



Meeting Agenda

The Provincetown Board of Selectmen will hold a Public Meeting on Monday March 03, 2014 at 4:00 pm, in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

- 1) Joint meeting with the Finance Committee to discuss the FY 2015 budget. (Votes may be taken).
- 2) Insert Annual and Special Town Meeting Warrant Articles for the Special/Annual Town Meeting. Votes May be taken
- 3) Other - Other matters that may legally come before the committee not known at the time of posting. (Votes may be taken).



JOINT MEETING WITH FinCom

FY 2015 Budget

Requested by: Board of Selectmen

Action Sought: Discussion

Proposed Motion(s)

General Discussion of FY 2015 Operating Budget.

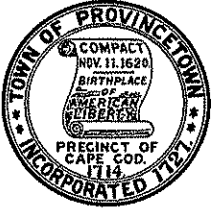
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Town Manager budget, dept. 123 in the amount of \$278,076*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Legal, dept. 151 in the amount of \$240,000*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Benefits/Insurance, dept. 910 in the amount of \$6,035,521*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Police dept. 210 in the amount of \$2,301,375*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Community Development, dept. 241 in the amount of \$191,203*
- *Move the Board of Selectmen vote to accept (not accept) the Finance Committee recommendation for FY15 Disability Commission, dept. 545 in the amount of \$15,000*

Additional Information

See Attached

Board Action

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



Finance Committee

Memo

To: Board of Selectmen

From: Mike Canizales

CC: Town Moderator
Finance Committee
Acting Town Manager
Finance Director
Finance Committee

Date: March 2, 2014

Re: FY 2015 Operating Budget Recommendations

ATT: FY 2015 Operating Budget Summary

Dear Provincetown Selectmen:

Attached you will find a summary of the FY 2015 operating budget with our recommendations.

Division I, General Government - decreased \$64,003

123 Town Manager (decrease \$29,003)

Committee voted to reduce starting salary for new Town Manager from \$149,003 to \$120,000.

151 Legal Services (decrease \$35,000)

Committee voted to decrease budget.

Division II, FINANCE – Decreased \$109,125

910 Benefits/Insurance (decrease \$109,125)

Actual rate increase is less than the originally projected 8%. Currently 1.8% for active employees and retiree increase is to be voted on in October. For budget purposes increase has been brought down to 4%.

Division III, PUBLIC SAFETY – Decreased \$21,747

210 Police Department (decrease \$12,155)

Finance Committee voted to reduce starting salary for police chief from \$134,110 to \$110,000.

	<u>Finance Committee:</u>	<u>Board of Selectmen:</u>
Police Chief 07/01-12/31	\$62,500	\$62,500
Police Chief 01/01-06/30	\$55,000	\$67,155
Lieutenant 07/01-12/31	\$0	\$0
Lieutenant 01/01-06/30	<u>\$47,755</u>	<u>\$47,755</u>
Total	\$165,255	\$177,410

241 Community Development (decrease \$9,592)

Long-time employee, Permit Coordinator, retired which reduced payroll costs. New employee will be hired at lower rate and will not have a longevity payment.

Division V, Public Service – Increased \$10,000

545 Disability Commission (increase \$10,000)

The Finance Committee recommends funding for one additional set of beach mats for disabled access.

The net difference between the Board's recommendation and the Finance Committee's is a decrease of \$184,875.

We look forward to our joint meeting on the FY 2015 Operating Budget on Monday, March 3rd, at 4:00 pm and our Joint Public Hearing on March 17th.

With warm regards,

Mike Canizales, Chair, Finance Committee

Line	REVENUES	FY 2013 Actual	FY 2014 Budget	FY 2015 Budget
Real Estate Taxes				
1	Prior Yr Property Tax Levy Limit	15,563,987	16,153,809	16,719,531
2	2.5% Tax Levy Increase	389,100	403,845	417,988
3	New Growth	200,722	\$161,877	\$120,000
4	Required Operating Override	0	0	0
5	LEVY LIMIT	\$ 16,153,809	\$ 16,719,531	\$ 17,257,520
6	Debt Exclusions	\$738,919	\$1,003,340	\$1,176,418
7	Capital Outlay Exclusions	\$0	\$0	\$0
8	Other Adjust-County Assessment	\$93,854	\$97,438	\$101,336
9	Current Year Property Tax Levy	\$ 16,986,582	\$ 17,820,309	\$ 18,535,273
Other Revenues				
10	Cherry Sheet Aid	\$607,056	\$620,839	\$628,767
11	Estimated Local Receipts	\$4,927,986	\$4,701,003	\$4,729,608
Transfers				
12	Waterways	\$60,000	\$60,000	\$60,000
13	Wetlands	\$4,696	\$4,696	\$2,500
14	Ferry Embarkation	\$6,500	\$30,000	\$40,000
15	Septic Loans / Other	\$30,655	\$30,655	\$30,655
16	PTV (offsets PTV budget)	\$124,000	\$126,500	\$0
17	Land Bank (offsets LandBank budget)	\$76,578	\$130,325	\$131,325
Enterprise Funds				
18	Water Indirect Reimbursement	269,361	280,898	280,898
19	Wastewater Indirect Reimbursement	77,683	144,257	144,257
20	TOTAL REVENUES	\$ 23,171,097	\$ 23,949,482	\$ 24,583,283
EXPENDITURES				
Charges				
21	Cherry Sheet Charges	791,414	678,602	631,079
22	Cherry Sheet Offsets	111,253	111,253	121,901
23	Overlay Reserve	\$220,000	\$194,000	\$195,000
24	Other 'Raise & Appropriate'	\$59,314	\$364,369	\$160,459
25	Operating Budgets	\$20,700,013	\$22,324,336	\$23,395,987
26	TOTAL EXPENDITURES	\$21,881,993	\$23,672,560	\$24,504,426
27	NET REVNUES less EXPENDITURES	\$1,289,103	\$276,922	\$78,857 BOS

Finance Committee Recommendations

Town Manager Salary	-\$29,003
Legal Budget	-\$35,000
Health Insurance Budget	-\$109,125
Police Chief Salary	-\$12,155
Comm. Dev. - Permit Coordinator	-\$9,592
Add to Disability Commission	\$10,000
Subtotal	-\$184,875

