



PROVINCETOWN

Town Warrant

Annual Town Meeting – Monday, April 3, 2023

The Provincetown Independent | March 16, 2023

Commonwealth of Massachusetts Barnstable, ss.

To either of the Constables of the Town of Provincetown, Greetings:

In the Name of the Commonwealth of Massachusetts and in the manner prescribed in the Charter and Bylaws of said Town, you are hereby directed to notify the inhabitants of the Town qualified by law to vote in Town affairs to meet and assemble at **Provincetown Town Hall, 260 Commercial Street, on Monday, the third day of April, A.D. 2023 at 6 o'clock in the evening**, then and there to act on the following articles, to wit:

FINANCE ARTICLES

ARTICLE 1. Prior Year Bills. To see what sum the Town will vote to raise and appropriate or transfer from available funds for the purpose of paying prior year unpaid bills; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 1: Invoices received after the close of the fiscal year for services rendered or goods received prior to July 1 are considered prior year bills. Per MGL Ch 44 Section 64, prior year bills to be paid from the Town's general operating fund may only be paid by a vote of Town Meeting.

ARTICLE 2. FY 2024 Operating Budget. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$33,766,333 to fund operating budgets for several Town departments for Fiscal Year 2024 in accordance with Chapter 6, Section 4 of the Provincetown Charter, as follows:

Budget Divisions	FY 2023	FY 2024	% change
I. General Government	\$1,178,108	\$1,248,079	5.939%
II. Finance	\$12,340,705	\$12,863,588	4.237%
III. Public Safety	\$8,174,719	\$8,809,006*	7.759%
IV. Public Works	\$4,070,329	\$4,360,866	7.138%
V. Public Services	\$1,101,818	\$1,263,951	14.715%
Sub-total, Division I-V	\$26,865,679	\$28,545,490	6.252%
VI. Public Schools	\$5,200,457	\$5,220,843	0.392%
Total Budget, All Divisions	\$32,066,136	\$33,766,333	5.302%

*And further that the additional sum of \$1,058,476 be raised and appropriated to fund a Full-time Combination Fire and Emergency Medical Services Department provided that said additional appropriation of \$1,058,476 shall be contingent on the passage of a Proposition 2 and ½ override vote in accordance with MGL ch59, section 21C(m). Or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 2: This article funds the operating budgets for several Town departments for FY 2024. This year's budget includes an operating override to cover the costs to begin a transition to a full-time combination Fire and Emergency Medical Services (EMS) Department. Under this plan, Lower Cape Ambulance Association (LCAA) will continue to provide ambulance services and the Fire Department will hire 8 new full-time employees who will be Firefighter/EMTs or Firefighter Paramedics, which will enhance EMS coverage in the Town. The cost to maintain LCAA and begin the transition is as follows:

	Existing Budget	Override	Proposed Budget
Fire Department Budget (Div 3, 220 Budget):	\$1,510,935	+ \$956,600	= \$2,467,535
Ambulance Budget (Div 3, 231 Budget):	\$1,018,124	+ \$101,876	= \$1,120,000

Override Total: \$1,058,476

The funding is contingent on the passage of a Proposition 2 and ½ override vote in accordance with MGL ch59, section 21C(m) and shall be used to fund a level service budget for fiscal year 2024. The override will also need to pass at the May 9, 2023 Annual Town Election.

If this article passes and the override is approved by Town Meeting and at the Election, the FY2024 total Operating Budget will be \$34,824,809.

ARTICLE 3. FY 2024 Cape Cod Regional Technical High School Assessments. To see if the Town will vote to raise and appropriate or transfer from available funds \$260,379 to fund the Town of Provincetown's tuition and capital assessments for CCRTHS; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 3: This article funds the cost of Provincetown's share for nine students to attend Cape Cod Regional Technical High School in Harwich (\$180,313) and the Town's share of the capital assessment for the school building (\$80,065).

ARTICLE 4. FY 2024 Enterprise Funds. To see if the Town will vote to raise and appropriate or transfer from available funds the following amounts for enterprise funds of the Town of Provincetown for Fiscal Year 2024:

6001 Water Enterprise Fund	FY 2023	FY2024	% change
Enterprise Fund Costs	\$2,253,972	\$2,421,414	7.429%
General Fund Costs	\$371,000	\$371,000	0%
TOTAL COSTS	\$2,624,972	\$2,792,414	6.379%

6002 Wastewater Enterprise Fund	FY 2023	FY 2024	% change
Enterprise Fund Costs	\$4,209,063	\$3,566,467	-15.267%
General Fund Costs	\$74,000	\$74,000	0%
TOTAL COSTS	\$4,282,063	\$3,640,467	-15.003%

or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 4: This article funds both the Water and Wastewater Enterprise Budgets. Water Enterprise Fund budget increased 6.379% mostly due to an increase in personnel costs due to the compensation study changes. The Wastewater Enterprise Fund budget decreased 15.003% mostly due to a decrease in existing debt service.

ARTICLE 5. Provincetown Public Television Funding. To see if the Town will vote to appropriate \$181,280 from the PEG Access and Cable Related Fund for PEG access television; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 5: An appropriation is required to spend any receipts in the PEG Access and Cable Related Fund. Appropriations are by majority vote of the legislative body and are limited to the actual unencumbered balance of the Fund at the time of the appropriation. Anticipated receipts cannot be appropriated. Monies from the Fund may be appropriated consistent with the cable franchise agreement to: 1) Support cable PEG access service or programming for Town residents, whether operated by a Town department or a contractor; 2) Monitor the cable operator's compliance with the franchise agreement; and 3) Prepare for renewal of the cable franchise license, including any associated expert and legal services.

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ARTICLE 6. Transfer from the Emergency Stabilization Fund to General Stabilization Fund. To see if the Town will transfer all of the remaining available funds of the Emergency Stabilization Fund to the General Stabilization Fund; and further to rescind the vote taken under Article 7 of the 2020 Annual Town Meeting establishing the Emergency Stabilization Fund; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 6: The article will allow the transfer of all remaining funds within the Emergency Stabilization Fund (\$622,038.03) to the General Stabilization Fund. The Emergency Stabilization Fund was created in 2020 during the State's declared Covid-19 Public Health Emergency and was intended to reserve funds for unanticipated emergency response, like covid expenses. At the time the Emergency Fund was created, the State allowed the Select Board to transfer emergency funds out to cover immediate unanticipated expenses from the public health crisis created by the pandemic. Now that the State of Emergency has expired, appropriations need to be made through Town Meeting and therefore are no different than funds within the General Stabilization Fund. If approved, the balance of \$2,963,246.32 in the General Purpose Stabilization Fund will represent 8.802% of the FY24 operating budget

ARTICLE 7. General Stabilization Fund. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to the General Stabilization Fund; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 7: This article will transfer \$100,000 from free cash to the Town's operating reserve fund to protect the long-term financial stability of the Town, as well as protect the community against sudden and/or unexpected decreases in revenues or increases in expenses. The General Purpose Stabilization Fund is governed by Massachusetts General Law Chapter 40, Section 5B and the Town's Cash Reserves Policy. The financial health of the Town of Provincetown is of paramount importance to its residents who rely on Town government to provide essential services to its current and retired employees; to its bondholders who provide funding for long-term capital projects; and to its vendors who provide services and equipment to the Town. The Town's policy is to maintain a balance equal to 10% of the current year operating budget. An annual transfer is required to achieve this goal. If approved, the balance of \$3,063,246.32 in the General Purpose Stabilization Fund will represent 9.072% of the FY24 operating budget.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 8. Community Preservation Budget for FY 2024. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Budget, to appropriate or reserve for future spending the following amounts as recommended by the Community Preservation Committee, with each item considered a separate appropriation:

1. Part 1 Reserves:
 - A. \$105,851 for Open Space;
 - B. \$105,851 for Historic Resources;
 - C. \$635,108 for Community Housing;
2. Part 2 Debt Service Appropriations:
 - A. \$37,661 for Open Space debt service;
 - B. \$119,037 for Historic Preservation debt service;
 - C. \$158,732 for Community Housing debt service;

Explanation of Article 8:
Part 1 and 2: As required, the Town annually sets aside funds from new revenue into the various CPA categories including 10% for open space/recreation, 10% for historic preservation, 60% for affordable housing, and 20% into the non-designated category, which can be used for any of the categories. The debt service is the annual payment for past activities funded through borrowing.

3. Part 3 FY2024 Community Preservation Grant Requests
 - A. Administrative Expenses – \$35,000 for CPA administrative expenses for the Community Preservation Committee and other expenses as needed.

- B. Community Housing – \$500,000 for The Community Builders in support of deed restricted year round rental units at 3 Jerome Smith Road and said funds to be spent under the direction of the Town Manager subject to a grant agreement between the Town and The Community Builders, which shall include an affordable housing restriction to be held by the Town.
- C. Community Housing – \$225,000 to be transferred to the Affordable Housing Trust Fund as requested by the Community Housing Council to provide funds for various eligible housing programs and strategies.
- D. Community Housing – \$75,000 for Juniper Hill Affordable Housing Development at 95 Lawrence Road in Wellfleet in support of deed restricted year round rental units, and said funds to be spent under the direction of the Town Manager subject to a grant agreement between the Town and Juniper Hill, which shall include an affordable housing restriction to be held by the Town.
- E. Open Space/Recreation – \$100,000 for the resurfacing of the Chelsea Earnest Memorial Playground as requested by the Recreation Commission.
- F. Historic Preservation – \$73,500 for the roof replacement of the historic house at Provincetown Art Association and Museum and said funds to be spent under the direction of the Town Manager subject to a grant agreement between the Town and the PAAM, subject to an historic preservation restriction to be held by the Town.
- G. Historic Preservation – \$73,500 for the rebuild and planking of the deck of *The Hindu* sailing vessel and said funds to be spent under the direction of the Town Manager subject to a grant agreement between the Town and *The Hindu*.

or to take any other action relative thereto.

[Requested by the Community Preservation Committee]

Explanation of Article 8 Part 3:

A. \$35,000 for Grants and Administrative Expenses – Annually the Provincetown Community Preservation Committee [CPC] recommends grant funding requests to Town Meeting in the following categories: Housing, Historic Preservation, Open Space and Recreation. The grant requests listed in Part 3 are appropriated by Town Meeting and funded from available Community Preservation Act funds; said funds to be spent under the direction of the Town Manager. The Administrative budget provides for various administrative expenses including advertising, CPA Coalition membership dues, and other administrative expenses by the CPC.

B. Community Housing – \$500,000 for The Community Builders 3 Jerome Smith Road Housing Project (Former VFW site) – Local contribution to the creation of 65 new year round community housing units at 3 Jerome Smith Road, the former VFW site, which will include 1, 2, and 3-bedroom units at various income levels from 30% Area Median income [AMI] up to market rate units. 40B permitted project through TCB [The Community Builders].

C. Community Housing – \$225,000 to the Affordable Housing Trust Fund (AHTF) – A request by the Community Housing Council (CHC) to transfer community housing funds from CPA into the AHTF. This proposal is to provide funds for various housing programs, strategies, and developments, both small and large. The Provincetown Affordable Housing Trust Fund [AHTF] was created through special legislation – Chapter 230 Acts of 2002 – as one of the first tools that Provincetown voters adopted. Historically, the Affordable Housing Trust Fund has been used for Housing Summits, emergency housing assistance, new development [such as Stable Path], training and education, and rehabilitation projects [such as Foley House, 33 & 35A Court Street, 40 Pearl Street]. The CHC is the gatekeeper for access to the AHTF; grant agreements and housing restrictions are utilized as required. This is a fairly new strategy for Provincetown but is commonly used in other communities. Transferring funds to the AHTF provides for more flexibility and speed as it does not need Town Meeting direct approval of the activity.

D. Community Housing – \$75,000 for Juniper Hill, 95 Lawrence Road, Wellfleet – The request is a contribution to the construction of 46 community year round rental units at Juniper Hill which will include a mix of 1, 2, & 3 bedroom rental homes for incomes ranging from traditional affordable units ranging from 30% AMI up to 120% Area Median Income [AMI]. The property will be divided into two parts: Upper Village with 24 two-bedroom and three-bedroom townhomes and Lower Village with multifamily elevator building, containing 22 one- and two-bedroom units. Homes will be affordable in perpetuity.40B

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permitted project through POAH [Preservation of Affordable Housing] and CDP [Community Development Partnership].

E. Open Space/Recreation: \$100,000 for the resurfacing of the Chelsea Earnest Memorial Playground – This West End playground was established in 1954. The goal is to make the playground safe and 100% ADA accessible through the replacement of the sand with rubber pour-in-place surface like the Mildred Greensfelder Playground.

F. Historic: \$73,500 for PAAM’s Historic Roof at 460 Commercial Street – PAAM purchased 460 Commercial Street in 1919, the federal style Daniel Cross Cook House built in 1825 which was renovated into a gallery in 1921. The roof is leaking and needs replacement.

