

Finance Committee Meeting  
 Thursday, April 2, 2009  
 3:00 pm

The Rice Library at the Provincetown Center for Coastal Studies  
 Called to Order: 3:05 pm

**Membership:**

| <b>P</b>                            | <b>E</b>                            | <b>U</b>                 | <b>Name</b>                |  |
|-------------------------------------|-------------------------------------|--------------------------|----------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Thomas Coen, Chair         |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ruth Gilbert, Vice Chair   |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Robert Vetrick             |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Virginia Ross (arr. 3:13)  |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Thomas Thurston            |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Walter Winnowski           |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Frederic Biddle            |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Philip Gaudiano            |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Ann Maguire                |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | Gabrielle Hanna, Alternate | <input checked="" type="checkbox"/> Voting |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | (Open), Alternate          | <input type="checkbox"/> Voting            |

(Note: **P** = Present **E** = Excused **U** = Unexcused)

**Also Present:**

|                                       |   |
|---------------------------------------|---|
| Alix Heilala, Finance Director        | Ted Malone (Community Housing Resource) |
| David Gardner, Assistant Town Manager | Dennis Minsky (Open Space Committee)    |
| Brian Carlson, Conservation Agent     | David Hale ? (Conservation Commission)  |
|                                       | Barbara Rushmore                        |

**Order of Business:**

1. To consider or re-consider Town Warrant articles as necessary.
2. To consider the minutes of prior meetings, as time may permit
3. To consider any other business that may legally come before the Finance Committee.

**ATM Warrant Article Reviews**

**ATM 17. Land Bank** – Acquisition of land for Community Agriculture, Conservation, Conservation, and Open Space – 6R, 10R and 14R, Browne Street

**Presented by** Dennis Minsky, Brian Carlson, & David Hale

At the first meeting concerning this article, the Committee voted to reserve recommendation. There were questions about the appraisal value of the parcels and about how the land was to be maintained and cared for in the way described by the proponents, specifically in terms of use for community gardens.

A new appraisal was presented to the Committee indicating that the land, if developed, could be worth as much as \$507,250. This is well above the amount asked for in the article. In addition, the proponents have a grant application already submitted that, if awarded, would bring the contribution from the Land Bank down to \$86,400.

Concerning maintenance, there are some funds available from the Land Bank itself. There are also plans to obtain other funds from the Barnstable County Land Management grant program and from Americorp.

|  |            |                           |         |
|--|------------|---------------------------|---------|
| <b>Motion # 1:</b> To reconsider ATM Article 17. |            |                           |         |
| Motion By: Ann Maguire                           |            | Second By: Robert Vetrick |         |
| For: 8   | Against: 0 | Abstain: 0                | Recuse: |

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| <b>Motion # 2:</b> To recommend ATM Article 17 in the amount of \$180,000. |            |                        |         |
| Motion By: Robert Vetrick  |            | Second By: Ann Maguire |         |
| For: 8   | Against: 0 | Abstain: 0             | Recuse: |

**ATM Article 10, Section 2F** - \$800,000 of Community Housing reserves to fund a grant for 32 units of community housing at 35 Race Point Road, to be known as Stable Path.

**Presented by:** Ted Malone (Community Housing Resource)

*The Committee had previously voted to NOT recommend this article.*

A lengthy discussion ensued between Mr. Malone and members of the Committee regarding his proposed project. Among the concerns raised by the Committee were:

- Potential competition for renters with the Town's 90 Shankpainter Road development;
- Availability of sufficient water supplies from Truro wells;
- Eligibility of Town employees for median income units (most employees salaries exceed the county median);
- Eligibility of very low income individuals for affordable units (State guidelines limit rent to 30% of income); and
- Cash grant versus borrowing (a cash grant would deplete the CPA housing reserves by 2014).

*Following the discussion, there was no motion to reconsider the Committee's previous vote. Therefore, the previous vote to NOT recommend stands.*

**STM Article 31** – Home Rule Petition – Real Estate Transfer Fee

**Presented by:** Barbara Rushmore (Petitioner)

*The Committee had previously voted to NOT recommend this article due to concerns about the constitutionality of the exemption for long term residents.*

Lengthy discussion ensued between Ms. Rushmore and the members of the Committee regarding the article. In addition to the constitutionality issue, the Committee raised other concerns:

- An additional 1% local transfer fee would nearly triple the total transfer fee from \$5.46 per \$1,000 to \$15.46 per \$1,000;
- As written, it would be very difficult to get passed by the legislature;
- In Nantucket the buyer pays the fee, not the seller;
- Also in Nantucket, first time buyers are exempt from the fee if they reside in the home for at least five years.

Following the discussion, Ms. Rushmore agreed to consider the issues raised by the Committee. The Committee offered to assist in reshaping the article for a future Town Meeting.

**STM Article 1** – FY 2009 Budget Adjustments

**Presented by:** Alix Heilala

Ms. Heilala presented the budget adjustment details to the Committee. The total amount is considerably lower than in previous years as a result of tighter budget management.