Net Revenues less Expenditures \$263,732

if Finance Committee proposals adopted

FY 2015 Budget Request Summary

Selectmen vs

Budget	Actual FY 2013	Budget FY 2014	Town Manager FY 2015	Finance Cte FY 2015	Selectmen FY 2015	% 14 to '15	Finance Cte Variance
I. GENERAL GOVERNMENT							
113 Elections & Town Meetings							
Expenses	\$12,086	\$10,378	\$14,036	\$14,036	\$14,036	35.2%	
122 Board of Selectmen							
Personal Services	51,846	52,769	52,940	52,940	52,940		
Expenses	5,428	8,000	10,500	10,500	10,500		
sub-total	57,274	60,769	63,440	63,440	63,440	4.4%	
123 Town Manager							
Personal Services	290,123	308,140	290,884	261,881	290,884		
Expenses	10,891	16,195	16,195	16,195	16,195		
sub-total	301,014	324,335	307,079	278,076	307,079	-5.3%	(29,003)
151 Legal Services							
Expenses	208,359	200,000	275,000	240,000	275,000	37.5%	(35,000)
156 Administration							
Expenses	57,372	59,640	59,590	59,590	59,590	-0.1%	
157 Land Bank							
Maintenance	0	13,050	13,800	13,800	13,800		
Affordable Hsg	0	43,500	46,000	46,000	46,000		
Debt Service	76,578	73,775	71,525	71,525	71,525		
sub-total	76,578	130,325	131,325	131,325	131,325	0.8%	
161 Town Clerk							
Personal Services	97,513	106,104	108,913	108,262	108,913		
Expenses	3,316	4,445	4,445	4,445	4,445		
sub-total	100,829	110,549	113,358	112,707	113,358	2.5%	
169 Licensing							
Personal Services	36,776	42,498	43,348	43,348	43,348		
Expenses	0	300	300	300	300		
sub-total	36,776	42,798	43,648	43,648	43,648	2.0%	
171 Conservation Commission							
Expenses	8,232	8,090	8,190	8,190	8,190	1.2%	
175 Planning Board							
Expenses	1,380	1,940	1,940	1,940	1,940	0.0%	
176 Zoning Board of Appeals							
Expenses	2,083	2,700	2,700	2,700	2,700	0.0%	
179 Historical Commission							
Expenses	414	500	500	500	500	0.0%	
180 Historic District Comm							
Expenses	1,764	2,250	2,250	2,250	2,250	0.0%	
181 Building Committee							
Expenses	200	5,500	5,500	5,500	5,500	0.0%	
482 Airport Commission							
Expenses	92,641	98,450	98,450	98,450	98,450	0.0%	
499 Provincetown Television							
Expenses	124,000	126,500	0	0	0		
I. General Government	\$1,081,002	\$1,179,224	\$1,121,506	\$1,056,852	\$1,121,506	-4.9%	

Budget	Actual FY 2013	Budget FY 2014	Town Manager FY 2015	Finance Cte FY 2015	Selectmen FY 2015	% 14 to '15	Finance Cte Variance
II. FINANCE							
131 Finance Committee							
Expenses	\$5,631	\$4,325	\$4,325	\$4,325	\$4,325		
Reserve Fund	0	80,769	125,397	101,943	101,943		
sub-total	5,631	85,094	129,722	106,268	106,268	24.9%	
135 Town Accountant							
Personal Services	169,640	176,263	188,038	188,038	188,038		
Expenses	42,654	48,925	49,375	49,375	49,375		
sub-total	212,294	225,188	237,413	237,413	237,413	5.4%	
136 Information Systems Department							
Personal Services	158,056	173,140	176,603	176,603	176,603		
Expenses	275,340	268,000	318,500	308,500	308,500		
sub-total	433,396	441,140	495,103	485,103	485,103	10.0%	
141 Board of Assessors							
Personal Services	171,940	177,944	182,038	180,492	182,038		
Expenses	39,779	57,260	57,260	52,260	52,260		
sub-total	211,719	235,204	239,298	232,752	234,298	-0.4%	
145 Treasurer/Collector							
Personal Services	162,293	167,348	164,297	163,539	164,297		
Expenses	24,814	35,920	37,120	37,120	37,120		
sub-total	187,107	203,268	201,417	200,659	201,417	-0.9%	
710 Debt Service							
Expenses	1,934,395	2,085,977	\$2,256,114	2,256,114	2,256,114	8.2%	
820 Tax Title							
Expenses	11,899	26,000	26,000	20,000	20,000	-23.1%	
910 Retirement/Benefits/Insurance							
Expenses	4,895,037	5,689,725	6,194,646	6,035,521	6,144,646	8.0%	(109,125)
II. Finance	\$7,891,478	\$8,991,596	\$9,779,713	\$9,573,830	\$9,685,259	7.7%	
III. PUBLIC SAFETY							
210 Police							
Personal Services	\$2,117,042	\$2,199,655	2,290,453	2,147,775	2,159,930		
Expenses	145,406	145,366	153,600	153,600	153,600		
sub-total	2,262,448	2,345,021	2,444,053	2,301,375	2,313,530	-1.3%	(12,155)
211 Police Station							
Expenses	42,800	42,800	62,075	0	0	-100.0%	
220 Fire							
Personal Services	379,508	423,935	446,363	446,363	446,363		
Expenses	182,249	190,899	206,190	206,190	206,190		
sub-total	561,757	614,834	652,553	652,553	652,553	6.1%	
231 Ambulance Service							
Expenses	721,371	769,364	\$791,022	\$791,022	\$791,022	2.8%	
240 Inspections							
Personal Services	167,286	170,485	173,015	173,015	173,015		
Expenses	5,960	5,960	5,960	5,960	5,960		
sub-total	173,246	176,445	178,975	178,975	178,975	1.4%	

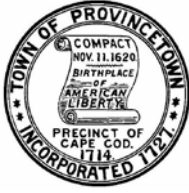
<u>Budget</u>	Actual FY 2013	Budget FY 2014	Town Manager FY 2015	Finance Cte FY 2015	Selectmen FY 2015	% 14 to '15	Finance Cte Variance
241 Community Development							
Personal Services	114,470	174,418	178,600	169,008	178,600		
Expenses	18,500	20,100	22,195	22,195	22,195		
sub-total	132,970	194,518	200,795	191,203	200,795	3.2%	(9,592)
291 Emergency Management							
Expenses	6,330	7,830	9,910	9,910	9,910	26.6%	
294 Harbor Committee							
Expenses	250	250	700	700	700	180.0%	
295 Harbormaster							
Personal Services							
Expenses	115,378	118,263	118,263	118,263	118,263		
sub-total	115,378	118,263	118,263	118,263	118,263	0.0%	
296 Shellfish							
Personal Services	47,906	48,678	49,393	48,678	49,393		
Expenses	6,850	7,400	7,900	7,900	7,900		
sub-total	54,756	56,078	57,293	56,578	57,293	2.2%	
299 Parking							
Personal Services	343,051	344,275	351,025	351,025	351,025		
Expenses	75,300	84,300	87,300	87,300	87,300		
sub-total	418,351	428,575	438,325	438,325	438,325	2.3%	
III. Public Safety	\$4,489,657	\$4,753,978	\$4,953,964	\$4,738,904	\$4,761,366	0.2%	
IV. PUBLIC WORKS							
192 Buildings & Grounds							
Personal Services	\$671,115	\$680,696	\$703,241	\$690,395	\$697,241		
Expenses	407,040	521,975	584,831	634,906	634,906		
sub-total	1,078,155	1,202,671	1,288,072	1,325,301	1,332,147		
	43,958	43,808	43,808	43,808	43,808		
	1,122,113	1,246,479	1,331,880	1,369,109	1,375,955	10.4%	
421 Administration							
Personal Services	159,878	130,879	123,038	\$122,323	\$123,038		
Expenses	199,250	202,850	217,750	207,750	207,750		
sub-total	359,128	333,729	340,788	330,073	330,788	-0.9%	
422 Highway							
Personal Services	442,291	444,802	458,461	\$452,429	\$458,461		
Expenses	229,700	116,800	119,800	119,800	119,800		
sub-total	671,991	561,602	578,261	572,229	578,261	3.0%	
423 Snow & Ice							
Personal Services	34,734	27,000	27,000	\$27,000	\$27,000		
Expenses	123,605	140,700	140,700	140,700	140,700		
sub-total	158,340	167,700	167,700	167,700	167,700	0.0%	
431 Solid Waste/Recycling							
Personal Services	450,532	455,356	442,138	\$436,375	\$442,138		
Expenses	122,300	127,500	130,950	130,950	130,950		
sub-total	572,832	582,856	573,088	567,325	573,088	-1.7%	
432 Recycling Committee							
Expenses	0	2,750	2,750	2,750	2,750	0.0%	
439 Waste Disposal/Other							
Expenses	143,645	168,000	206,000	206,000	206,000	22.6%	
IV. Public Works	\$3,028,049	\$3,063,116	\$3,200,467	\$3,215,186	\$3,234,542	5.6%	