G. Historic: \$73,500 for Hindu Plank the Deck Rebuild – CPA funds are requested to support once in lifetime rebuild of Schooner Hindu for materials, equipment, and skilled labor to replace the Hindu deck [Phase IV] as part of the overall rebuild. Expected to be done fall 2023/winter 2024. The goal is to preserve and restore the Hindu so that she can continue to sail in Provincetown Harbor as she has done for past 75 years. The Hindu is the last original wooden schooner in Provincetown Harbor that at one time boasted 5,000 Grand Banks fishing vessels. The Historical Commission voted to recommend historic designation and this is supported by the Historic District Commission.

CAPITAL IMPROVEMENT PLAN ARTICLES

ARTICLE 9. FY 2024 Capital Improvements Program. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds various sums to defray the costs of the Fiscal Year 2024 Capital Improvements Program submitted in accordance with Chapter 6, Section 6 of the Provincetown Charter, provided that one or more of the following appropriations may be contingent on a Proposition 2½ capital outlay or debt exclusion ballot question; or to take any other action relative thereto:

[Requested by the Select Board and Town Manager]

Explanation of Article 9: This article includes FY2024 capital improvement article requests based on the FY2024-FY2028 Capital Improvement Plan. Articles are listed individually but will be voted by Town Meeting in groups depending on funding source. Funding sources include: Capital Improvement Stabilization Fund, Free Cash, Enterprise Fund Retained Earnings or Borrowing. Borrowing articles require a two-thirds vote at Town Meeting and a 2 ½ debt exclusion ballot vote. Appropriations from the Capital Stabilization Funds require a two-thirds vote of Town Meeting. Any Town Meeting voter may ask questions about individual items within the Capital Improvement Plan under the main motion. Amendments may be made from the floor per Moderator rules.

9	Dept.	Capital Improvement Articles	Amount
A	Airport	Construct Snow Removal Equipment Building	\$ 20,000
B	ComDev	Coastal Resilience and Climate Action Plan	\$ 300,000
C	ComDev	Eder Conservation Area – Demolition /Debris Removal	\$ 75,000
D	ComDev	Long Point Dike Modification Project	\$ 120,000
E	ComDev	Demo /site readiness 288A Brad./26 SP Rd	\$ 200,000
F	Fire	Main Station Heater Blowers Replacement	\$ 70,000
G	Fire	Ambulance 197 Replacement	\$ 450,000
H	Fire	Upfit High Water Rescue Truck	\$ 100,000
I	Fire	LIFEPAK, AED and Lucas Replacement	\$ 225,000
J	Harbor	Harbormaster Boat Replacement	\$ 236,000
K	Marine	Ongoing Beach Maintenance and Dredging	\$ 50,000
L	Pier	Electrical Repairs	\$ 30,000
M	Pier	Infrastructure and Fender Piles	\$ 200,000
N	Pier	Lighting Upgrades and Design	\$ 30,000
O	Police	Police Vehicle Fleet Replacement	\$ 135,000
P	DPW	Public Works Vehicle Fleet Replacement	\$ 300,000

Q	DPW	Building Capital Plan	\$ 375,000
R	DPW	Streets, Sidewalks and Bike Path	\$ 55,000
S	DPW	Stormwater Maintenance and Repair	\$ 100,000
T	DPW	Bas Relief Final Phase Repair	\$ 40,000
U	DPW	Fire System Replacement	\$ 80,000
V	DPW	Interior Library Improvements	\$ 130,000
W	DPW	Province Landing Rd Pedestrian Improvements	\$ 50,000
X	Rec	VMCC Rec Floor Refinishing	\$ 35,000
Y	School	Fences Surrounding Early Learning Center	\$ 35,000
Z	YRRHT	Harbor Hill Roof Replacement	\$ 310,000
AA	Rec	Pickleball at Jerome Smith	\$ 175,000
BB	Pier	Water Line Replacement	\$ 1,700,000
CC	WEF	Water Meter Replacement	\$ 50,000
DD	WEF	SCADA System Upgrades	\$ 150,000

A. Airport – Construct Snow Removal Equipment Building – \$20,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9A: This project includes the design, construction, and environmental mitigation for a Snow Removal Equipment (SRE) Building. The building will function as a garage and maintenance area and will provide an enclosed space to protect the SRE from the elements. This will allow for faster snow removal operations, which in turn will enhance safety at the airport. The enclosed, conditioned space will also increase the useful life of the SRE itself, which will reduce Airport operating costs in future years.

The building is estimated to be 2,000 square feet, with space for two (2) snowplow trucks and storage for tools and maintenance supplies. A small operations/management office may also be included.

This project is shown on the Airport’s 10-year CIP as an FY2024 project, however based on the anticipated project duration, the costs will be spread over 3 fiscal years.

This project will be funded 90% by the Federal Aviation Administration (FAA) and 5% by the Massachusetts Department of Transportation – Aeronautics Division (MassDOT/AD). The remaining 5% share is the Airport/Town’s responsibility. The appropriation covers the 5% Airport/Town share only.

B. Community Development – Coastal Resilience and Climate Action Plan – \$300,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9B: The Coastal Resiliency Advisory Committee (CRAC) convened this past year, and their charge is to recommend a coastal resiliency and climate action plan to the Select Board. This request would fund the hiring of a consultant to assist the committee in drafting the plan. One of the Town Manager’s annual goals for FY23 is for staff to work with the CRAC to draft a framework of this plan and prepare a scope of work and budget for a consultant to assist with developing the plan.

C. Community Development – Eder Conservation Area – Demolition and Debris Removal – \$75,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9C: The Town acquired 86R and 88 Atkins Mayo Road for conservation purposes in 2022. The property has been abandoned for several years since the last resident died in a house fire on the property in 2019. The remains of the home must be demolished and removed, along with a wooden shed, a stockade fence, and associated junk stored outdoors. The cesspool must be pumped and filled. Following the demolition and removal, the area must be restored to a natural condition and re-vegetated. The cost and scope of demolition will exceed any remaining balance we have within the Land Bank.

D. Community Development – Long Point Dike Modification Project – \$120,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9D: Since the mid-2000s, vegetation loss and erosion in the West End Marsh (a/k/a The Moors) has been noticeably increasing, but in the last 6 years, the loss of the marsh has accelerated drastically. This is the result of intense grazing pressure

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by herbivorous purple marsh crabs, which have become extremely abundant there, beginning around 2014-2016. These native, nocturnal crabs have proliferated and caused major damage to many marshes across Cape Cod, and in various locations along the entire Atlantic coast. Two factors that have the potential to lessen crab damage are predator access and marine sediment supply. The current breakwater does not permit any fish predators to consume the purple marsh crabs at high tide. In addition, it is a barrier to sediment transport from the harbor into the marsh (particularly during storm events), which helps it build elevation – an important input given rapid sea level rise.

In 2015, the U.S. Army Corps of Engineers completed an initial feasibility study which recommended constructing an opening in the breakwater with a concrete bridge over it for pedestrian access. DPW submitted a CIP request of \$40,000 for FY18 to cover initial engineering and design, but it was indefinitely postponed at the 2017 Annual Town Meeting.

E. Community Development – Demolition and Debris Removal and Site Readiness for 288A Bradford Street and 26 Shank Painter Road – \$200,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9E: This article will allow for the demolition and clearing of the 288A Bradford Street and 26 Shank Painter Road projects in preparation for housing development.

F. Fire – Main Station Heater Blowers Replacement – \$70,000 to be expended under the direction of the Town Manager and the Fire Chief; and costs related thereto.

Explanation of Article 9F: Replace 13 Modine style garage heater units in the main station apparatus bays, The existing units are badly in need of replacement, some are not working, and we were trying to get it done when the boiler was replaced and did not have enough funds. We would combine the remaining \$12,936.22 from the boiler replacement article. This is a high priority.

G. Fire – Replace Ambulance 197 – \$450,000 to be expended under the direction of the Town Manager and Fire Chief; and costs related thereto.

Explanation of Article 9G: Replace Ambulance 197. This is an urgent replacement. With the timeframe of 24 plus months to receive a new ambulance, when it finally is delivered, 197 will have over 250000 miles and will be 12 years old. The new ambulance will be constructed with the same options as the last 2 new ones with a van style cab. We will be installing a new load system including stretcher and trading our old back up ambulance (196) in with its load system. Both Load System and a stretcher are at the end of manufacturers service life. This is a high priority.

H. Fire – Up-fit High Water Rescue Truck – \$100,000 to be expended under the direction of the Town Manager and Fire Chief; and costs related thereto.

Explanation of Article 9H: Up-fit High Water Rescue Truck – Purchase and Install galvanized steel and aluminum tuckaway lift system with side mounted stowaway ladders. Purchase Slide-in Fire pump unit with 500 Gallon water tank and 6 Gallon foam tank. Install warning lights and scene lights. Paint complete truck to FD colors.

I. Fire – LIFEPAK, AED and Lucas Replacement – \$225,000 to be expended under the direction of the Town Manager and Fire Chief; and costs related thereto.

Explanation of Article 9I: This is a timely replacement. Replacing 3 LIFEPAKs, 3 LUCAS Machines, AEDs and with new regulations, we also need to purchase an additional 4 AEDS for all ambulances to comply with new state guidelines. Manufacture recommends replacement every 8 years and our LIFEPAKs are 10 years old, AEDs are more than 12 and the LUCAS is 8. With the advances in technology, the recommended service life is up and parts for older units are not available. This is a high priority.

J. Harbormaster – Harbormaster Boat Replacement – \$236,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9J: The current Harbormaster boats' design makes them not effective for rescuing persons from the Long Point jetty or beaches. This request is for a 25 foot Ridged Inflatable Boat (RIB) with twin 225hp outboards with a blunt bow that opens down like a bow ramp with an optionally deployable ladder so persons on the jetty or beach can walk aboard if capable, or to make it considerably more efficient in retrieving injured persons. This boat provides a more stable safe platform for heavy weather operations, safer and more efficient means of rescuing persons, and replacing an old out of date emergency vessel. This boat package contains all required hardware equipment for an emergency response vessel. Provincetown Shellfish Constable could take over vessel Marine 1 or Marine 3 as their utility boat for shellfish operations. The new RIB would replace Marine 1, the 2004 Edgewater patrol boat.

K. Marine – Ongoing Beach Maintenance and Dredging – \$50,000 to be expended under the direction of the Town Manager; and costs related thereto.

Explanation of Article 9K: This article seeks to provide matching funds for future grants and some funding to move projects forward as we apply for grants. This continues the work we have done with grants to identify inundation pathways for flooding, prioritize project sites and improve resilience in the face of sea level rise and climate change. We have dredged for the Court Street nourishment site with material coming from the floating docks. This is one of several areas to address storm tide pathways to critical infrastructure. The Ryder Street beach site is currently in process with permitting and construction awaiting grant application approval.

When complete, the beach will be higher with vegetative elements to continue the natural building processes of a vegetated dune and walkways to improve access from the town landings. This project also builds upon the 2014 management plan for Provincetown Harbor identifying potential areas for dune restoration, beach stabilization and other natural approaches to mitigating coastal erosion and flooding. Our previous work and the lessons learned during design and planning of the Ryder Street project will guide the overall approach to our Comprehensive Beach Nourishment Plan and permitting.

This article has been recurring since 2019. That project turned into the Ryder Street Dune Enhancement project that is moving forward now. These contributions allow us to take advantage of grants with a local match as they develop and/or continue the engineering and permitting for beach nourishment projects. The State has indicated an interest in regional approaches, comprehensive permitting and maintenance for funding these projects. The Cape Cod Commission is working on regional permitting approaches, ROI calculations and a second County dredge to make our area more attractive for state grant proposals coming from the Governor. Provincetown is one of four towns to be selected as pilot projects for this regional approach.

L. Pier Electrical Upgrades – \$30,000 to be expended under the direction of the Town Manager and the Provincetown Public Pier Corporation for Electrical Upgrades for MacMillan Pier; and costs related thereto.

Explanation of Article 9L: The recent 2019 engineers survey provides a breakdown of a recommended maintenance and improvement program which needs to be followed to keep the facility in satisfactory working condition.

During this scheduled survey the engineer's findings recommend the following work to be performed to the electrical system to bring the Pier up to code compliance.

- Upgrade the system to include ground fault protection for the main over-current to the marina and branch circuits. To include updated switch gear and circuit breakers in substations. This project has been spread out over 5 years. FY24 and FY25 will be the last two years of this CIP.

Additional electrical items being addressed:

- Replacement of pier power pedestals throughout the pier
- Replacement of heat trace system for the existing pier water piping.

Electrical upgrades and repairs to bring a 20 year electrical system up to current codes especially an electrical system subject to the extreme weather conditions out on the pier, causing corrosion and deterioration are very vital as recommended in the Engineer's report. These are a matter of public safety and code requirements. Additionally operational considerations include maintaining the gateway ferry

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terminal access, commercial fishing fleet and excursion businesses as economic drivers for the community. Grant funding is not available for capital repair.

M. Pier Infrastructure Maintenance – Fender Pile Replacement – \$200,000 to be expended under the direction of the Town Manager and the Provincetown Public Pier Corporation for the Maintenance and Improvement Program for MacMillan Pier; and costs related thereto.

