E. Wampanoag Memorial Committee Report by Select Board Member Lise King**

Ms. King gave a brief update; feels they should be able to call a committee by the end of September. There is a standing committee of elders, Mr. Peter was going to speak to them. Linda Combs is the Aquinas tribe from Martha vineyard. Jim Peters – executive director of Indian Affairs Committee with Gov. Baker. Mr. Peters is willing to talk to the Select Board. There has been confusion and she would like to invite them to speak here. Ms. King asked the Board for their opinion on offering speakers re-imbusement for traveling all the way down to Provincetown. Staff will speak to the Finance Director to see what the policy is.

### **6. Town Manager Administrative Matters – Topics to include but not limited to: (Votes May be taken on**

the following items)

**1. Staff Biweekly updates**

Acting Town Manager gave a brief summary of updates that included the September 11 ceremonies that will be held on Wednesday, the electrocution on the Pier, phone services being down, replacement of parking booths and congratulate the finance department being the 6<sup>th</sup> town to receive their approvals on the tax rate.

**7. Minutes - (Votes May Be Taken)**

**1. August 26, 2019 5 pm – Special Meeting**

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

**1. Pending Items List**

- Louise Venden – thank you Dave for moving this meeting along. I would like to see if the Board wishes to schedule a further discussion on Camion Associates
- Lise King – we had an OPEB meeting, we had a visitor from the part time resident associate, we had a visitor who suggest cutting some of the benefits packets. I wanted to mention the hurricane, very happy the town was prepared. It is hurricane season and my heart goes out to those families in the Bahamas, hope they recover as quickly as possible.
- Louise Venden – I am having a meeting with the YRRHT tomorrow. I am going to propose we engage a consultant to help us with coming up with a funding source when we deal with shortfall.
- David Abramson – thank everyone for this evening, we have been sending out large emails with a lot of packet material, so please read it.

Without objection the meeting was adjourned at 9:34 pm

Minutes transcribed by: Elizabeth Paine



**Provincetown Select Board  
AGENDA ACTION REQUEST**

**Monday, September 23, 2019**

**8**

**SELECT BOARD CLOSING MATTERS**

Closing Statements, Pending Agenda Request Items and Other

**Requested by:** Select Board

**Action Sought:** Approval

**Proposed Motion(s)**

*Motions may be made and votes may be taken.*

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

**Additional Information**

- Please see attached

**Board Action**

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

## Pending Items List

September 17, 2019

**Topic:**

**Requested by:**

**When:**

- |   |          |
|---|----------|
| 1. Legislation Update – Sarah Peake, Julian Cyr |          |
| 2. VFW Site Report                              |          |
| 3. Six Town Regional Meeting                    |          |
| 4. Social Services – Housing                    |          |
| 5. LCP Update                                   |          |
| 6. Auditorium Chairs                            | November |
| 7. Tank Expansion Update                        | October  |
| 8. Sewer Expansion Planning                     | October  |

## Work Sessions

- |   |    |         |
|---|----|---------|
| 1. Communication                                |    |         |
| 2. Housing                                      |    |         |
| a. Harbor Hill                                  |    |         |
| b. Former VFW Site                              |    |         |
| 3. Police Station                               | RA | October |
| 4. New Funding Sources                          |    |         |
| a. Marijuana Tax                                |    |         |
| b. Short Term Rental Tax                        |    |         |
| 5. Public Safety (include Police Chief and Lt.) |    |         |
| a. Motorized Scooters                           |    |         |
| b. Bike Traffic Speed                           |    |         |
| c. Enforcement                                  |    |         |
| d. Parking                                      |    |         |
| e. Lights                                       |    |         |
| 6. Camion Economic Development Strategic Plan   |    | 9/30/19 |

## Joint Meetings

- |  |  |         |
|--|--|---------|
| 1. VSB – Grant Criteria and Evaluation Process             |  |         |
| 2. Economic Development Committee – Micro and Macro Grants |  |         |
| 3. Airport Commission                                      |  |         |
| 4. Board of Fire Engineers                                 |  |         |
| 5. Housing Authority                                       |  |         |
| 6. Provincetown Public Pier Corp                           |  | 9/30/19 |

## Upcoming Public Hearing

- |                           |                          |
|---------------------------|--------------------------|
| 1. Annual Traffic Hearing | November 4 <sup>th</sup> |
|---------------------------|--------------------------|