Budget	Actual FY 2013	Budget FY 2014	Town Manager FY 2015	Finance Cte FY 2015	Selectmen FY 2015	% 14 to '15	Finance Cte Variance
V. PUBLIC SERVICES							
511 Health Inspector/Agent							
Personal Services	\$91,551	\$97,073	\$99,134	\$99,134	\$99,134		
Expenses	6,650	7,300	7,450	7,450	7,450		
sub-total	98,201	104,373	106,584	106,584	106,584	2.1%	
512 Public Health/Nurse							
Personal Services	19,871	20,060	\$20,363	\$20,079	\$20,363		
Expenses	27,624	27,600	26,100	26,100	26,100		
sub-total	47,495	47,660	46,463	46,179	46,463	-2.5%	
513 Board of Health							
Expenses	1,135	1,610	1,610	1,610	1,610	0.0%	
541 Council on Aging							
Personal Services	189,473	200,298	\$203,138	\$202,036	\$203,138		
Expenses	11,800	12,050	26,250	26,250	26,250		
sub-total	201,273	212,348	229,388	228,286	229,388	8.0%	
543 Veterans Services							
Personal Services	0	0	\$0	\$0	\$0		
Expenses	42,332	42,270	42,825	42,825	42,825		
sub-total	42,332	42,270	42,825	42,825	42,825	1.3%	
545 Disability Commission							
Expenses	5,060	5,000	50,000	15,000	5,000	0.0%	10,000
550 Animal Welfare Committee							
Expenses	0	1,540	1,540	1,540	1,540	0.0%	
560 Bicycle Committee							
Expenses	7,871	8,100	7,863	7,863	7,863	-2.9%	
610 Library							
Personal Services	206,586	222,178	227,760	\$227,760	\$227,760		
Expenses	84,725	82,150	81,209	81,209	81,209		
sub-total	291,311	304,328	308,969	308,969	308,969	1.5%	
630 Recreation Department							
Personal Services	132,720	144,496	\$147,175	\$146,574	\$147,175		
Expenses	19,686	21,150	21,450	21,450	21,450		
sub-total	152,406	165,646	168,625	168,024	168,625	1.8%	
672 Art Commission							
Expenses	9,105	8,649	8,649	8,649	8,649	0.0%	
673 Cultural Council							
Expenses	0	200	6,500	6,500	6,500	3150.0%	
V. Public Services	\$856,189	\$901,724	\$979,016	\$942,029	\$934,016	8.6%	
VI. PUBLIC SCHOOLS							
300 Provincetown Public Schools							
Pre K - 8th Grade	\$2,864,964	\$2,769,398	\$2,811,291	\$2,811,291	\$2,811,291	1.5%	
High School	\$401,931	\$598,386	\$779,007	\$779,007	\$779,007	30.2%	
C.C. Regional Tech H.S.	\$86,743	\$66,914	\$69,000	\$69,000	\$69,000	3.1%	
VI. Public Schools	\$3,353,638	\$3,434,698	\$3,659,298	\$3,659,298	\$3,659,298	6.5%	
OPERATING BUDGET SUMMARY							
I. General Government	\$1,081,002	\$1,179,224	\$1,121,506	\$1,056,852	\$1,121,506	-4.9%	
II. Finance	7,891,478	8,991,596	9,779,713	9,573,830	9,685,259	7.7%	
III. Public Safety	4,489,657	4,753,978	4,953,964	4,738,904	4,761,366	0.2%	
IV. Public Works	3,028,049	3,063,116	3,200,467	3,215,186	3,234,542	5.6%	
V. Public Services	856,189	901,724	979,016	942,029	934,016	3.6%	
Subtotal, I-V	17,346,375	18,889,638	20,034,666	19,526,801	19,736,689	4.5%	
VI. Public Schools	3,353,638	3,434,698	3,659,298	3,659,298	3,659,298	6.5%	
Total, I-VI	20,700,013	22,324,336	23,693,964	23,186,099	23,395,987	4.8%	(184,875)

OTHER 'RAISE and APPROPRIATE'

	<u>FY 2014</u>	<u>FY 2015</u>
	<u>Budget</u>	<u>Projected</u>
Greenhead Fly Article	1,438.75	1,438.75
DPW Fleet Replacement	279,555	
Fireworks Celebration	22,000	22,000.00
Human Service Articles	\$61,375	61,375.00
Vernon's Contract		13,000.00
AFSCME contract		22,570.00
NEPBA Contract		40,075.00

Total Other Raise & Appropriate	<u>364,369</u>	<u>160,459</u>
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Provincetown Board of Selectmen
AGENDA ACTION REQUEST
MARCH 3, 2014

2

SPECIAL TOWN MEETING WARRANT ARTICLES

Approve and Insert Articles into the Warrant

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion/ Approval

Proposed Motion(s)

Discussion dependent.

MOVE that the Board of Selectmen vote to approve Articles # ___, # ___, and # ___ for the April 7, 2014 Annual and Special Town Meeting as presented by the Town Manager and to insert said articles into the March 7, 2014, Annual and Special Town Meeting Warrant forthwith.

Additional Information

See attached draft Warrant prepared by the Town Manager.

Board Action

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

Town Warrant

Annual Town Meeting – Monday, April 7, 2014

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 By-laws 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 on Monday the Seventh day of April, A.D. 2014 at 6:00 o'clock in the evening, then and there to act on the following articles, to wit:

Article 1. To Hear Town Reports.