Explanation of Article 9M: The 2016 & 2019 engineer's survey provides a breakdown of the recommended maintenance and improvement program which needs to be followed to keep the facility in satisfactory working condition. This past year we were able to replace a large portion of the necessary piles in need of replacement as well as replacing 3 new ladders and repairing 4 others. Necessary concrete repairs were also completed.

Entering into the last year of this CIP request with approximately 40-50 piles left to replace around the pier, this FY24 CIP request would wrap up this project. Typically, an average of 35-40 fender piles can be replaced per year with the funds allowed. This final phase of this project would be scheduled to be replaced early this spring, but no later than the fall of 2023.

N. Pier Lighting Upgrades and Design – \$30,000 to be expended under the direction of the Town Manager and the Provincetown Public Pier Corporation for Lighting Upgrades and design for MacMillan Pier; and costs related thereto.

Explanation of Article 9N: Continue with design development for a new lighting design package for the entire pier. The existing lighting throughout the pier is in rough shape as well as the wiring and circuitry to them. The current boardwalk lighting is not efficient and temporary lamp heads have had to be installed to replace missing ones. This took place for public safety. The entire lighting package (Boardwalk lights, sidewalk bollards and pier lights) is in need of being replaced and updated to more efficient cost saving light fixtures, along with replacing lights and poles that are missing on the fixed finger piers. This CIP would continue to cover the costs of engineering and design of a new lighting concept and drawings. COVID placed a delay on the engineering and design schedule, which is now back on track as of 2022.

O. Police Vehicle Fleet Replacement – \$135,000 to be expended under the direction of the Town Manager and the Chief of Police for the purchase of three police vehicles and equipment pursuant to the Police Fleet Replacement Plan; and costs related thereto.

Explanation of Article 9O: This article is to fund TWO (2023) or current model FORD police All-Electric Lightening vehicles. This is a request for approval to purchase in the total amount of \$135,000.00 for two front-line public safety platforms for use by the Police Department. This zero-fuel and zero-emission purchase would tangibly reduce fleet petroleum consumption and emissions, and advance air quality. It is the hope that this purchase could be a step forward to promote a cleaner environment for our residents and visitors.

A dual-motor all-wheel-drive model with an 88-kWh extended battery with estimated EPA ranges of 300 and 320 miles. Range and charge time based on manufacturer computer engineering simulations and EPA-estimated range calculation methodology. The charging rate decreases as the battery reaches full capacity. Individual results may vary based on peak charging times and battery state of charge. Actual vehicle range varies with conditions such as external elements, driving behaviors, vehicle maintenance, and lithium-ion battery age. Acquiring these vehicles would NOT add to the police fleet, we would retire by trade two current 2018 fleet vehicles currently with mid-80,000 miles on them and replace them with these vehicles. The mileage on these vehicles will increase as the current vehicles will remain in use as a front-line vehicle until their replacement is required.

P. Public Works – Vehicle Fleet Replacement – \$300,000 to be expended under the direction of the Town Manager and the Director of Public Works for the purchase of three vehicles pursuant to the Vehicle Fleet Replacement Plan; and costs related thereto.

Explanation of Article 9P: Our 5-year fleet replacement plan calls for the purchase of several large pieces of equipment in FY2024, including: 1) Transfer Station – replace loader that will be 14 years old and critical to their operations – \$195,000; 2) Highway Dept. – replace a 2011 pickup truck – \$65,000 and 3) Highway Dept. – replace a 2011 1-ton dump truck – \$75,000

Q. Public Works – Building Capital Maintenance Plan – \$375,000 to be expended under the direction of the Town Manager and the Director of Public Works for interior and exterior repairs of Town Buildings pursuant to the Building Capital Plan, and costs related thereto.

Explanation of Article 9Q: The FY2024 Building Capital Plan. The requested amount includes the interior painting of Town buildings, needed HVAC control improvements, door/lock work needed in buildings, other critical building repairs.

R. Public Works – Streets, Sidewalks and Bike Paths – \$55,000 to be expended under the direction of the Town Manager and the Director of Public Works for the routine repairs and maintenance of the Town's streets, sidewalks and bike paths; and costs related thereto.

Explanation of Article 9R: This recurring CIP article is used every year to address costs associated with the preservation, repair, and replacement of sidewalks, curbing, roadway painting, potholes, and recently bike trail improvements. This request is used for more routine repairs outside of roadway resurfacing projects funded from the Roadway Maintenance Plan or projects outside of reconstruction projects such as we have seen on Commercial Street.

It is also used to paint the lines on the reconstructed parts of Commercial Street over the course of two nights to minimize disruption and the potential for smudge marks from daytime traffic.

Recent annual traffic hearings have resulted in a considerable increase in roadway line painting. The future year requests do not reflect the outcome of future traffic hearings.

S. Public Works – Stormwater Improvements – \$100,000 to be expended under the direction of the Town Manager and the Director of Public Works to fund projects and grant requests pursuant to the Town's Stormwater Improvements Program; and costs related thereto.

Explanation of Article 9S: Our stormwater system has undergone substantial improvements over the past five years resulting in fewer beach closures and overall, less flooding. However, many more needed repairs still exist, and continual maintenance is of prime concern. Appropriating a sum of money for drainage repairs should be a high priority for our coastal community given our proximity to sea level and lack of open space for stormwater retention.

This year's request will upgrade drainage structures in roadways that are failed or insufficient. Upgrades of stormwater drainage in roads to be paved will also be performed. Funds will supplement the ongoing Howland Street Drainage Engineering Design & Construction project, as well as the design of an upgraded stormwater settling tank system at the Transfer Station. The settling tank system handles stormwater that has possible contaminants from refuse runoff. The system has reached capacity and requires upgrade or replacement.

Funds may also be used to seek grant opportunities to assist larger more expensive drainage projects, such as the relocation of the Gosnold Street Outfall or the rehabilitation of Freeman Street pump station.

T. Public Works – Bas Relief Final Phase Repair – \$40,000 to be expended under the direction of the Town Manager and the Director of Public Works to fund the repair of the Bas Relief monument; and costs related thereto.

Explanation of Article 9T: The Bas Relief monument bronze is in need of additional repair, and completion of the monument placard. The project includes repairs to the granite wall and the bronze.

U. Public Works – Fire Monitoring System Replacement – \$80,000 to be expended under the direction of the Town Manager and the Director of Public Works to fund the replacement of fire monitoring systems in the VMCC and Library buildings; and costs related thereto.

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Explanation of Article 9U: The project will replace the fire monitoring systems in both the VMCC and Library buildings as both systems are at the end of their functional life and must be replaced. The current systems are obsolete and failing. Without these systems the buildings are not compliant with Fire Code.

V. Public Works – Interior Library Improvements – \$130,000 to be expended under the direction of the Town Manager and the Director of Public Works to fund the interior library improvements; and costs related thereto.

Explanation of Article 9V: Improvement to the Provincetown Public Library interior and systems, to include: 1) HVAC improvements to the aging radiator controls – the current set up is extremely inefficient and wastes a large amount of energy; 2) Acoustics – the upper floors of the library act as large echo chambers; this project will install acoustic panels to help eliminate the issues caused by the acoustics of the room; 3) Wall repairs and painting – many of the walls in the Library are showing age and need repairs and fresh paint; and 4) Power/lights – the current lighting system is in need of upgrade and a LED light conversion 5) Circulation floor improvements – improve the workflow and lay out of the first floor.

W. Public Works – Province Lands Road Pedestrian Improvements – \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works to fund the design and engineering for pedestrian improvements for Province Lands Road; and costs related thereto.

Explanation of Article 9W: The current section on the east side of Province Lands Road, between the Provincetown Inn and Bradford Street Extension, is inadequate for the many users of this roadway area. There currently are no sidewalks, no bike lanes and some parking on the sandy shoulder. This roadway is actively used by pedestrians, bikers and motor vehicles. We seek to improve safety in this area and explore options for adding additional parking spaces.

This first year funding would include a baseline survey, community meeting and workshop to identify three concepts for sidewalks, bike lanes and vehicle parking in this area. The concepts will include the projected cost for each alternative.

X. Recreation Department – VMCC Recreation Floor Refinishing – \$35,000 to be expended under the direction of the Town Manager to fund the refinishing of the VMCC gymnasium floor, and costs related thereto.

Explanation of Article 9X: This project will ensure that the VMCC gym and the primary Recreation room will become more user friendly, safer, and more versatile.

Currently the VMCC gym presents a slippery surface, due to its wear of the protectant urethane coat that gives the floor grip. In some spots, the urethane coat has worn down to the original wood, making this space undesirable for community members who feel it is unsafe. Along with staffing, this facility can offer extended evening and weekend hours for programming, including pickleball. This CIP will address these unsafe conditions by sanding what's left of the current coat, replacement of any wood planks if needed, and applying two coats of urethane to the final product.

In addition to refinishing the VMCC gym floor, this project will also address the poor flooring conditions in the primary recreation room in VMCC. The current flooring is an original carpet from when the elementary school called this building home, which is showing its age with large stains and a large tear. The ability to replace the carpet with vinyl planks, will offer this space more versatility to host other programs besides children's programs. Currently it's difficult to schedule most desirable times in the fitness room, that's jointly used between Rec and COA. This will give us more flexibility to use a separate room for potential programs, along with keeping the space more sanitized.

Y. Schools – Fences Surrounding Early Learning Center – \$35,000 to be expended under the direction of the Town Manager and the Superintendent of Schools, and costs related thereto.

Explanation of Article 9Y: The School Department would like to add fences surrounding the perimeter of the Early Learning Center to secure the school campus and reduce the amount of public pass through of school grounds while students are on the playground/out-

door areas. We also need to add fencing to existing outdoor stairwells as per our building inspection to increase public/student safety while accessing areas near the stairwells. Finally, we need to replace the current fence surrounding the basketball court at the Early Learning Center; it is significantly caved in due to consistent pressure from cars as well as snowplows, is rusted and now becoming very sharp in areas, and is significantly bowed out and becoming detached at the bottom.

Z. Year Round Market Rate Rental Housing Trust (YRMRRHT) – Harbor Hill Roof Replacement – \$310,000 to be expended under the direction of the Town Manager and the YRMRRHT to fund roof replacements at the Harbor Hill Development; and costs related thereto.

Explanation of Article 9Z: The article provides funds for the completion of roof replacement and repairs for all four buildings at Harbor Hill. The Trust began the roof replacement to be done spring and summer 2023, replacing wood cedar shingles with asphalt as required by insurance companies for three of the four buildings. The additional funds will provide for project completion for all four roofs including skylight removal, gutters, downspouts, and all trim replacement. This project is required by the Trust's insurance company and if not completed by this fall the coverage will be cancelled.

AA. Recreation Department – Pickleball Courts at Jerome Smith Parking Lot – \$175,000 to be expended under the direction of the Town Manager to fund the installation of pickleball courts at the Jerome Smith Parking Lot, and costs related thereto.

Explanation of Article 9AA: The article would appropriate funds for the construction of up to four pickleball courts to be installed at the Jerome Smith Parking Lot. This would allow the Town to limit the pickleball hours at the Nickerson Playground.

BB. Pier Water Line Replacement – \$1,700,000 to be expended under the direction of the Town Manager and the Provincetown Public Pier Corporation for Water Line Replacement for MacMillan Pier; and costs related thereto.

Explanation of Article 9BB: This article is for the additional funds that will be required to replace the waterline that serves MacMillan Pier and its tenants and bring this long overdue project into fruition. The current issues and potential waterline freezes over the winter months could continue and cause more damage resulting in more costs. If the water is left to "drip" so not to freeze this would result in unnecessary utility costs. By designing a long term solution to water availability on MacMillan Pier, there will be sufficient cost savings and water conservation for years to come.

MacMillan Pier is a major economic hub for the Town of Provincetown – housing ferries, excursion boats, fishing fleet, courtesy float, public restrooms, museum, residence, and shacks for local artists.

Engineering and design services are currently in progress under a previously approved article from the 2021 Town Meeting.

The Town of Provincetown was awarded a \$395,500 grant as part of the Rural and Small Town Development Fund through the Commonwealth of Massachusetts to help fund a project to replace and improve the aging water line that supports MacMillan Pier's multiple commercial and tourism uses. This grant from the Commonwealth will support and offset some of the costs for the needed improvements to support this critical coastal infrastructure. The awarded Grant funding amount cannot be accepted without this project being underway and with remaining funds approved and allocated.

While the Town still needs to secure additional funds for this work, the final water line project will replace older, aging infrastructure on MacMillan Pier and provide flow for new commercial uses, increased flow to larger users, extending the length of the season that water is available for the fishing fleet, providing reliability to year round water uses, and allowing flow for safer maintenance and operations.

CC. Water Enterprise Fund – Water Meter Replacement – \$50,000 to be expended under the direction of the Town Manager and the Water Superintendent for the Water Meter Replacement project, and costs related thereto.

Explanation of Article 9CC: The Water Department has been funding meter replacements with the Operating 'B' budget in recent years. However, due to condo conversions and other developments, often

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our meter funds are used for new accounts rather than replacement meters. This project includes costs for cyclical meter change-outs for meters that have reached the end of their useful life.