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| <b>Motion # 3:</b> To recommend Article STM 1, FY2009 Budget Adjustments, in the amount of \$16,105. |            |                          |         |
| Motion By: Ann Maguire   |            | Second By: Robert Vetric |         |
| For: 8   | Against: 0 | Abstain: 0               | Recuse: |

**ATM Article 2, FY2010 Operating Budget** – Division V, Public Service

**Presented by:** Tom Coen

The Town Moderator, Irene Rabinowitz, has requested that the Finance Committee make formal recommendations on each of the Division budgets, in addition to its votes on each of the individual department budgets. These votes, as well as those of the Board of Selectmen, will be announced by the Moderator after each of the Division budget motions are made by the Board of Selectmen.

The Division V budget total reflects the removal of the Community Center / Recreation Department.

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| <b>Motion # 4:</b> To recommend the budget for Division V, Public Service in the amount of \$708,202. |            |                          |         |
| Motion By: Gabrielle Hanna  |            | Second By: Virginia Ross |         |
| For: 8  | Against: 0 | Abstain: 0               | Recuse: |

**ATM Article 32** – Waterways Capital Reserve Fund

**Presented by:** Tom Coen

*The Committee had previously reviewed this article and reserved recommendation pending an opinion from Town Counsel on its legality.*

Town Counsel has issued an opinion that this article, if passed, would violate the Pier Corporation’s enabling legislation.

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| <b>Motion # 5:</b> To NOT recommend Article 32, Waterways Capital Reserve Fund. |            |                          |         |
| Motion By: Philip Gaudio  |            | Second By: Virginia Ross |         |
| For: 8  | Against: 0 | Abstain: 0               | Recuse: |

**Minutes**

The Committee reviewed minutes from prior meetings and made minor corrections.

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| <b>Motion # 6:</b> To accept the minutes of June 27, 2008, as amended. |            |                            |         |
| Motion By: Robert Vetric   |            | Second By: Gabrielle Hanna |         |
| For: 5   | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 7:</b> To accept the minutes of September 8, 2008, as presented. |            |                            |         |
| Motion By: Robert Vetrick  |            | Second By: Thomas Thurston |         |
| For: 4   | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 8:</b> To accept the minutes of October 16, 2008, as amended. |            |                            |         |
| Motion By: Ann Maguire  |            | Second By: Philip Gaudiano |         |
| For: 6  | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 9:</b> To accept the minutes of October 31, 2008, as amended. |            |                           |         |
| Motion By: Thomas Thurston  |            | Second By: Robert Vetrick |         |
| For: 6  | Against: 0 | Abstain: 0                | Recuse: |

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| <b>Motion # 10:</b> To accept the minutes of November 6, 2008, as presented. |            |                            |         |
| Motion By: Ann Maguire   |            | Second By: Thomas Thurston |         |
| For: 6   | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 11:</b> To accept the minutes of January 29, 2009, as amended. |            |                           |         |
| Motion By: Thomas Thurston   |            | Second By: Robert Vetrick |         |
| For: 7   | Against: 0 | Abstain: 0                | Recuse: |

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| <b>Motion # 12:</b> To accept the minutes of February 3, 2009, as amended. |            |                            |         |
| Motion By: Gabrielle Hanna   |            | Second By: Frederic Biddle |         |
| For: 6   | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 13:</b> To accept the minutes of February 24, 2009, as amended. |            |                        |         |
| Motion By: Virginia Ross  |            | Second By: Ann Maguire |         |
| For: 4  | Against: 0 | Abstain: 0             | Recuse: |

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| <b>Motion # 14:</b> To accept the minutes of February 26, 2009, as amended. |            |                        |         |
| Motion By: Virginia Ross  |            | Second By: Ann Maguire |         |
| For: 6  | Against: 0 | Abstain: 0             | Recuse: |

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| <b>Motion # 15:</b> To accept the minutes of March 2, 2009, as amended. |            |                          |         |
| Motion By: Thomas Thurston  |            | Second By: Virginia Ross |         |
| For: 5  | Against: 0 | Abstain: 0               | Recuse: |

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| <b>Motion # 16:</b> To accept the minutes of March 3, 2009, as amended. |            |                            |         |
| Motion By: Thomas Thurston  |            | Second By: Gabrielle Hanna |         |
| For: 6  | Against: 0 | Abstain: 0                 | Recuse: |

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| <b>Motion # 17:</b> To accept the minutes of March 10, 2009, as amended. |            |                          |         |
| Motion By: Virginia Ross   |            | Second By: Philip Gaudio |         |
| For: 6   | Against: 0 | Abstain: 0               | Recuse: |

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| <b>Motion # 18:</b> To accept the minutes of March 16, 2009, as amended. |            |                          |         |
| Motion By: Thomas Thurston   |            | Second By: Virginia Ross |         |
| For: 7   | Against: 0 | Abstain: 0               | Recuse: |

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| <b>Motion # 19:</b> To accept the minutes of March 31, 2009, as amended. |            |                          |         |
| Motion By: Thomas Thurston   |            | Second By: Virginia Ross |         |
| For: 6   | Against: 0 | Abstain: 0               | Recuse: |

|               |                                 |
|---------------|---------------------------------|
| Next Meeting: | Monday, April 6, 2009 @ 5:00 pm |
| Adjourn:      | 4:45 pm                         |
| Minutes by:   | Thomas Coen                     |

Approved by  on May 1, 2009  
Thomas Coen, Chair