To see if the Town will vote to hear the reports of the Town Officials and Committees and to act thereon.

[Requested by the Board of Selectmen]

Article 2. FY 2015 Operating Budget.

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$_____ to fund operating budgets for the several Town departments for Fiscal Year 2015 in accordance with Chapter 9, Section 1 of the Provincetown Charter, as follows:

Budget Divisions	FY 2014	FY 2015	% '14-'15
I. General	\$1,179,224	\$_____	+ %
Government			
II. Finance	8,991,596	_____	+ %
III. Public Safety	4,753,978	_____	+ %
IV. Public Works	3,063,116	_____	+ %
V. Public	901,724	_____	+ %
Services			
Sub-total, I-V	\$18,889,638	\$_____	+ %
VI. Public	3,367,784	_____	+ %
Schools			
Total, I-VI	\$22,257,422	\$_____	+ %

or to take any other action relative thereto.

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

Article 3. FY 2015 Cape Cod Regional Technical High School Assessment.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Town of Provincetown's assessment for the CCRTHS FY2015 operating budget, or to take any other action relative thereto.

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

Article 4. FY 2015 High School Tuition.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Town of Provincetown's high school tuition payments for the FY2015 operating budget, or to take any other action relative thereto.

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

Article 5. FY 2015 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 2015:

6001 Water Enterprise	FY 2014	FY 2015	14-15%
Enterprise Fund Costs	\$2,079,208	2,112,693	
General Fund Costs	<u>280,898</u>	<u>295,000</u>	
TOTAL COSTS	\$2,360,106	\$2,407,693	%2.0
<hr/>			
6002 Wastewater	FY 2014	FY 2015	14-15%
Enterprise Fund Costs	\$3,487,541	\$3,984,921	
General Fund Costs	<u>144,257</u>	<u>144,257</u>	
TOTAL COSTS	\$3,631,798	\$4,129,178	%13.6

or to take any other action relative thereto.

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

Article 6. Fund contractual obligation to retired employee.

To see if the Town will vote to raise and appropriate or transfer from available funds \$13,000 to fund the contractual obligation to a now retired employee, or to take any other action relative thereto.

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

Article 7. FY 2015 Revolving Accounts.

To see if the Town will vote to continue for FY 2015 the following revolving accounts established pursuant to MGL C.44, §53E½:

(1) Preservation of Town Hall Auditorium: to allow receipts from the rental and custodial fees charged for the public use of Town Hall Auditorium to be segregated into a special account; and with funds therefrom, up to a limit of \$50,000 annually, to be expended for the repair, updating, refurbishing and maintenance of the Town Hall Auditorium under the direction of the Town Manager and Board of Selectmen;

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

(3) B Street Garden: to allow receipts from the annual community garden membership fees charged for the public use of the community garden to be segregated into a special account; and with funds there from, up to a limit of \$2,500 annually, to be expended for the repair, updating and maintenance of the B-Street Garden under the direction of the Town Manager and the Conservation Commission;

(4) Fuel Reimbursement: to allow receipts from the sale of fuel to be segregated into a special account; and with funds there from, up to a limit of \$125,000 annually, to be expended for the purchase of fuel under the direction of the Town Manager and the Director of Public Works;

(5) Council on Aging Transportation, to allow receipts from donations to be segregated into a special account; and with funds there from, up to a limit of \$10,000 annually, to be expended for the transportation cost under the direction of the Town Manager and the Director of the Council on Aging

(5) Affordable Housing, to allow fees received by the Town on the sale and resale of affordable housing dwellings, fees paid for monitoring services provided by the Town, fees paid to ensure compliance with affordable housing restrictions and agreements, and donations earmarked for affordable housing purposes, up to a limit of \$10,000 said receipts to be expended by the Town Manager/Community Housing Specialist for costs associated with the administration, management and support of affordable housing in the Town, including, without limitation, cost of marketing and conducting lotteries. or to take any other action relative thereto.

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

Article 8. Facilities and Grounds Rental Revolving Revolving Account.

To see if the Town will vote to establish a Revolving Account for costs related to the rental of town owned facilities and grounds, as established pursuant to MGL C.44 §53 E1/2, to allow payments for janitorial and other staffing costs to be segregated into a special account; and with funds therefrom, up to a limit of \$10,000 annually, to be expended for the hired staffing related to the rental under the direction of the Town Manager; or to take any other action relative thereto.

[Requested by the Town Manager]

Article 8. Cape Cod Greenhead Fly Control District Assessment.

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

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

Article 9. Community Preservation Budget for FY 2015.

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2015 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. Reserves: Part 1

- A. \$55,000 for Open Space;
- B. \$55,000 for Community Housing;
- C. \$55,000 for Historic Resources;

2. Appropriations: Part 2

- A. \$237,300 for affordable housing debt service
\$55,524 for open-space debt service
\$171,704 for historic preservation debt service;
- B. Community Housing Office, Housing Specialist - \$67,475: Partial funding of Housing Office including 15 hours per week for Housing Specialist and 5 hours per week for CPA Administration along with pro-rated health benefits and some expenses.
- C. \$20,766 for CPA general administration;
- D. Pilgrim Memorial Park - \$30,000: Phase 1 for the restoration and conservation of the Bas Relief and other monuments along with updating the landscaping in anticipation of the 2020 Commemoration - **\$20,000 to hire a conservation firm to develop a conservation plan for the Bas Relief and other monuments on**

site and \$10,000 to hire a Landscape Architect to develop conceptual plans for the overall park including analysis of historic plans; said funds to be expended under the direction of the Town Manager in consultation with the Community Preservation Committee;

- E. Winthrop St Cemetery Phase 4, Cemetery Commission: \$30,000 Phase 4 implementation of Preservation Plan: signage and historical information & completion of all phases and said funds to be expended under the direction of the Town Manager in consultation with the Community Preservation Committee;
- F. B-Street Garden Conservation Park Stormwater Improvement Project - \$153,100: water quality and habitat assessment evaluation; delineation of the stormwater collection area and said funds to be expended under the direction of the Town Manager in consultation with the Community Preservation Committee, said expenditure to be subject to the execution of a grant agreement;
- G. Connected Trails - \$43,214: Connect trails throughout town to connect conservation land open-space and said funds to be expended under the direction of the Town Manager in consultation with the Community Preservation Committee, said expenditure to be subject to the execution of a grant agreement;
- H. Provincetown "Little Fix" Program - \$30,000: assist seniors, disabled, and veterans maintain their housing with community volunteer program tackling small home and landscaping improvements
- I. Provincetown Local Housing Voucher Program - \$180,000 for 3 years: provide rental assistance to income eligible households [at or below 60% AMI] for up to 3 years along with financial counseling to become self-sufficient.

or to take any other action relative thereto.