DD. **Water Enterprise Fund – SCADA System Upgrades – \$150,000** to be expended under the direction of the Town Manager and the Water Superintendent for upgrades to the SCADA software system, and costs related thereto.

Explanation of Article 9DD: Provincetown Water Department recently participated in an EPA grant funded effort to identify cyber-security vulnerabilities (over 100 utilities across the nation participated). Ultimately, the project produced a cybersecurity action plan which identifies key areas to improve security to our existing SCADA system and IT framework. Certain equipment will be upgraded with approved funding from FY22, while other equipment and software face future replacement needs. Additionally, other components of the SCADA system need upgrading to modern equipment. This year's funding will continue upgrading SCADA hardware (original \$125k increased due to inflation).

ARTICLE 10. Rescind Borrowing Authority – Open Cape Network Connections. To see if the Town will vote to rescind the unused borrowing authorization from Article 5-10 2012 Annual Town Meeting in the amount of \$200,000 for Open Cape Connections for the installation and connection of the Open Cape Network to Town owned buildings; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 10: This Capital Improvement Article was originally approved at the 2012 April Town Meeting to facilitate the connection of Town owned buildings to the Open Cape Network. The original article was a borrowing article. In 2019 Bond Counsel determined that project was not eligible for borrowing. The project will seek to be funded by grants and other sources.

HOUSING ARTICLES

ARTICLE 11: Supplemental Funding for 3 Jerome Smith Road Housing Development. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds \$2,250,000 to be used to subsidize the Town's portion of The Community Builder's development of 65 affordable and community housing units at 3 Jerome Smith Road, pursuant to a grant agreement between the Town and the developer, which shall include an affordable housing restriction to be held by the Town; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 11: This article will transfer \$1,650,000 from excess funds within the Tourism Fund and \$600,000 from free cash to cover the Town's agreed upon contribution to the 3 Jerome Smith Road Project (former VFW site).

ARTICLE 12. Construction Funding for Firehouse #2 – 189 Commercial Street. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds \$325,000 to be used to hire a contractor to convert a portion of the former Firehouse #2 building on the Town owned property located at 189 Commercial Street to housing; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 12: This article would fund the construction costs for rehabilitating and converting the second floor of the former Firehouse #2 building to housing. Depending on the configuration, the building is anticipated to accommodate up to a 3 bedroom unit. The public bathrooms on the ground floor will remain.

ARTICLE 13. Funding for the Shank Painter Road Zoning Study. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds \$50,000 to be used to fund a consultant to create a community planning process to create a development plan and vision for the Shank Painter corridor; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 13: This article will fund a consultant to create a community planning process for Shank Painter Road. To address Provincetown's critical need for a mix of housing types and other forms of development, and to fully capitalize on the 2024-2025 state and federally funded Transportation Improvement Project (TIP) that will reshape Shank Painter Road to become a community gateway, the Planning Board proposes a special community planning process to create a development plan that is in keeping with the community's vision for the Shank Painter neighborhood.

The community planning process will explore housing, commerce, parking, mixed use developments, streetscape and architecture, pedestrian, bike and mobility improvements for the redevelopment of the Shank Painter Road corridor.

ARTICLE 14: Funding for a Transportation Pilot Project for Provincetown Workers. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds \$100,000 to be used to fund a pilot project, led and organized by the Town in partnership with our local business community, to improve transportation options for Provincetown workers; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

Explanation of Article 14: This article would fund a pilot program that would be the basis for a public-private partnership between the Town of Provincetown and local businesses to provide early morning (6:00 a.m. – 9:00 a.m.) and late night (10:00 p.m. – 2:00 a.m.) transportation options. Due to the lack of seasonal housing, many people need to live outside of Provincetown. The CCRTA does run to the Town, but there are transportation gaps in the current bus schedule that make it hard for workers to get transportation. This pilot would provide transportation to and from Provincetown to the towns of Truro, Wellfleet, and Eastham to ensure that Provincetown workers have safe, reliable, affordable transportation during the months of May, June, July, August, September, and October to fill current gaps in service hours offered by the Cape Cod Regional Transportation Authority (CCRTA).

ARTICLE 15: Home Rule Petition. Acquisition of Year-Round Housing Occupancy Restrictions. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to provide as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill so submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE PROVINCETOWN YEAR-ROUND MARKET RATE RENTAL HOUSING TRUST TO ACQUIRE YEAR-ROUND HOUSING OCCUPANCY RESTRICTIONS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used in this Act the following words shall, unless a different meaning clearly appears from the context, have the following meanings:

Select Board – the duly elected Select Board of the Town of Provincetown.

Town – the Town of Provincetown.

Year-Round Housing Occupancy Restriction – is a right, either in perpetuity or for a specified number of years, whether or not stated in the form of a restriction, easement, covenant, condition in any deed, mortgage, will, agreement or other instrument executed by or on behalf of the owner of the land appropriate to (a) limiting the use of all or part of the land to residential housing occupancy by persons or families who occupy either rental or ownership housing as their primary residence for not less than 11 months during any 1-year period, or (b) in any way limiting or restricting the use or enjoyment of all or any portion of the land for the purpose of encouraging or assuring creation or retention of rental and ownership housing for occupancy to persons or families who occupy either rental or ownership housing as their primary residence for not less than 11 months during any 1-year period.

SECTION 2. Notwithstanding any special or general law to the contrary in the Commonwealth, the Provincetown Year-Round Market Rate Rental Housing Trust created pursuant to Chapter 305 of the Acts of

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2016 of the General Court, or an authorized municipal board or agency approved by the Select Board, may acquire a year-round housing occupancy restriction for rental or ownership housing.

SECTION 3. The year-round housing occupancy restriction shall be recorded with the Barnstable County Registry of Deeds, or if on registered land, filed with the Barnstable Registry District of the Land Court, and contain a description of the land upon which the restriction is to be imposed provided it specifies that the land lies in the Town and is shown on a recorded or registered plan in the Barnstable County Registry of Deeds or the Barnstable Registry District of the Land Court, gives the boundaries of the land by metes and bounds, with reference to said plan or instrument and if the land is registered, specifies the certificate or certificates of title thereof. The restriction imposed shall run with the title of the land on which it is imposed.

SECTION 4. The acquisition of a year-round housing occupancy restriction must be approved by a vote of the Select Board prior to its acquisition.

SECTION 5. The year-round housing occupancy restriction may be enforced by the holder of the restriction, by injunction or other proceeding, and shall entitle representatives of the holder to enter the land in a reasonable manner and at reasonable times to assure compliance. If the court in any judicial enforcement proceeding, or the decision maker in any arbitration or other alternative dispute resolution enforcement proceeding, finds that there has been a violation of the restriction then, in addition to any other relief ordered, the petitioner bringing the action or proceeding may be awarded reasonable attorneys' fees and costs incurred in the action proceeding. The restriction may be released, in whole or in part, by the holder for consideration, if any as the holder may determine, in the same manner as the holder may dispose of land or other interests in land, but only after a public hearing upon reasonable public notice, by the Select Board, whose approval shall be required. The release of the restriction must be recorded or registered in the Barnstable County Registry of Deeds or the Barnstable Registry District of the Land Court, as applicable.

SECTION 6. Acceptance of the restrictions and releases shall be evidenced by certificates of approval or release and executed by the holder of the restriction and the Select Board, and duly recorded or registered.

SECTION 7. This act shall take effect upon its passage.

Or to take any other action relative thereto.

[Requested by the Select Board]

Explanation of Article 15: *This article would create a Home Rule Petition to allow the Town of Provincetown to create a year-round deed restriction program to promote year-round housing occupancy. Managed by the Year Round Market Rate Rental Housing Trust (YRMRRHT), with approval from the Select Board, this program would allow the Town to purchase deed restrictions from homeowners and developers to permanently limit the occupancy of a given unit via a year-round housing occupancy restriction for rental or ownership housing. This would be a voluntary program where homeowners could sell a deed restriction to the Town, for a yet to be determined amount, whereby the deed restriction would live with the property in perpetuity and would only allow for the property to be occupied by an owner or renter who lived at the property year-round with no Area Median Income (AMI) restrictions.*

ARTICLE 16. Expansion of the Residential Tax Exemption for Year Round Rentals. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend Chapter 25 of the Acts of 2018, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill so submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE EXPANSION OF THE RESIDENTIAL TAX EXEMPTION IN THE TOWN OF PROVINCETOWN

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of Chapter 25 of the Acts of 2018 is hereby amended by adding the following phrase in line 10 after the words "income tax purposes:- or (iii) on up to four (4) units of a residential

multi-unit parcel occupied by either the taxpayer of the property and used as their principal residence for income tax purposes or a resident of the town of Provincetown, who occupies the unit on a year-round rental basis and is used as his or her principal residence for income tax purposes.

SECTION 2. This act shall take effect upon passage.

Or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

Explanation of Article 16: *This article would allow for a domicile-based residential exemption in addition to having multiple expanded residential exemptions on a multi-unit parcel. The adoption of the 2018 Expanded Residential Exemption allowed the benefit of a residential exemption to be given to a non-residential property owner in exchange for renting on a year-round basis to a Provincetown resident. However, the bill never addressed the possibility of multi-unit parcels being able to have more than one residential exemption per parcel. The article amending Chapter 25 of the Acts of 2018 will allow more options for non-resident owners of multi-unit properties to financially benefit from the ability to rent multiple units to year-round Provincetown residents. Additionally, permanent residents who own multi-unit properties will have a new incentive for renting to Provincetown residents by also receiving exemptions on their rental units, hopefully creating more year-round rental units with only a small impact to the Town's overlay.*

CITIZEN PETITIONED ARTICLES

ARTICLE 17. Petitioned Article – General Bylaw Amendment – Plastic Reduction. (*Deletions shown in strike-through and new text shown as underlined.*) To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Plastic Reduction, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

CHAPTER _____ : PLASTIC REDUCTION

This bylaw is enacted pursuant to the general police power in order to protect the health, safety and welfare of the inhabitants of the Town.

Effective Date

This Bylaw shall take effect on September 1, 2024.

Purpose and Intent

Plastic food containers and single-use utensils form a significant portion of the solid waste stream going into landfills. Local landfills are running out of room; our future solid waste may have to be transported hundreds of miles to a landfill at considerable cost. Plastic food containers are not recyclable, nor are they biodegradable. Once buried in our landfills, they will persist for centuries. If incinerated the toxins in plastic are linked to cancer and threaten our air quality. Appropriate alternative and sustainable products are readily available from the vendors used by local food establishments; cooperative bulk buying arrangements are possible. Thus, elimination of plastic food containers and utensils is in the best interest of the health and welfare of Town inhabitants.

Definitions

"Disposable Food Service Container" means single-use disposable products for serving or transporting prepared, ready-to-consume food. This includes plates, bowls, trays, hinged or lidded containers, and utensils.

"Food Establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a Food Establishment for purposes of this Bylaw.

"Plastic" is defined as any type of plastic resin, which may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. The material is commonly categorized in terms of #1, #2, #3, #4, #5, #6, #7; plastic as referenced includes all categories.

"Prepared Food" means any food prepared for consumption on the Food Establishment's premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.

"Town Facility" means any building, structure, land, or park owned or operated by the Town of Provincetown, its agents and departments.

"Town Facility Users" means all persons, societies, associations, orga-

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nizations, or special event promoters who require a permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town's expense.

Prohibition

A. Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers and utensils made from Plastic.

B. Town Facility Users are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers made from Plastic and providing utensils made from Plastic.

Public and private schools, educational institutions, summer camps, childcare facilities, and other childcare programs approved to participate in USDA Child Nutrition Programs are exempt.

Administration and Enforcement.

This Bylaw is enforced by the Town Manager, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provision of this Bylaw shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

Any such fines collected shall be payable to the Town of Provincetown. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Manager deems the inspection to be no longer be required.

Or to take any other action relative thereto.

[Requested by Marjorie Kehne, and others]

ARTICLE 18. *Petitioned Article – General Bylaw Amendment – Short Term Rent Certificate Regulations.* (*Deletions shown in strike-through and new text shown as underlined.*) To see if the town will vote to amend Provincetown General Bylaws by creating Chapter 18, Housing as follows:

18.1 Short Term Rental Certificate Governance to Allow One Certificate per Natural Person: Regulation of Short Term Rental Units

18.1.1 Purpose and Intent. Pursuant to the authority of G.L. c.64G, the Town establishes these regulations to balance private, neighborhood, and municipal interests. These regulations are intended to:

1. Enable residents to earn extra money from their properties to better afford to live here, maintain their properties, and contribute to the community.
2. Minimize public safety and health risks.
3. Deter commercial interests from buying housing to use primarily as short-term rental businesses.
4. Protect existing year round rental housing stock.

18.1.2 Definitions. For this Chapter, the following terms shall have the definitions indicated:

Owner. Any person whom alone, or severally with others, has legal or equitable title or beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC or a Trust. The Owner may also be referred to as the Operator, or the Host.