[Requested by the Community Preservation Committee]

Article 10. FY 2015 Capital Improvements Program.

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the following sums to defray the costs of the Fiscal Year 2015 Capital Improvements Program submitted in accordance with Chapter 9, section 2 of the Provincetown Charter as follows provided that one or more of the appropriations listed below shall be contingent on a Proposition 2 ½ Capital Outlay or Debt Exclusion ballot question:

1. MIS Department Server Replacement - \$25,000 to be expended under the direction of the Town Manager and the MIS Department Director for the purchase of hardware and/or software upgrades for the purpose of replacing several town servers, and costs related thereto;
2. Police Fleet Upgrade Plan - \$39,738 to be expended under the direction of the Town Manager and the Chief of Police for the purchase of one police vehicle, and costs related thereto;

3. Police Fleet Upgrade Plan - \$42,778 to be expended under the direction of the Town Manager and the Chief of Police for the purchase of one police vehicle, and costs related thereto
4. Police Fleet Upgrade Plan - \$24,960 to be expended under the direction of the Town Manager and the Chief of Police for the 3rd and final year of a three year lease of two police vehicles as initially approved by town voters at the April 2012 Annual Town Meeting, Article 5-2 and costs related thereto;
5. Fire & Rescue, Refurbish Hummer - \$25,000 to be expended under the direction of the Town Manager and the Board of Fire Engineers for the purchase of refurbishing a town owned Hummer, and costs related thereto;
6. Fire & Rescue, Replace Main Station Garage Doors - \$35,000 to be expended under the direction of the Town Manager and the Board of Fire Engineers for the replacement of the garage doors at the main fire station, and costs related thereto;
7. Use of Parking Funds to Complete Grace Hall Parking Lot Renovations and MPL Security Cameras. \$45,400 from the Parking Fund for the repairs to and the installation of new equipment for the Grace Hall and Municipal parking lot and to make any other parking improvements;
8. School Stairway Replacement - \$29,900 to be expended under the direction of the Town Manager and the School Superintendent for the replacement of the stairwell between the VMCC and the High School building and costs related thereto;
9. DPW Street Sidewalk Replacement - \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for maintenance and repair of streets and sidewalks, and costs related thereto;
10. Storm Water Management - \$100,000 to be expended under the direction of the Town Manager and the Director of Public Works to be used for ongoing improvements to the town's drainage system in conjunction with making application for various grants which become available, and costs related thereto;
11. Public Works Fleet Replacement Plan - \$45,000 to be expended under the direction of the Town Manager and the Director of Public Works for the replacement purchase of one pick-up truck, and costs related thereto,;
12. Roadway Paving Plan - \$200,000 to be expended under the direction of the Town Manager and the Director of Public Works to continue additional roadway maintenance as outlined in the town-wide paving plan, and costs related thereto,;
13. Commercial Street Paving - \$600,000 to be expended under the direction of the Town Manager and the Director of Public Works to continue the re-paving of Commercial Street and additional roadway maintenance as outlined in the town-wide paving plan, and costs related thereto;
14. VMCC Generator Replacement - \$110,000 to be expended under the direction of the Town Manager and the Director of Public Works to replace the generator at the Town's emergency shelter at the VMCC, and costs related thereto,;
15. Library Carpet Replacement - \$30,000 to be expended under the direction of the Town Manager and the Library Director to replace one floor of carpeting the Provincetown Library, and costs related thereto;

16. Purchase and Install Meter Pits for Water Department - \$40,000 To be expended under the direction of the Town Manager and the Director of Public Works to purchase meter pits for the Water Department, and costs related thereto;.

17. Purchase Water Meters for Water Department - \$70,000 To be expended under the direction of the Town Manager and the Director of Public Works to purchase water meters for the Water Department, and costs related thereto; 18.

Purchase Service Trucks for Water Department - \$90,000 To be expended under the direction of the Town Manager and the Director of Public Works to purchase two service trucks for the Water Department, and costs related thereto; or to take any other action relative thereto.

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

Article 11. Amendments to Personnel By-law/Classification and Compensation Plan.

To see if the Town will vote as follows:

1. **Schedule A:** to amend Schedule A, "Permanent Full and Part-time Non-Union Positions," of the Classification and Compensation Plan of the Town, effective July 1, 2014, as follows:

Grade	Actual FY 2014		Proposed FY 2015		Position Title
	Min.	Max.	Min.	Max.	
21		exempt		exempt	Town Manager <i>[exempt – MGL C.41, §108N]</i>
20		exempt		exempt	Chief of Police <i>[exempt – MGL C.41, §108O]</i>
19	74,567	97,763	76,058	99,718	Director of Public Works
18	69,494	95,018	70,884	96,918	Police Staff Lieutenant Assistant Town Manager
17	66,994	81,968	68,334	83,607	Director of Municipal Finance
16	63,501	80,336	64,771	81,943	Building Commissioner MIS Director
15	60,189	75,705	61,393	77,219	Deputy Director of Public Works
14	57,173	71,837	58,316	73,274	Health & Environ. Affairs Mgr Town Planner
13	54,450	65,544	55,539	66,855	No positions assigned
12	51,858	66,950	52,895	68,289	Human Services/Council on Aging Director Library Director Town Clerk Principal Assessor Town Accountant
11	49,388	61,800	50,376	63,036	Collector Treasurer DPW Operations Director MIS Analyst Tourism Director

10	46,500	57,991	47,430	59,151	Deputy Town Accountant Town Manager's Executive Assistant Employee Benefits Coordinator Recreation Director Admin Asst to Chief of Police Public Health & Safety Officer
9	44,797	55,230	45,693	56,335	Local Building Inspector Permit Coordinator Parking Administrator
8	42,663	52,104	43,516	53,146	COA Outreach Coordinator Library Public and Member Services Coordinator
7	40,632	49,155	41,445	50,138	Electrical/Deputy Building Inspector Assistant Town Accountant Admin. Accounting Assistant MIS Technician Licensing Agent
6	38,697	47,763	39,471	48,718	Assistant Tourism Director Secretary to the Board of Selectmen Library Marketing and Program Director

2. **Schedule B:** to amend Schedule B, "Fire Department Positions," effective July 1, 2014, as requested by the Board of Fire Engineers, as follows:

Annual Stipends for Reimbursement of Expenses

Position:	Current:	Proposed:
1 st Deputy Fire Chief	\$7,700	\$8,700
2 nd Deputy Fire Chief	\$5,500	\$6,500
District Fire Chief/Engineer	\$2,200	\$2,200
Firefighter	\$800	\$800
Fire Auxiliary	\$400	\$400
Fire Captain	\$750	\$750
Fire Lieutenant	\$500	\$500
Engine Steward	\$880	\$880
Station Steward	\$1,100	\$1,100
Ladder Steward	\$1,300	\$1,300
LaFrance Steward	\$500	\$500
Oil Inspector	\$1,747	\$1,747
Rescue Steward	\$3,000	\$3,000
Rescue Captain	\$2,200	\$2,200
Rescue Lieutenant	\$1,450	\$1,450
Rescue Training Officer	\$1,650	\$1,650
Radio Officer	\$550	\$550
Air Officer	\$1,000	\$1,000

Summer Standby Coordinator	\$2,500	\$2,500
Infection Control Officer	\$500	\$800
Annual Salary:		
Fire Chief	\$40,000	\$45,000
Non-Firefighter Positions		
First Responders	\$18.00/hr	\$18.00/hr
EMT-Basic EMT-Basic	\$22.61/hr	\$23.29/hr
EMT-Intermediate EMT-Intermediate	\$24.34/hr	\$25.07/hr
EMT-Paramedic	\$26.65/hr	\$27.45/hr
Stand-by	\$25.00/hr	\$25.00/hr
Safety Inspections	\$20.00/hr	\$20.00/hr
Rescue Squad Participation (per quarter)	\$250	\$250

3. **Schedule C:** to amend Schedule C, "Seasonal and Part-time Non-Union Positions," effective July 1, 2014, as follows:

<i>Grade</i>	<i>Actual FY 2014</i>	<i>Proposed FY 2015</i>	<i>Proposed Position Classifications</i>
L	\$17.22	\$17.56	Parking Lot Technical Manager Property Inspector (Assessors)
K	16.73	17.06	Assistant Harbormaster with police powers Police Officer, Summer/Auxiliary
J	16.25	16.57	<i>No Positions Assigned</i>
I	15.94	16.25	Parking Meter Collection/Repair On-call van Driver
H	15.48	15.78	Police Matron Police Summer Dispatcher
G	15.18	15.48	<i>No Positions Assigned</i>
F	14.74	15.03	Assistant Harbormaster w/o police powers COA Program Coordinator (added) COA Meal Program Coordinator (added) COA Cook (moved from grade A) Parking and Traffic Officers Parking Lot Assistant Technical Manager Parking Meter Enforcement Part-time Clerical Secretary, On-call Relief Transfer Station Laborer
E	14.48	14.76	Part-time Library Circulation Aide
D	14.05	14.33	On-call Library Circulation Aide Parking Lot Attendant/Out-booth/Floater
C	13.64	13.91	Barrels & Grounds Laborer Restroom/Building Custodian Seasonal Recreation Supervisor
B	13.39	13.65	<i>No Positions Assigned</i>
A	13.17	13.43	Parking Lot Attendant/In-booth

<i>Grade</i>	<i>Actual FY 2014</i>	<i>Proposed FY 2015</i>	<i>Proposed Position Classifications</i>
			Seasonal Recreation Aides

or to take any other action relative thereto.

[Requested by the Personnel Board and the Town Manager]

Article 12. Expenditures from the Tourism Fund.

To see if the Town will vote to transfer from the Tourism Fund the sum of \$ 615,000 to be expended under the direction of the Board of Selectmen and the Visitor Services Board to fund the following expenditures which market, beautify or enhance tourism in Provincetown pursuant to Chapter 178 of the Acts of 1996:

1. \$120,000 for coordination/support of the Visitor Service Board and the Tourism Department; and costs related thereto;
2. \$ 320,000 for marketing, and costs related thereto;
3. \$ 40,000 for municipal projects, and costs related thereto;
4. \$ 125,000 for tourism grants, and costs related thereto; and
5. \$ 10,000 for Beautification Committee;

or to take any other action relative thereto.

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

Article 13: FY 2015 Human Services Grant Program.

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$69,175 to be expended under the direction of the Board of Selectmen, to fund grants to assist non-profit agencies and organizations to maximize available resources to meet needs identified by the community by providing services to local residents, particularly those of low and moderate income and those who are uninsured or underinsured, as follows:

AIDS Support Group of Cape Cod	\$8,700
Cape Cod Children's Place	5,250
Consumer Assistance Council	550
Gosnold on Cape Cod	14,300
Helping Our Women	8,000
Homeless Prevention Council	3,850
Independence House	4,600
Lower Cape Outreach Council, Inc.	6,000
Mass-A-Peal	525
Outer Cape Health Services	8,000
Sight Loss Services, Inc.	600

Soup Kitchen in Provincetown	4,000
South Coast Counties Legal Services	<u>4,800</u>
Total	\$69,175

or to take any other action relative thereto.

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

Article 14. July 4th Celebration.

To see if the Town will vote to raise and appropriate or transfer from any available funds the sum of \$22,000 to be expended under the direction of the Town Manager, the Chief of Police and the Director of Public Works for costs associated with the July 4th fireworks display; or to take any other action relative thereto.

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

Article 15. Fund Collective Bargaining Agreement.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the cost items contained in the first year of a collective bargaining agreement commencing in Fiscal Year 2015 reached between the Town and NEPBA, and to fund the cost items contained in the one year collective bargaining agreement for Fiscal Year 2014 reached between the Town and NEPBA , or to take any other action relative thereto.

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

Article 16. Fund Collective Bargaining Agreement.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the cost items contained in the first year of a collective bargaining agreement commencing in Fiscal Year 2015 reached between the Town and AFSCME, or to take any other action relative thereto.

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

Article 17. Room Occupancy Tax.

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation applying the local room occupancy tax to seasonal rentals as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves

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

AN ACT APPROVING THE APPLICATION BY
THE TOWN OF PROVINCETOWN
OF THE LOCAL OPTION ROOM OCCUPANCY EXCISE TO
SEASONAL RENTAL PROPERTIES IN THE TOWN OF PROVINCETOWN

Section 1. Notwithstanding the provisions of any general or special law to the contrary, in addition to the authority to impose a local excise tax upon any transfer of occupancy of any room or rooms as may be set forth in and authorized by Chapter 64G section 3A of the Massachusetts General Laws or other law, as the same may be amended from time to time, the town of Provincetown shall, commencing on the first day of the fiscal year that begins after the effective date of this Act, be authorized to impose a local excise tax upon the transfer of occupancy of any room in a seasonal rental property or other transient accommodations located within said town by any operator at the rate of up to but not exceeding six (6) percent of the total amount of rent of each such occupancy.

Section 2. For the purposes of this chapter, all terms used herein shall, unless the context requires otherwise, have the same meanings as set forth in Chapter 64G section 1 of the Massachusetts General Laws and as follows:

“Occupancy”, the use or possession, or the right to the use or possession, of any room or rooms in a bed and breakfast establishment, bed and breakfast home, hotel, lodging house, motel, seasonal rental property or other transient accommodation designed and normally used for sleeping and living purposes, or the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment or bed and breakfast home, accompanying the use and possession of such room or rooms, for a period of ninety consecutive calendar days or less, regardless of whether such use and possession is as a lessee, tenant, guest or licensee.