Short-Term Rental. The rental of a whole or a portion of a residential or secondary dwelling unit, in exchange for payment, as residential accommodations for not more than thirty consecutive days, excluding a licensed Hotel, Motel, or Lodging House or Tourist Home for Transient Guests as defined and permitted by 830 CMR 64G.

18.1.3 Regulations. No dwelling unit or part thereof may be offered as a Short-Term Rental within the Town of Provincetown unless it is registered annually with the Town through an application process approved by the Board of Health and in accordance with this Chapter, and registered with the Commonwealth of Massachusetts Department of Revenue in accordance with applicable laws.

An Owner may register to operate only one dwelling unit as a Short-Term Rental. If a person owns two properties, or owns one and is listed as a manager or agent for a second that is owed by an LLC, for example, that person must choose one or the other to be registered as a

Short-Term Rental. No person shall have more than one legal or equitable title or beneficial interest in any dwelling unit used for a Short-Term Rental except as provided for above. An Owner may hire a property management company to list and manage Short-Term Rentals, but the registration must be in the Owner's name.

Short-Term Rentals are prohibited in dwelling units owned by a corporation. Short Term Rentals are permitted in dwelling units owned by an LLC or Trust only when every shareholder, partner, or member of the legal entity is a natural person, as established by documentation provided by the applicant at the time of registration.

Short-Term rentals are prohibited in dwelling units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.

Notwithstanding the foregoing, a property that has a short-term rental certificate duly issued prior to the effective date of the bylaw, may continue to apply for and receive a short-term rental certificate until the owner fails to timely renew the short-term rental certificate, the property is sold or otherwise transferred, or if it is part of a condominium and the condominium association ceases to permit short-term rentals.

An Owner shall not register or offer a rental unit subject to a long term lease as a Short Term Rental.

Owners can appeal a written violation within 21 days of notice in accordance with M. G. L. Ch. 40 § 21D.

In the event that there are three or more violations within a twelve-month period, Short Term Rental registrations may be revoked and permanently denied by a vote of the Select Board.

18.1.4 Penalties. If any Owner violates any provision of this bylaw, the Owner may be subject to a civil penalty in accordance with M. G. L. Ch. 40 § 21D, with the following: \$300 1st Offense and each subsequent offense Each day that a violation exists constitutes a separate offense.

In the event there are more than three violations within a twelve month period, Short-Term Rental Registrations may be revoked and permanently denied by a vote of the Board of Health.

18.1.5 Board of Health Authority. The Board of Health shall have the authority to create a registration application form, set registration fees, and adopt rules, regulations, policies or procedures to implement the provisions of this Chapter. The registration process shall require an Owner to include the address of the unit to be registered, to list the names of all organization members if owned by a legal entity, and to provide verifiable documentation of the owners or members of that legal entity.

18.1.6 Severability. If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

18.1.7 Effective Date. The provisions of this Bylaw "Short-Term Rental of Residential Properties" shall take effect on June 1, 2023.

Or to take any other action relative thereto.

[Requested by Michael Gaucher, and others]

ARTICLE 19. *Petitioned Article – General Bylaw Amendment – Short Term Rental Cap.* (*Deletions shown in strike-through and new text shown as underlined.*) To see if the Town will vote to amend the Provincetown General Bylaws by Creating Chapter 18, Housing as follows:

18.2. Short Term Rental Certificate Governance to Preserve/ Increase Year Round Rental Units: Rental Certificate Cap

18.2.1 Purpose and Intent. The primary purpose of this bylaw is to:

- a. Encourage the creation of a range of housing opportunities for households of all incomes, ages and sizes in order to support a strong, stable and diverse year round community and a viable and healthy local workforce and to prevent the displacement of Provincetown residents;
- b. Mitigate the negative impact of residential development on the availability and cost of housing;
- c. Protect the long-term affordability of such housing through appropriate, enforceable restrictions that run with the land;
- d. Ensure enough short-term rental properties to support a vibrant tourism economy.

18.2.2. Definitions

"Short-term rental" is defined in the regulations of the Massachusetts Department of Revenue for the purpose of state and local occupancy

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excise taxes, 830 CMR 64G and in the Regulations of the Provincetown Board of Health, Article 5 -Habitations for Rent Regulation.

“Long-term rental” is defined as a property that will not be operated in such a way as to require payment of state and/or local occupancy excise taxes under 830 CMR 64G.1.1 for the short-term rentals, as defined in said regulations.

“Short Term Rental Certificate” is defined by the Regulations of the Provincetown Board of Health, Article 5 -Habitations for Rent Regulation

“Non-use of certificate” is defined as a property that has not collected or paid any state and/or local occupancy excise taxes under 830 CMR 64G.1.1 for a period of one full calendar year.

18.2.3. Limits.

The Board of Health shall issue no more than 1,500 Short-Term Rental Certificates at any time.

- a. The Board of Health shall establish a system by lottery or other means that promotes the purposes of this bylaw to determine the priority of applications that exceed the limit established by this bylaw.
- b. In the event that a property owner voluntarily relinquishes their Short-term Rental certificate, the Board of Health revokes a Short-term Rental Certificate or a property that has a Short-term Rental Certificate is transferred to a new owner, the current Short-term Rental Certificate shall be canceled, and another may be issued, if the cap has not been reached.
- c. In the event of non-use of a certificate, the certificate shall be revoked and only reissued to that property if the cap has not been reached.

18.2.4. Penalties

- a. The Penalties set forth in Article 5 -Habitations for Rent Regulation shall apply to violations of this bylaw.
- b. In addition, any property that is found to have violated the Board of Health Regulations by offering a Short-term Rental without the appropriate certificate during the period when the cap has been reached shall be ineligible for a Short-term Rental Certificate for the rest of the year in which the violation is found to have occurred.

18.2.5. Severability.

If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

18.2.6 Effective Date

The effective date of this bylaw is upon passage of the bylaw by Town Meeting unless otherwise specified in Massachusetts General Laws. Or to take any other action in relation thereto.

[Requested by Michael Gaucher, and others]

ARTICLE 20. Petitioned Article – General Bylaw Amendment – Short Term Rental Cap with Transferable License Program

(Deletions shown in strike-through and new text shown as underlined.)

To see if the Town will vote to amend the Provincetown General Bylaws by Creating Chapter 18, Housing as follows:

18.1 Short Term Rental Certificates – Limits and Transferability

18.1.1 Purpose

Pursuant to the Authority of G.L. c.64G, the Town establishes these regulations

- a. to ensure that the town maintains a physical inventory of long-term residential units for households of all incomes, ages and sizes in order to support a strong, stable and diverse year-round community, a viable and healthy local workforce, and to mitigate the displacement of Provincetown residents;
- b. To mitigate the negative impact of short-term housing on the availability and cost of long-term housing;
- c. To protect the long-term existence of long-term housing through appropriate, enforceable actions including capping the number of short-term rental certificates in the town;
- d. To provide a mechanism by which short-term rental certificates can be maintained, transferred, regulated, and managed in order to support and sustain the tourism sector, which is vital to the town's economy.

18.1.2 Definitions

For this Chapter, the following terms shall have the definitions indicated. Owner. Any person whom alone, or severally with others, has legal or

equitable title or beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC or a Trust. The Owner may also be referred to as the Operator, or the Host.

Short-Term Rental. The rental of a whole or a portion of a residential or secondary dwelling unit, in exchange for payment, as residential accommodations for not more than thirty consecutive days, excluding a licensed Hotel, Motel, or Lodging House or Tourist Home for Transient Guests as defined and permitted by 830 CMR 64G.

18.1.3 Regulations

Short term rental (“STR”) certificates may only be held by owners registered with the Mass DOR and the Town. Each owner may hold up to 3 STR certificates.

Certificates shall specify the residential property to which they pertain, and owners may only hold STR certificates for properties they own, or have put under a long-term (seven year) lease.

In the case of residential properties that are owned by LLCs, Corporations, or Trusts, a corresponding STR certificate can only be held by an associated natural human being. Valid STR certificates may be transferred to an existing or new owner who has not had a certificate suspended or revoked in the past two years. While the new owner must be eligible under the standards of this bylaw, the transfer of a license from one owner to another shall be considered a permissible and private transaction. (For example, the seller of a property may choose to transfer their STR certificate directly to the buyer of that property. The buyer of a property without an STR certificate may seek to purchase an STR certificate from the owner of another property – thereby ensuring that whenever a new STR is created in Provincetown, another property shall exit the STR market.)

The number of certificates shall be capped at their current verified number, 1283. STR certificates may be suspended for a set period of time by the Board of Health for cause, or may be revoked entirely. Suspended certificates may be transferred to existing or new eligible owners, and continue to count against the cap during their suspension.

Every property that has paid STR taxes to the state between July 1, 2019 and March 1, 2023 is presumptively eligible to be issued an STR certificate within the newly-defined cap. Properties that have not paid STR taxes to the state but that can demonstrate an STR rental history to the satisfaction of the Board of Health may be eligible to be issued a certificate under the cap. Once the 1283 STRs that appear to presently exist have been issued certificates, owners of property without a short-term rental history who wish to convert their residential properties to short-term rental use will need to arrange for the transfer of an existing STR certificate to themselves.

The intent of this measure is to manage and maintain STR activity at its existing level without allowing it to continue to reduce the town's long term residential inventory. Should a change become needed, the total number of STR certificates may be raised or lowered by a majority vote of each of the Select Board and Board of Health, meeting together, after a public hearing on the proposed change. Other changes to this bylaw may be forwarded to town meeting voters by the Select Board or the Board of Health.

18.1.4 Penalties

If any Owner violates any provision of this bylaw, the Owner may be subject to a civil penalty in accordance with M. G. L. Ch. 40 § 21D, with the following:

\$300 1st Offense and each subsequent offense

Each day that a violation exists constitutes a separate offense.

In the event there are more than three violations within a twelve month period, Short-Term Rental Registrations may be revoked and permanently denied by a vote of the Board of Health.

18.1.5 Board of Health Authority

The Board of Health retains its obligations to manage the safety of all residential housing, including by managing STR activity in emergencies. Or to take any other action in relation thereto.

[Requested by Paul Benson, and others]

ARTICLE 21. Petitioned Article – Non-Binding Resolution – Low-Noise Fireworks. To see if the Town will support a Non-Binding Resolution directing the Select Board to immediately substitute low-noise fireworks for conventional fireworks in any Town-sponsored celebrations. This resolution will make Town-sponsored, tax-payer funded, fireworks

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celebrations more humane events for those attending who cannot tolerate the noise of traditional fireworks, including children and adults with autism or sensory processing disorders, veterans with Post Traumatic Stress Disorder (PTSD) those with anxiety disorders, and household pets. Conventional explosive fireworks can even affect wild animal life in our woods and sea life in our Harbor. Let's consider our neighbors and visitors, our pets, and the wildlife that surrounds us, worthy of this kind of forward-thinking change. Or to take any other action relative thereto.

[Requested by Shira Kavon, and others]

ARTICLE 22. Petitioned Article – Non-Binding Resolution – Limit Number of Firework Celebrations. To see if the Town will vote to limit the number of permits issued annually by the Town of Provincetown for the allowance of any fireworks display to 1 (one) event. Such event will be no more than thirty minutes in duration, and is to occur only during the Fourth of July holiday. Or to take any other action relative thereto.

[Requested by Gordon Siegel, and others]

ARTICLE 23. Petitioned Article – Historic District Map. Whereas two of the structures at 288A Bradford Street are over 100 hundred years old; a horse barn and frame shop, both of them examples of the rich cultural history of Provincetown: I move that the town amend the Provincetown Historic District Map, set forth in Appendix 2 of Chapter 15 of the General Bylaws of the Town, by extending the boundary line north of Bradford Street one lot to the east to include 288A Bradford Street, or to take any other action relative thereto.

[Requested by Jonathan Sinaiko, and others]

TOWN BOARD ARTICLES

ARTICLE 24. Eversource Easement for Electrical Service on Town Property at 260 Commercial Street. To see if the Town will vote to authorize the Select Board to grant to NStar Electric Company and/or other utility company an easement for the transmission of electricity and intelligence in, on, under and over a portion or portions of the Town owned property located at 260 Commercial Street, identified on the Assessors Map 11-3 as Parcel 81, on such terms and conditions as the Select Board deems appropriate; or to take any other action relative thereto.

[Requested by the Select Board]

Explanation of Article 24: The article provides Eversource access to electrical equipment it owns on Town property. In December, the Select Board approved a request by Eversource to upgrade the electrical service for the Downtown Area by installing an additional transformer and other necessary electrical equipment on Town Hall Property and running conduit to a new pole on Ryder Street. That work necessitates both a License Agreement for the use of Town Property, which was approved by the Select Board, and a permanent utility easement for access to be approved by Town Meeting. The easement will authorize Eversource to access and maintain as necessary the equipment and conduit on the Town Hall property, connecting with the equipment within the public way of Bradford Street and Ryder Street.

ARTICLE 25. Additional Package Store Licenses – A Home Rule Petition. To see if the Town will vote to authorize the Select Board to petition the General Court for the enactment of special legislation entitled "An Act authorizing the Town of Provincetown to grant additional licenses for the sale of all alcoholic beverages to be drunk off the premises." as set forth below, provided however that the General Court shall be authorized to make ministerial, clerical, and editorial changes of form only to said bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and to authorize the Select Board to approve such amendments.

AN ACT AUTHORIZING THE TOWN OF PROVINCETOWN TO GRANT ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK OFF THE PREMISES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the licensing authority of the Town of Provincetown may grant 5 additional licenses for the sale of alcoholic beverages to be drunk off the premises under

Section 12 of said Chapter 138. The licenses shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all requirements of said chapter 138, except said section 17 relative to the number of licenses that may be granted.

SECTION 2. If a license granted pursuant to this act is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 3. This Act shall take effect upon its passage or to take any other action relative thereto.

[Requested by the Licensing Board]

Explanation of Article 25: Chapter 138 Section 17 limits the number of off-premise licenses based on population. Due to the seasonal nature of our community, Provincetown currently maintains more licenses than the State Law allows based on our year round population. Because of this, we have some businesses that are forced to maintain both a year round wine and malt license as well as a seasonal all alcohol license in order to maintain their businesses. Given that Provincetown chose not to limit the number of marijuana establishments, by removing this artificial cap, we would be supporting our existing businesses who sell off-premise alcohol.

CHARTER AMENDMENT ARTICLES

ARTICLE 26. Charter Amendment – Elections – Primary Residency Required. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to provide as set forth below; and, in connection therewith, to authorize the Town Clerk to finalize the form of the special legislation for these purposes, including making any non-substantive changes made or required by the proposed amendments with respect to lettering or numbering of the sections of the Town Charter so amended; provided, however, that the General Court may make clerical or editorial changes of form only to the bill so submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF PROVINCETOWN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of Chapter 2 of the Charter of the Town of Provincetown, which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws, **is hereby amended by inserting at the end of subsection (c) the following sentence: "No person shall be a candidate or serve in elected office under this Charter if they have a currently-filed declaration of estate of homestead, as set forth in Section 3 of Chapter 188 of the General Laws or similar provisions in other state laws, in any jurisdiction other than Provincetown."**

SECTION 2. This act shall take effect upon its passage. Or to take any other action relative thereto.

[Requested by the Select Board]

Explanation of Article 26: This article will amend the 2018 Town Charter to include a requirement that prohibits elected officials from declaring homestead in any other community.

GENERAL BYLAW AMENDMENT ARTICLES

ARTICLE 27. General Bylaw Amendment: Obstructions within the Public Ways. (*Deletions shown in strike-through and new text shown as underlined.*) To see if the Town will vote to amend the Provincetown General Bylaws, Chapter 11 Section 6 Public Ways, as follows:

11-6-4. Obstructions within the Public Ways. In order to preserve and promote the safety of the public, no property owner shall permit an encroachment or obstruction within the public way. Whenever the Director of Public Works, the Fire Chief or the Chief of Police determine that the public way is obstructed by a hedge, tree, brush, or similar natural growth, fence, sign, structure, landscape element or object so as to con-

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stitute a public safety hazard to vehicular or pedestrian traffic, or access of emergency or public works vehicles, they shall present a report to the Select Board. The Select Board shall give such notice to interested parties, including affected property owners, as they deem appropriate, and following a public hearing in which a finding of a public safety hazard is made by a majority of the board, may thereafter vote to require that the obstruction be trimmed, altered, removed, or moved so that the public way shall be unobstructed and clear from any public safety hazard. Each year by April 1st and November 1st, the Department of Public Works will issue a public notice requiring all property owners to trim or remove obstructions within a public way within two weeks of said notice.

11-6-5. Trees, Hedges, and Shrubs Located on Private Property: Height Restrictions for Traffic Safety. In order to preserve and promote the safety of the public, hedge or shrub or other growth located on private property on the corner lot or curb obstructing the view of motorists and situated within 15 feet of a public street, or curb- or side line thereof, shall not be permitted by the owner or occupant of the premises to exceed the height of three feet above road grade; any and all trees within said fifteen-foot area (shade trees are to be subject to the provisions of M.G.L. c. 87, §3) shall have limbs trimmed to the height of six feet above road grade, including that any growth overhanging public walkways shall also be trimmed to the property line at the owner's expense. The Department of Public Works (DPW), the Fire Chief, or the Chief of Police shall notify the owner of the property of a violation of this chapter by certified mail, and may order the tree, hedge, or shrub to be trimmed or removed by the owner of the property. If the violation shall not have been cured within 15 days of the date of mailing of the notice, the DPW shall have the right to correct such violation.

In addition, this section and section 11-6-4 may be enforced through the noncriminal disposition procedures set forth in Chapter 2 of the Town's bylaws, and may assess a fine of \$300 for each violation. Each day that a violation continues shall constitute a separate offense.

~~11-6-6. Trees & Shrubs: Obstructions in the Public Ways. In order to preserve and promote the safety of the public, no property owner shall permit any hedge, tree, brush or natural growth to encroach within the public way in a manner that becomes a physical or visual obstruction to any vehicle or pedestrian. Each year by April 1st and November 1st, the Department of Public Works will issue a public notice requiring all property owners to trim or remove such obstructions within two weeks or the Department will remove all obstructions without further notice.~~

Or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

Explanation of Article 27: *This article will amend the General Bylaw to update and clarify the implementation of the Town's obstructions within the public way bylaw and defines the process of enforcement for 11-6-4 and remediation of obstructions.*

ZONING BYLAW AMENDMENT ARTICLES

ARTICLE 28. Zoning Bylaw Amendment: Inclusionary and Incentive Zoning Bylaw. Filing of the deed restriction. *(Deletions shown in strike-through and new text shown as underlined.)* To see if the Town will vote to amend the Provincetown Zoning Bylaws, Article 4 Special Regulations, Section 4180 Inclusionary and Incentive Zoning Bylaw as follows:

6. Submission Requirements and Procedures

- a. Special Permit application, review and decision procedures shall be in accordance with the Provincetown Zoning Bylaw and the Planning Board's rules and regulations.
- b. Affordable and Community Housing units created in accordance with this bylaw shall use deed restrictions that require the units to remain income restricted in perpetuity or the longest period allowed by law and for so long as the unit or project does not conform to the otherwise applicable underlying zoning requirements and any such restriction shall be held by the Town and be released only by a vote of Town Meeting as provided for by state law. Such restriction shall also grant the Town a right of first refusal to purchase a unit in the event that a subsequent qualified purchaser cannot be located, which the Town shall have the right but not the obligation to exercise and shall not release the deed restriction if a qualified purchaser cannot be located.
- c. ~~No Building Permit shall be issued for any units in the development until the Planning Department receives evidence that the Affordable Housing restriction has been approved by DHCD, or the~~

~~Community Housing restriction has been approved by Town Counsel.~~

- d. ~~No Certificate of Occupancy shall be issued for any units in the development until the Planning Department receives evidence that the housing restriction has been executed and recorded at the Barnstable County Registry of Deeds has been accepted by the Select Board. The last Certificate of Occupancy within the development shall not be issued unless and until all the housing restrictions have been recorded.~~

or to take any other action relative thereto.

[Requested by the Planning Board]

Explanation of Article 28: *This amendment will correct an internal inconsistency in the bylaw that could delay the potential sale of an affordable unit to a buyer. Housing deed restrictions are recorded at the closing of sale. In order to close on a loan there has to be a Certificate of Occupancy in place. The bylaw requires the Deed restriction to be recorded before any Certificate of Occupancy could be issued, but this creates an unacceptable "chicken and egg" scenario. This amendment will fix that problem yet protects the Town and ensures that the affordable component of any development project will be completed in a timely manner.*

ARTICLE 29. Zoning Bylaw Amendment: High Elevation Protection District. *(Deletions shown in strike-through and new text shown as underlined.)* To see if the Town will vote to amend the Provincetown Zoning Bylaws, Article 2 District and District Regulations, Section 2320 High Elevation Protection District of the bylaw as follows:

2320 High Elevation Protection District

- A. Purpose. To preserve high elevation dunes which are of natural scenic beauty, important to the tourist economic base of the Town, and which present serious concerns regarding the consequences of erosion. Construction within HEP Districts A and B shall be configured to minimize construction activity in these districts, minimize the alteration of existing grades, minimize the removal of existing vegetation, and minimize the visual impact.
- B. District Delineation. All elevations above the 40' contour line shall be delineated as HEP District A; all elevations above the 60' contour line shall be delineated as HEP District B.
- C. Special Regulations for HEP Districts A and B. All new construction or additions and expansions, including but not limited to decks greater than 1 foot above natural grade and other non-enclosed structures, even if the overall footprint is not being enlarged or any excavation, land removal or earth moving of more than 2500 cubic feet that will alter the topography from natural grade, whether or not subject to a building permit shall be subject to High Elevation Site Plan Review subject to the procedure specified in Section 4020 and the following requirements:
 - 1. To facilitate siting and design related to the special considerations of the setting, the High Elevation Site Plan shall conform to the requirements of Section 4025 through 4028 and the following additional information shall accompany the site plan:
 - a. Placement, height, physical characteristics of all existing and proposed building(s) and structures.
 - b. Existing and Proposed vegetation and landscape features including location and description of screening, fencing, retaining walls, and similar structures; and planting;
 - c. Viewpoints in the form of photographs of the site from points along harborfront, streets, highways and town entry vistas;
 - d. Measures to be undertaken during and after construction to prevent erosion;
 - 2. In its High Elevation Site Plan Review, the Planning Board shall apply the following standards:
 - a. Placement of buildings, structures, or signs shall not detract from the site's scenic qualities and shall blend with the natural landscape.
 - b. Building sites shall be directed away from the crest of hills in order to preserve the visual and physical integrity of the dune unless such siting shall be more detrimental to the physical integrity of the dune.
 - c. Developments for more than one structure shall incorporate variable setback and multiple orientation.
 - d. Foundations shall be constructed to reflect natural slope of the

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terrain; excessive support members or mechanical systems shall be covered and screened.

- e. Planting materials Landscaping shall consist primarily of native trees and plants, in coordination with the Provincetown Tree Warden.
- f. Retaining walls shall be screened with appropriate materials.
- g. Any grading or earth-moving shall be planned and executed in such a manner that final contours are consistent with existing terrain both on and adjacent to the site.
- h. Utilities shall be constructed and routed to minimize detrimental effects on the visual setting.
- i. Storage of petroleum products shall be placed on a diked impermeable surface.
- j. All run-off from impervious surfaces shall be recharged on site by being diverted to storm water infiltration basins designed to handle a 25-year storm and covered with natural vegetation.
- k. No area totaling 2000 square feet or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6 inches or more so as to destroy existing vegetation unless special controls are delineated and approved to control run-off, avoid erosion, and either a constructed surface or cover vegetation, provided and mulched by end of August. No such areas shall remain through the winter without plant material cover.
- l. During construction runoff shall be trapped on site and all exposed or disturbed areas shall be temporarily stabilized within three months and shall be permanently stabilized within six months of (permanent or final) the end of work.
- m. That the plan shall conform to the Illumination Standards of Section 3430 Illumination.

D. Special Regulations for High Elevation Protection District B In addition to the above, construction of buildings which extend beyond the height of existing vegetation (including trees) shall be prohibited in this District, or no building shall be greater than 1 1/2 story high. Or to take any other action relative thereto.

[Requested by the Planning Board]

Explanation of Article 29: This amendment will strengthen Section 2320 to better protect dunes during construction in the HEP districts, including the consequential excavation and removal of existing vegetation that naturally anchors the dunes.

CONSENT AGENDA ARTICLES

CONSENT AGENDA – The consent agenda is a meeting practice which groups routine and other non-controversial articles not necessarily requiring discussion or independent vote as separate articles. Using a consent agenda can save precious time by allowing Town Meeting to approve this ‘package’ of articles together in one motion. Articles under the consent agenda can only be grouped together if the Town Meeting body agrees. If a voter selects a specific article for discussion, it must be removed and placed on the regular agenda for discussion and separate vote by the Town Meeting body.

The Consent Agenda for the Annual Town Meeting includes Articles 30 through 37.

ARTICLE 30. Cape Cod Greenhead Fly Control District Assessment. To see if the Town will vote to raise and appropriate \$1,939 for Greenhead Fly Control as authorized by Section 24, Chapter 252 of the General Laws; and to authorize the Town Treasurer to pay said appropriation into the State Treasury; or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

Explanation of Article 30: A Town Meeting vote is required to fund this Cape Cod Greenhead Fly Control District assessment of \$1,939.

ARTICLE 31. Expenditures from the Tourism Fund. To see if the Town will vote to transfer from the Tourism Fund the sum of \$1,025,000 to be expended under the direction of the Select Board and the Visitor Services Board to fund the following expenditures which market, beautify or enhance tourism in Provincetown pursuant to Chapter 178 of the Acts of 1996:

1. \$185,000 for coordination/support of the Visitor Services Board and the Tourism Department, and costs related thereto;
2. \$575,000 for marketing, and costs related thereto;
3. \$50,000 for municipal projects, and costs related thereto;
4. \$195,000 for tourism grants, and costs related thereto;
5. \$20,000 for the Public Landscape Committee, and costs related thereto;

or to take any other action relative thereto.