“Seasonal rental property or other transient accommodations” shall mean any bed and breakfast home, as defined by Chapter 64G section 1 of the Massachusetts General Laws and any residential or commercial dwelling, dwelling unit or part thereof, unit of a condominium as defined by Chapter 183A of the Massachusetts General Laws or time-share as defined by Chapter 183B of the Massachusetts General Laws, used for the lodging of guests or invitees in exchange for rent.

Section 3. No excise shall be imposed upon for the transfer of occupancy of any room in a seasonal rental property or other transient accommodations if the total amount of rent is less than fifteen dollars per day or its equivalent or if the accommodation, other than a bed and breakfast home, is exempt under the provisions of Chapter 64G section 2 of the Massachusetts General Laws.

Section 4. All operators of seasonal rental property or other transient accommodations shall be responsible for assessing, collecting, reporting and paying such local excise tax as set forth in Chapter 64G sections 3, 4, 5, 6 and 7A of the Massachusetts General Laws and shall be liable in the same manners as operators in Chapter 64G section 7B of the Massachusetts General Laws.

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

or to take any other action relative thereto.

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

Article 18. 0.5% Real Estate Transfer Fee - A Home Rule Petition.

To see if the Town will vote to authorize the Board of Selectmen 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 Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen 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% (half percent, ½%) 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 purchaser. The fee shall be paid to the Town of Provincetown. The first \$250,000 collected in each fiscal year shall be deposited in the Town's Capital Improvement Stabilization Fund. The remaining funds collected each fiscal year shall be deposited into the Town's General Fund.

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 \$100.00 which include: name change, into trusts, out of trust, etc.

E. Transfers to any charitable organization as defined in Clause Third of Section Five 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, step-parents and step-children, brothers and sisters.

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 take any action relative thereto.

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

GENERAL BY-LAW AMENDMENTS

Article 19. General By-law Amendment: Non-Criminal Disposition of Pier Corporation Regulations. To see if the Town will vote to amend the Provincetown General By-laws by amending §2-3-1-1 to read as follows:

2-3-1-1. Any rule or regulation of the Provincetown Public Pier Corporation duly enacted as of ~~April 2, 2013~~ April 1, 2014 shall be deemed a regulation of the Board of Selectmen. Violation of such rules or regulations may be enforced by any available means in law or equity, including but not limited to non-criminal disposition pursuant to G.L. c.40, §21D, and Sections 2-3-1 through 2-3-3 of the General By-laws. For the purposes of this by-law, the following officials shall be enforcing persons: the Harbormaster and his designees and any police officer of the Town of Provincetown.

2-3-2-1. Violations of the Provincetown Public Pier Corporation Regulations in Effect on ~~April 2, 2013~~ April 1, 2014 (attached as Appendix 1 to Schedule A): 1st offense, \$100.00; 2nd offense, \$200.00; 3rd and subsequent offenses, \$300.00; or to take any other action relative thereto.

[Requested by Provincetown Public Pier Corporation]

Article 20. General By-law Amendment: Community Preservation Committee By-law. To see if the Town will vote to amend the Provincetown General By-laws by amending §5-14-2-4 as follows:

5-14-2-4. In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10%

of the annual revenues in the Community Preservation Fund for open space/recreation (not including land for recreational use), not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than ~~40%~~ 60% of the annual revenues in the Community Preservation Fund for community housing. or to take any other action relative thereto.

[Requested by the Board of Selectmen and Community Housing Council]

Article 21. General By-law Amendment: Single-Use Plastic Bag Reduction

To see if the Town will vote to amend the General Bylaws by inserting the following section regarding the reduction of single-use plastic bags:

13-6 Provincetown Single-Use Plastic Bag Reduction

13-6-1. Purpose and Intent

The production and use of single-use plastic bags have significant impacts on the marine and land environment of all coastal communities, including, but not limited to: contributing to the potential death of marine and terrestrial animals through ingestion and entanglement; contributing to pollution of the land and coastal environment; clogging our storm drainage systems; creating a burden to our solid waste collection and recycling facility; and requiring the use of millions of barrels of crude oil nationally for their manufacture. Therefore the Town of Provincetown seeks to phase out the use of single-use plastic bags by all retail establishments over a period of 18 months.

The purpose of this legislation is to phase out the usage of single-use plastic bags by all retail and restaurant establishments in the Town of Provincetown.

13-6-2. Definitions

“Establishment” means any business selling goods, articles, food or personal services to the public, including but not limited to restaurants.

“Single-use plastic bags” means bags made of plastic with integral handles of any thickness that are intended to be used for the transport of products purchased at an Establishment as defined herein.

“Reusable bag” means a bag that is specifically designed for multiple use and is made of cloth, fabric or other durable materials.

13-6-3. Use Regulations

Single-use plastic bags shall not be distributed or sold at any Establishment within the Town of Provincetown. Existing stock of single-use plastic bags shall be phased out by January 15, 2015; any remaining stock shall be disposed of properly by the Establishment.

Customers are encouraged to bring their own reusable shopping bags to stores. Establishments may provide reusable bags at no charge, or charge a fee for paper or

other bags, as they so desire. Establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.

Thin-film plastic bags used by Establishments to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are exempt from the provisions of this By-law.

13-6-4. Administration and Enforcement

This By-law may be enforced by any Town police officer, enforcement officers or agents of the Board of Health.

This By-law may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D and Chapter 2 of the Town's General By-laws . If non-criminal disposition is elected, then any Establishment which violates any provision of this by-law shall be subject to the following penalties:

First Offense:	\$50 fine
Second Offense:	\$100 fine
Third and subsequent Offense	\$200 fine

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

[Requested by Provincetown Recycling and Renewable Energy Committee]

ZONING BY-LAW AMENDMENTS

Article 22: Zoning By-law Amendment: Floodplain District

To see if the Town will vote to amend the Provincetown Zoning Bylaw, Article 2, Sections 2330 through 2337, and to add a new Section 2338, as follows:

Amend Section 2330, Floodplain District Boundaries and Base Flood Elevation Data, as follows:

~~The Floodplain District ("District") is herein established as an overlay district. The District shall include all special flood hazard areas designed on the Town of Provincetown Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP) dated July 15, 1992 as Zone A, AE, AH, AO, A1-30, A99, V, V1-30, VE. The FIRM designates the parameters of the 100-year~~

~~base floodplain. The boundaries of the District shall be coincident with the 100-year base flood elevations as shown on the FIRM, Floodway Maps and Flood Insurance Study booklet, all of which are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.~~

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Provincetown designated as Zone AE, AO or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Provincetown are panel numbers 25001C0103J, 25001C0104J, 25001C0108J, 25001C0109J, 25001C0111J, 25001C0112J, 25001C0114J, 25001C0116J, 25001C0117J and 25001C0118J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

And within Section 2331, Elevation, make the following deletions:

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

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

~~In Zone AO, all new construction and substantial improvements are subject to the following requirements:~~

~~–residential structures shall have the lowest floor (including basement) elevated above the crown of the nearest street to or above the depth number specified on the Flood Insurance Rate Maps (FIRM);~~

~~- non-residential structures shall have the lowest floor (including basement) elevated above the crown of the nearest street or above the depth number on the FIRM or be flood proof (i.e., watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy to or above that level.~~

No changes to Section 2332.