[Requested by the Select Board and the Visitor Services Board]

Explanation of Article 31: This article transfers \$1,025,000 from the Tourism Fund to cover the costs associated with the Tourism Office pursuant to the Five-Year Financial Plan for Tourism Fund Expenditures proposed by the Visitor Services Board and approved by the Select Board each year. The Tourism Fund is entirely funded from receipts of the room occupancy tax.

ARTICLE 32. FY2024 Human Services Grant Program. To see if the Town will vote to raise and appropriate the sum of \$100,800 to be expended under the direction of the Select Board, to fund grants to assist nonprofit agencies and organizations to maximize available resources to meet needs identified by the community by providing services to local residents, particularly those of low and moderate income and those who are uninsured or underinsured, as follows:

Alzheimer's Family Support Center	\$10,000
Cape Cod Children's Place	\$8,000
Cape Cod Dispute Resolution Center	\$1,900
Church of the Holy Spirit/Food4Kids	\$3,500
Elder Services of CC&I	\$1,500
Family Pantry of Cape Cod	\$5,000
Gosnold	\$5,000
Helping Our Women	\$7,500
Homeless Prevention Council	\$7,250
Independence House	\$7,500
Lower Cape Outreach Council	\$7,250
Mass Appeal	\$4,000
Outer Cape Health Services	\$12,500
Sight Loss Services	\$500
Soup Kitchen In Provincetown	\$8,000
South Coastal Counties Legal Services	\$4,000
Sustainable Cape	\$7,400
	Total \$100,800

or to take any other action relative thereto.

[Requested by the Select Board and the Human Services Committee]

Explanation of Article 32: In this article, the Human Services Committee recommends the FY2024 Human Services Grant Program totaling \$100,800, an increase of \$7,600 or 8% above the amount approved for the current year. These grants support 17 agencies that are actively providing services to Town residents of all ages, particularly those most in need.

Funding decisions by the Committee were determined through:

- (1) A rigorous review of each application,
- (2) meetings with applicants as required,
- (3) prior compliance with reporting requirements and
- (4) an assessment of each applicant's visibility and level of service delivery to residents of Provincetown. In addition to Committee meetings, two Public Hearings were held for public input into the needs assessment and Committee funding recommendations.

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ARTICLE 33. FY2024 Revolving Fund Spending Limits. To see if the Town will vote to establish spending limits for FY2024 for the following revolving funds established pursuant to MGL Chapter 44, Section 53E½:

FY 2024 REVOLVING FUND ANNUAL SPENDING	
Program or Purpose	Up to a limit of
Town Hall Auditorium	\$125,000
Shellfish Grants	\$10,000
B-Street Garden	\$2,500
Fuel Reimbursement	\$125,000
Affordable Housing	\$50,000
Tree Fund Revolving Account	\$10,000
Facilities and Grounds Rental Revolving Fund	\$30,000
Small Scale Climate Change Resiliency Revolving Fund	\$18,000

or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

Explanation of Article 33: This article authorizes the annual spending limits of eight existing revolving funds. Under Massachusetts General Law, Town Meeting must set the spending limits for each revolving account each year.

ARTICLE 34. Funding for Economic Development Committee.

To see if the Town will vote to raise and appropriate \$76,000 with \$1,000 for Committee expenses and \$75,000 in funds available to be awarded in grants to develop increased year round economic opportunities. Grants shall be subject to approval by the Select Board. Committee Mission Statement: Encourage initiatives to which the Town of Provincetown might grant funding that will increase year round economic opportunities for Provincetown citizens without creating adverse impacts on the character of our community or our natural environment; or to take any other action relative thereto.

[Requested by the Select Board and the Economic Development Committee]

Explanation of Article 34: This article provides the Economic Development Committee with funds to award grants to individuals and/or businesses that are working to create a year round economy in Provincetown. As the mission statement reads, the goal is to encourage initiatives to which the Town of Provincetown might grant funding that will increase year-round economic opportunities for Provincetown citizens.

ARTICLE 35. Funding for Cultural Council.

To see if the Town will vote to raise and appropriate \$10,000 in funds available to be awarded in grants to develop community –oriented arts, humanities and science opportunities for Provincetown. Grants shall be subject to approval by the Provincetown Cultural Council in accordance with guidelines established by the Massachusetts Cultural Council; or to take any other action relative thereto.

[Requested by the Cultural Council]

Explanation of Article 35: This article provides the Provincetown Cultural Council with funds to award grants to individuals, businesses or organizations that can support a variety of artistic projects and activities in Provincetown, including exhibits, festivals, short-term artists' residencies or performances in schools, workshops and lectures. Provincetown participates in the Massachusetts Local Cultural Council Program, which is the largest grassroots cultural funding network in the nation, supporting thousands of community based projects in the arts, sciences and humanities every year. The state legislature provides an annual appropriation to the Massachusetts Cultural Council, a state agency, which then allocates funds to each community. This article supplements the State funds of \$5,000.

ARTICLE 36. 0.5% Real Estate Transfer Fee – A Home Rule Petition.

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the Town to impose a 0.5% real estate transfer fee as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments

thereto prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF PROVINCETOWN TO IMPOSE A 0.5% REAL ESTATE TRANSFER FEE.

SECTION 1. There is hereby imposed a real estate transfer fee equal to 0.5% (one half percent) of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Provincetown. Said fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the seller. The fee shall be paid to the Town of Provincetown. The funds collected in each fiscal year shall be deposited equally in both the Town's Year Round Market Rate Rental Housing Trust and the Provincetown's Affordable Housing Trust.

SECTION 2. The following transfers of real property interests shall be exempt from the real estate transfer fee:

- A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."
- B. Transfers to the government of the U.S., the Commonwealth, the Town of Provincetown and any of their instrumentalities, agencies or sub-divisions, such as the Provincetown Housing Authority.
- C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.
- D. Transfers of convenience with consideration under \$100 which include: name change, into trusts, out of trust, etc.
- E. Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.
- F. Transfers between family members, marriage partners, parents and children, grandchildren, stepparents and stepchildren, brothers and sisters.
- G. Transfers of any unit covered by a year round housing deed restriction.

SECTION 3.

- A. The fee imposed shall be due at the time of the transfer of the real property interest.
- B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid real estate taxes.
- C. The Town shall notify a buyer by registered or certified mail of any failure to discharge the amount in full of fee due.
- D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract.

SECTION 4. This Act shall take effect on passage; or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

Explanation of Article 36: This article seeks an annual reaffirming vote in support of the Home Rule Petition currently pending at the State Legislature to impose a 0.5% Real Estate Transfer Fee. What's different about this article this year is that we have changed the distribution of any funds collected from OPEB Trust to the Year Round Market Rate Rental Housing Trust and Affordable Housing Trust Fund. These funds will go exclusively to housing needs which better represent the Town's priority goals and needs.

State Representative Sarah Peake has recommended that the language be voted on once again at this year's Town Meeting to reinforce its intent as the home rule petition makes its way up the legislative channels of the State House.

ARTICLE 37. Amendments to Personnel Bylaw/Classification and Compensation Plan.

(Deletions shown in strike-through and new text shown as underlined.) To see if the Town will vote to amend Schedules A, B and C of the Town's Classification and Compensation Plan as follows:

PROVINCETOWN ANNUAL TOWN MEETING WARRANT

Schedule A: To amend Schedule A, Permanent Full and Part-time Non-Union Positions, of the Classification and Compensation Plan of the Town, effective July 1, 2024, by replacing the existing compensation plan with the following new compensation plan as adopted by the Personnel Board:

Grade	Compensation Range		Position
	FY2023 Current	FY2024 Proposed	
	[exempt MGL c41 s108N] [exempt MGL c41 s108O]		Town Manager Chief of Police
15	\$108,173 - \$140,453	\$110,336 - \$143,262	Assistant Town Manager Public Works Director Fire Chief Finance Director Community Development Director
14	\$100,626 - \$130,654	\$102,639 - \$133,267	Police Lieutenant Building Commissioner Water Superintendent
13	\$93,606 - \$121,538	\$95,478 - \$123,969	Deputy Public Works Director MIS Director Pier Facilities Manager*
12	\$87,075 - \$113,059	\$88,817 - \$115,320	Library Director Recreation Director Town Engineer Treasurer/Collector Director of COA/ Human Services Town Planner Director of Tourism Principal Assessor Harbormaster Health Director Town Clerk Environmental Planner/Conservation Agent
11	\$81,000 - \$105,171	\$82,620 - \$107,274	DPW Facilities Manager Human Resources Manager EMS Coordinator Housing Specialist MIS Analyst/Business Systems Manager
10	\$69,892 - \$90,748	\$71,290 - \$92,563	DEI Director Local Building Inspector Health Agent
9	\$66,563 - \$86,426	\$67,894 - \$88,155	Zoning Enforcement/Code Assistant Town Accountant Revenue Officer
8	\$63,394 - \$82,311	\$64,662 - \$83,957	Assistant Library Director Parking Administrator Executive Assistant to Police Chief Executive Assistant to Town Manager Secretary to Select Board Licensing Agent
7	\$60,375 - \$78,391	\$61,583 - \$79,959	Lead Librarian Pier Office Manager* Assistant Director of Tourism MIS Technician Outreach Coordinator – COA
6	\$57,500 - \$74,658	\$58,650 - \$76,151	Permit Coordinator Principal Accounting Clerk
5	\$56,521 - \$73,387	\$57,651 - \$74,855	No Positions in Grade
4	\$53,830 - \$69,893	\$54,907 - \$71,291	No Positions in Grade
3	\$51,266 - \$66,564	\$52,291 - \$67,895	No Positions in Grade
2	\$48,825 - \$63,395	\$49,802 - \$64,663	No Positions in Grade
1	\$46,500 - \$60,376	\$47,430 - \$61,584	No Positions in Grade

* Employee of the Provincetown Public Pier Corporation

PROVINCETOWN ANNUAL TOWN MEETING WARRANT

Schedule B: To amend Schedule B, “Fire Department Positions,” effective July 1, 2024, as requested by the Board of Fire Engineers, as follows:

Annual Salaried Positions:	FY2023 Current	FY2024 Proposed	% change
Fire Chief	\$65,000	\$66,950	3.00%
Assistant Chief	\$30,000	\$30,900	3.00%
EMS Coordinator 19 Hours to Full Time	\$83,224	\$85,721	3.00%
Admin Assistant Full Time	\$56,429	\$56,062	-0.65%
Annual Stipend Positions:			
1st Deputy Fire Chief	\$8,755	\$0	0.00%
2nd Deputy Fire Chief	\$14,008	\$14,428	3.00%
District Fire Chief/Engineer	\$6,800	\$6,800	0.00%
Firefighter	\$824	\$824	0.00%
Fire Auxiliary	\$412	\$412	0.00%
Fire Captain	\$1,288	\$1,288	0.00%
Fire Lieutenant	\$824	\$824	0.00%
Engine Steward	\$900	\$900	0.00%
Station Steward	\$1,133	\$1,133	0.00%
Ladder Steward	\$1,339	\$1,339	0.00%
LaFrance Steward	\$515	\$515	0.00%
Oil Inspector	\$1,799	\$1,799	0.00%
Rescue Steward	\$3,708	\$3,708	0.00%
Rescue Captain	\$3,090	\$3,090	0.00%
Rescue Lieutenant	\$1,545	\$1,545	0.00%
Rescue Training Officer	\$0	\$0	0%
Radio Officer	\$1,000	\$1,000	0.00%
Air Officer	\$1,545	\$1,545	0.00%
Infection Control Officer	\$824	\$824	0.00%
Non-Firefighter Positions			
First Responders	\$25.75/hr	\$26.53/hr	3.00%
EMT-Basic	\$33.00/hr	\$33.99/hr	3.00%
EMT-Intermediate	\$34.56/hr	\$35.60/hr	3.00%
EMT-Paramedic	\$36.12/hr	\$37.21/hr	3.00%
Standby	\$40/hr	\$40/hr	0.00%
Detail	\$56.00/hr	\$57.00/hr	2.00%
Safety Inspections	\$25.00/hr	\$25.00/hr	0.00%
Rescue Squad Participation (per quarter)	\$250	\$250	0.00%

Schedule C: To amend Schedule C, “Seasonal and Part-time Non-Union Positions,” effective July 1, 2024, as follows:

Updated Grade	Current FY 2023	Proposed FY 2024	Position
1	\$ 20.16	\$ 20.16	After School Recreation Aides Pier Asst. Harbor Master – First Year Seasonal Recreation Aides COA Program Assistant Parking Lot Attendant/ In-booth Barrels & Grounds Laborer Restroom Attendant Community Ambassador Parking Meter Enforcement Police Matron Parking Meter Collection/Repair
2	\$ 20.75	\$ 20.75	Pier Corp. Assistant Harbor Master Beautification Maintenance Building Custodian On-call Library Circulation Aide Parking Lot Attendant/Out-booth/ Floater Pier Office Assistant – First Year* Seasonal Assistant Harbormaster – First Year*
3	\$ 20.16	\$ 21.34	Special Need Counselor Part-time Clerical Parking Lot Assistant Technical Manager Secretary, On-call Relief Transfer Station Laborer Returning Pier Office Assistant* Returning Seasonal Assistant Harbormaster* Returning Pier Maintenance Assistant*
4	\$ 20.16	\$ 21.98	Seasonal Recreation Supervisor COA Transport Driver On-call Van Driver Pier Maintenance Assistant – First Year*
5	\$ 20.16	\$ 22.62	Part-time Library Circulation Aide Parking Lot Technical Manager Police Matron
6	\$ 20.16	\$ 23.50	Parking and Traffic Officers COA Cook/Meal Coordinator Special Needs Coordinator
7	\$ 23.50	\$ 24.19	Property Inspector (Assessors)
8	\$ 25.10	\$ 25.10	Pier Corp. Maintenance Tech Pier Corp. Deputy Harbor Master Pier Corp. Overnight
9	\$ 25.10	\$ 25.83	Police Officer, Summer/Auxiliary
12	\$ 25.10	\$ 28.17	Summer/On-Call Tele-communicator Parking Lot Nighttime Attendant
16	\$ 31.84	\$ 32.77	Part-Time Certified Officer
19	\$ 35.02	\$ 35.73	Event Coordinator

Explanation of Article 37: Schedule A is for full and part-time non-union positions that are included in the compensation plan. Schedule A does not set a salary or the rate of pay for Town employees, but rather sets the salary range for each job classification.

Schedule B is for Fire Department positions and increases are requested by the Board of Fire Engineers.

Schedule C is for non-union seasonal and part-time staff.

* Employee of the Provincetown Public Pier Corporation or to take any other action relative thereto.

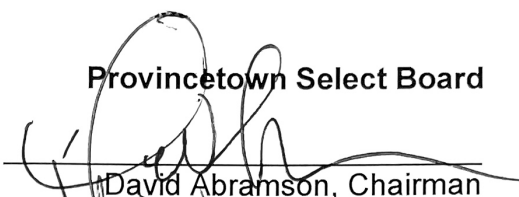
[Requested by the Select Board and the Town Manager]

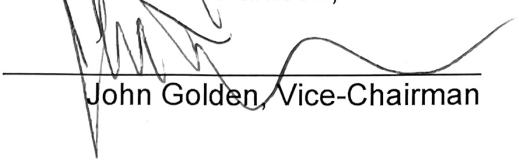
PROVINCETOWN ANNUAL TOWN MEETING WARRANT

HEREOF FAIL NOT and make a due return of this WARRANT with your doings thereon to the TOWN CLERK, at the time and place of the meeting aforesaid.

Given unto our hands the 3rd day of March in the year Two Thousand Twenty-three.


Provincetown Select Board


David Abramson, Chairman


John Golden, Vice-Chairman

Louise Venden

Robert Anthony


Leslie Sandberg

A TRUE COPY, ATTEST:

Elizabeth Paine

Town Clerk

Date of Publishing: www.provincetown-ma.gov March 3, 2023

Provincetown Independent March 16, 2023



Public Hearings

Articles in the April 3, 2023 Annual Town Meeting Warrant

In accordance with §2-3-g of the Provincetown Charter, the following committees will hold public hearings on the warrant:

Select Board on Monday, March 13, 2023 at 7:00 pm

Licensing Board on Tuesday, March 14, 2023 at 5:15 pm

Charter Compliance Commission on Thursday, March 16, 2023 at 1:00 pm

Board of Health on Thursday, March 16, 2023 at 4:00 pm

Conservation Commission on Tuesday, March 21, 2023 at 6:00 pm

Finance Committee on Thursday, March 23, 2023 at 2:00 pm

Planning Board on Thursday, March 23, 2023 at 6:00 pm

Personnel Board on Friday, March 24, 2023 at 5:00 pm

Pursuant to Chapter 20 of the Acts of 2021, these meetings will be conducted in person and as a courtesy via remote means, in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law.

A link to the agenda for these meetings can be found on the Town's website www.provincetown-ma.gov

PROVINCETOWN ANNUAL TOWN MEETING WARRANT

TOWN OF PROVINCETOWN FY 2024 DEPARTMENTAL OPERATING BUDGET SUMMARY			
	FY 2022 Actual	FY 2023 Budget	FY 2024 Proposed
Total General Gov't (DIVISION 1)	916,847	1,178,108	1,248,079
% Increase			5.94%
Total Finance (DIVISION 2)	12,271,738	12,340,705	12,863,588
% Increase			4.24%
Total Public Safety (DIVISION 3)	7,443,505	8,174,719	8,809,006
% Increase			7.76%
Total Public Works (DIVISION 4)	3,928,562	4,070,329	4,360,866
% Increase			7.14%
Total Public Service (DIVISION 5)	1,035,033	1,101,818	1,263,951
% Increase			14.72%
Total Public Schools (DIVISION 6)	5,126,441	5,200,457	5,220,843
% Increase			0.39%
Total Departmental Operating Budget	30,722,126	32,066,136	33,766,333
			5.30%
Budget Increases by Category			
Payroll	9,555,314	10,637,069	11,774,415
% Increase			10.69%
Debt Service	2,256,180	2,115,001	2,054,340
% Increase			-2.87%
Benefits/Other Insurance	8,192,293	8,281,376	8,599,431
% Increase			3.84%
Public Education	5,126,441	5,200,457	5,220,843
% Increase			0.39%
Non-Payroll Operating Expenses	5,591,898	5,832,233	6,117,304
			4.89%
GENERAL GOVERNMENT (DIV 1)			
	FY 2022 Actual	FY 2023 Budget	FY 2024 Proposed
113-Election Expenses	\$ 14,344	\$ 27,992	\$ 29,016
122-Selectmen's S&W	77,230	81,177	78,376
122-Selectmen's Expenses	10,555	9,055	9,055
Sub-total	102,129	118,224	116,447
123 Town Manager S&W	270,625	480,128	516,366
123 Town Manager Expenses	35,100	71,100	71,100
Sub-total	305,725	551,228	587,466
151 Legal Expenses	210,000	200,000	200,000
156-Administration Expenses	67,500	67,500	67,500
161-Town Clerk S&W	123,548	131,966	160,666
161-Town Clerk Expenses	6,145	7,390	14,200
Sub-total	129,693	139,356	174,866
672-Art Commission Expenses	8,250	8,250	8,250
482-Airport Comm. Expenses	93,550	93,550	93,550
General Government S&W	471,403	693,271	755,408
General Government Expenses	445,444	484,837	492,671
Total General Government	\$ 916,847	\$ 1,178,108	\$ 1,248,079

PROVINCETOWN ANNUAL TOWN MEETING WARRANT

	FY 2022 Actual	FY 2023 Budget	FY 2024 Proposed
FINANCE (DIV 2)			
131-Finance Cte Reserve Fund	\$ 135,653	\$ 138,936	\$ 142,302
131-Finance Cte Exp	0	0	0
Sub-total	135,653	138,936	142,302
135-Finance Dept S&W	197,027	213,761	299,609
135-Finance Dept Expenses	68,550	70,478	72,250
Sub-total	265,577	284,239	371,859
136-MIS Dept S&W	242,398	255,311	279,563
136-MIS Dept Expenses	593,460	610,000	723,500
Sub-total	835,858	865,311	1,003,063
141-Assessor Dept S&W	224,254	233,531	265,148
141-Assessor Dept Expenses	31,845	31,945	31,895
Sub-total	256,099	265,476	297,043
145-Treas/Collector S&W	285,278	344,816	350,750
145-Treas/Collector Expenses	44,800	45,550	44,800
Sub-total	330,078	390,366	395,550
710-Debt Service Expenses	2,256,180	2,115,001	2,054,340
910 Benefit & Insurance Expenses	8,192,293	8,281,376	8,599,431
Finance S&W	948,957	1,047,419	1,195,070
Finance Expenses	11,322,781	11,293,286	11,668,518
Total Finance	\$ 12,271,738	\$ 12,340,705	\$ 12,863,588
PUBLIC SAFETY (DIV 3)			
	FY 2022 Actual	FY 2023 Budget	FY 2024 Proposed
210-Police S&W	\$ 2,958,558	\$ 3,174,890	\$ 3,562,883
210-Police Expenses	231,715	228,715	230,315
Sub-total	3,190,273	3,403,605	3,793,198
220-Fire Dept S&W	871,221	1,096,002	1,145,061
220-Fire Dept Expenses	261,347	334,169	365,874
Sub-total	1,132,568	1,430,171	1,510,935
231-Ambulance Expenses	973,350	1,018,124	1,018,124
250-Comm Dev Support S&W	554,274	600,917	649,894
250-Comm Dev Support Exp	38,255	29,755	41,392
Sub-total	592,529	630,672	691,286
251-Bldg Dept S&W	219,043	242,290	273,944
251-Bldg Dept Expenses	8,740	10,611	15,085
Sub-total	227,783	252,901	289,029
253-Health Dept S&W	124,252	130,620	72,653
253-Health Dept Expenses	202,630	189,630	211,340
Sub-total	326,882	320,250	283,993
255-Housing Office S&W	103,964	158,374	176,540
255-Housing Office - Expenses	2,000	2,000	2,000
Sub-total	105,964	160,374	178,540
291-Emergency Mgt S&W	71,738	76,813	10,000
291-Emergency Mgt Expenses	16,050	15,350	16,850
Sub-total	87,788	92,163	26,850
295-Marine/Harbormaster S&W	70,268	74,624	88,817
295-Marine/Harbormaster Expenses	213,024	204,395	200,607
Sub-total	283,292	279,019	289,424
296-Shellfish S&W	51,333	54,503	67,084
296-Shellfish Expenses	8,025	8,025	10,000
Sub-total	59,358	62,528	77,084
299-Parking Dept S&W	292,168	292,388	376,751
299-Parking Dept Expenses	171,550	232,524	273,792
Sub-total	463,718	524,912	650,543
Public Safety S&W	5,246,551	5,826,797	6,334,810
Public Safety Expenses	2,196,954	2,347,922	2,474,196
Total Public Safety	\$ 7,443,505	\$ 8,174,719	\$ 8,809,006

PROVINCETOWN ANNUAL TOWN MEETING WARRANT

	FY 2022 Actual	FY 2023 Budget	FY 2024 Proposed
PUBLIC WORKS (DIV 4)			
192-Bldgs & Grounds S&W	\$ 824,625	\$ 864,330	\$ 984,850
192-B&G Other B Budget Expenses	577,582	606,858	611,980
192 Town Bldg Betterments	-	-	-
Sub-total	1,402,207	1,471,188	1,596,830
545-Disability Comm. Expenses	5,000	5,000	5,000
550-Animal Welfare Cte Expenses	300	300	300
560-Bicycle Committee Expenses	8,000	8,000	8,000
421-DPW Admin S&W	303,246	319,049	336,062
421-DPW Admin Expenses	242,270	243,125	247,194
Sub-total	545,516	562,174	583,256
422-Highway S&W	495,226	540,932	618,482
422-Highway Expenses	116,583	116,945	117,709
Sub-total	611,809	657,877	736,191
423-Snow & Ice S&W	27,000	27,000	27,000
423-Snow & Ice Expenses	140,700	140,700	140,700
Sub-total	167,700	167,700	167,700
431-Solid Waste S&W	466,480	492,395	557,148
431-Solid Waste Expenses	710,600	694,745	695,491
Sub-total	1,177,080	1,187,140	1,252,639
432-Recycling Committee Expenses	10,950	10,950	10,950
Sub-total	10,950	10,950	10,950
Public Works S&W	2,116,577	2,243,706	2,523,542
Public Works Expenses	1,811,985	1,826,623	1,837,324
Total Public Works	\$ 3,928,562	\$ 4,070,329	\$ 4,360,866
PUBLIC SERVICE (DIV 5)			
512-Human Services S&W	\$ -	\$ -	\$ -
512-Human Services Expenses	23,420	23,420	21,000
Sub-total	23,420	23,420	21,000
541-Council on Aging S&W	263,085	296,345	336,144
541-Council on Aging Expenses	21,920	21,920	27,940
Sub-total	285,005	318,265	364,084
543-Veterans Services Expenses	84,489	86,178	87,902
610-Library S&W	304,120	316,078	363,505
610-Library Expenses	107,678	107,974	120,374
Sub-total	411,798	424,052	483,879
630-Recreation Dept S&W	204,621	213,453	265,936
630-Recreation Dept Expenses	25,700	36,450	41,150
Sub-total	230,321	249,903	307,086
Public Service S&W	771,826	825,876	965,585
Public Service Expenses	263,207	275,942	298,366
Total Public Service	\$ 1,035,033	\$ 1,101,818	\$ 1,263,951
PUBLIC SCHOOLS (DIV 6)			
Local Public Schools	\$ 3,950,522	\$ 3,898,570	\$ 4,147,150
Early Learning Program	594,262	839,116	610,879
High School	581,657	462,771	462,814
Total Public Schools	\$ 5,126,441	\$ 5,200,457	\$ 5,220,843