And within Section 2333, Use of Available Flood Data, make the following changes:

2333 Use of Available Flood Data The Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or any other source, as a criteria for requiring that new construction, substantial improvements, or other development in A Zones A meet all requirements set forth in Section 60.3 (c) (2), (3), (5), and (6) and (d) (3) of the National Flood Insurance Program. ~~; Final Rule dated August 25, 1986. In Zone AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.~~

And within Section 2334, "V" Zones, make the following changes:

2334 "V" Zones No land within areas designated as V (velocity) Zones on the ~~F.I.A.~~ Federal Emergency Management Agency Flood Insurance Hazard Rate Maps shall be developed unless such development:

No changes to sub-section 2334(a) through 2334(b).

And within Section 2335, Other Use Regulations, make the following changes:

2335 Other Use Regulations

1) Within Zones ~~AH and AO~~ on the FIRM, adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

No changes to sub-section 2335(2).

No changes to Section 2336 through 2337.

And add a new Section 2338, Notification of Watercourse Alteration, as follows:

2338 Notification of Watercourse Alteration.

In a riverine situation, the Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation

251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

Article 23: Zoning By-law Amendment: Growth Management

To see if the Town will vote to amend the Provincetown Zoning Bylaw, Article 6, Growth Management Bylaw, Section 6500, Table of Use Categories and Priorities, as follows:

No changes to General Use Category 1

No changes to General Use Category 2

Within General Use Category 3, make the following changes:

3a. Expansions or alterations to existing residential structures or uses that result in increased Title 5 flow, not to exceed the Title 5 Design Flow pursuant to 310 CMR 15.203(2). A total of 330 gallons per year will be reserved for one bedroom per year per applicant.

3b. Single-family dwelling on one lot; ~~two family dwelling on one lot; two single-family dwellings on one lot; or a two family dwelling on one lot.~~

3c. Two family dwelling on one lot; two single-family dwellings on one lot;

3de. All other market rate residential projects without affordable housing components that result in increased Title 5 flow, except that no one applicant may gain access to 65% of allowable growth within this category within any given year.

No changes to General Use Category 4

Article 25: Zoning By-law Amendment: Dimensional Schedule

To see if the Town will vote to amend the Provincetown Zoning Bylaw, Article 2, Districts and District Regulations, Section 2560, Dimensional Schedule, as follows:

To delete footnote 1 from Min. Rear Yard (feet) for the Res 2 District

To delete footnote 1 from Min. Rear Yard (feet) for the Res 3/Res B District

Article 26: Zoning By-law Amendment: High Elevation Protection District:

To see if the Town will vote to amend the Provincetown Zoning Bylaw, Article 2, Districts and District Regulations, Section 2320, High Elevation Protection District, as follows:

No changes to sub-section A.

No changes to sub-section B.

And within sub-section C, make the following changes:

C. Special Regulations for HEP Districts A and B. All new construction or additions and expansions, including but not limited to decks 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 Site Plan Review as specified in Section 4160 with additional requirements as specified herein.

No changes to sub-section C1.

No changes to sub-section C2.

No changes to sub-section D.

Town Warrant

Special Town Meeting – Monday, April 7, 2014

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 By-laws 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 on Monday the Seventh day of April, A.D. 2013 at 6:00 o'clock in the evening**, then and there to act on the following articles, to wit:

Article 1. *FY 2014 Budget Adjustments.*

To see what amendments the Town will vote to make to the Fiscal Year 2014 operating budgets established under Article 2 of the April 2013 Annual Town Meeting and what sums the Town will vote to raise and appropriate or transfer from available funds therefor; or to take any other action relative thereto.

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

Article 2. *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 take any other action relative thereto.

[Requested by the Town Manager]

Article 3. Rescind Unused Borrowing Authority. To see if the Town will vote to rescind unused borrowing authority, as follows:

Date of Vote	Town Mtg	Article No.	Authorized and Unissued Debt	Fund	Amount Authorized	Total Borrowed or reduced by grants to 03/01/14	Rescind Unused Balance
04/07/04	ATM	4-8	Water-New Source	Water Enterprise	\$250,000	\$203,281	\$46,718.59
04/04/05	ATM	8-10	S. Hollow Pump House	Water Enterprise	\$200,000	\$184,600	\$15,400
04/04/05	ATM	8-11	S. Hollow Well	Water Enterprise	\$200,000	\$198,500	\$1,500
04/04/07	ATM	6-2	Parking Equipment	General	\$33,400	\$0	\$33,400
04/07/08	STM	3	Water Dept Block Grant	Water Enterprise	\$50,000	\$0	\$50,000
04/02/12	ATM	20	Purchase of Sateriale Property	LandBank	\$608,000	\$0	\$608,000
04/02/12	ATM	19	Deed Restriction on Dunes Edge Campground Property	LandBank	\$850,000	\$0	\$850,000
04/05/10	ATM	19	Purchase of Aunt Sukey's Way	LandBank	\$526,800	\$252,864	\$273,936
04/05/10	ATM	16	Library Renovations	General	\$2,092,000	\$1,736,500	\$355,500

or to take any other action relative thereto.

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

Article 4. Transfer of Funds from previous article.

To see if the Town will vote to transfer \$80,000 from article 6 of the April 2012 Special Town Meeting, VMCC Heating, for the installation of air conditioning at the Veteran's Memorial Community Center; or to take any other action relative thereto.

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

Article 5. Fund Collective Bargaining Agreement.

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the cost items contained in the one year collective bargaining agreement for Fiscal Year 2014 reached between the Town and NEPBA, or to take any other action relative thereto

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

Article 6. School MSBA Feasibility Study

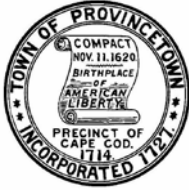
To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee for a feasibility study of the heating system repairs or replacement, window repair or replacement and the replacement of the gymnasium roof at Provincetown High School, 12 Winslow Street, Provincetown, MA 02657, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

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

Article 7. Funding for Police Station Feasibility Study

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$45,300 to be expended under the direction of the Town Manager and the Building Committee, for the preliminary design and estimated construction costs to evaluate a police station to be located either at the current location on Shank Painter Road or the former VFW location on Jerome Smith Road, and costs related thereto; or to take any other action relative thereto.

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



Provincetown Board of Selectmen
AGENDA ACTION REQUEST
MARCH 3 2014

3

OTHER

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

Proposed Motion(s)

Discussion dependent.

Votes may be taken.

Additional Information

Board Action

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