

SPECIAL TOWN MEETING

Monday, April 03, 2000

Attendance: 466 Town Meeting Voters.

Meeting began 7:33 p.m.

Preliminary Motions

(1) Elizabeth Steele-Jeffers moved that the Town vote to waive the reading of the warrant.

Motion Carried.

(2) Elizabeth Steele-Jeffers moved that the Town voter to grant permission to speak at the April 3, 2000 Special Town Meeting to the following persons who are not registered voters of the Town of Provincetown.

Dennis Clark, Recreation Director; David J. Ditacchio, Marine Superintendent; Brian Dudley, of the Massachusetts Department of Environmental Protection; Dale Fanning, Director, Provincetown Heritage Museum; Dr. Susan N. Fleming, Superintendent of Schools; Paul Gabriel and Mark White of Environmental Partners Group; John W, Giorgio, Esq., and others attorneys of the firm of Kopelman & Paige, P.C. Town Counsel; John Goodrich, wastewater facilitator; George Heufelder, Health Agent; Michelle Jarusiewicz, Grant Administrator; William Rokicki, Principal, Veterans Memorial Elementary School; Kathleen Slivka, Schools Director of Student Services; Peter Morrision, School Building Consultant; Lynne Stapleton, School Building Consultant; John Kenny, School Building Consultant; Craig Wiegand, Water Superintendent; Patricia Fitzpatrick, Tourism Director; Malcolm Galvin, Town Accountant.

Motion Carried.

(3) Elizabeth Steele-Jeffers moved that on all matter to come before the annual and special town meetings of April 3, 2000, requiring a two-thirds vote by statute, that a count need not be taken unless the vote so declared is immediately questioned by seven or more registered voters.

Motion Carried.

Article 1. *Funding for Repair, Replacement, Upgrade of Septic Systems.* To see if the Town will vote to appropriate the sum \$200,000, to be expended under the direction of the Director of Municipal Finance, for the purpose of funding the following water pollution abatement facility projects: repair, replacement, and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined under Chapter 29C, section 1 of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$200,000 and issue bonds or notes therefor under Chapter 111, section 127B½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by property owners in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects; or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Board of Health]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Board of Health Recommends: 5-0-0

Elizabeth Steele-Jeffers moved to see if the Town will vote to appropriate the sum \$200,000, to be expended under the direction of the Director of Municipal Finance, for the purpose of funding the following water pollution abatement facility projects: repair, replacement, and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined under Chapter 29C, section 1 of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$200,000 and issue bonds or notes therefor under Chapter 111, section 127B½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by property owners in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen is

authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects
Motion Carried, 2/3rd vote.

Article 2. *Acceptance of Local Option Statute: Deferral of Sewer Use Charges for Owners 65 Years Old and Older.* To see if the Town will vote to accept the provisions of Chapter 83, section 16G of the General Laws which authorizes the deferral of sewer use charges for property owners aged 65 years old and older; or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Wastewater Citizens Advisory Committee]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Board of Health recommends: 5-0-0

Wastewater Citizens Advisory Committee Recommends: 6-0-1

Elizabeth Steele-Jeffers moved that the Town vote to accept the provisions of Chapter 83, section 16G of the General Laws which authorizes the deferral of sewer use charges for property owners aged 65 years old and older.

Motion Carried, 2/3rd vote.

Article 3. *Wastewater Facilities Design/State Revolving Fund No Interest Loan Program/Old Burn Dump Treatment Building Location.* To see if the Town will vote as follows: WHEREAS, the lot-by-lot analysis conducted by the Barnstable County Health Agent has determined that over 90% of properties in Provincetown can continue to manage their wastewater disposal needs on site with the assistance of a proposed town-wide septic system management program; and WHEREAS, a central sewer is proposed for a limited area to meet the needs of the 10% of properties that will have difficulty complying with state requirements when their current system needs to be repaired or replaced; and WHEREAS, all of the costs of the proposed approach can be borne by either the Town's local room tax receipts through the Wastewater Enterprise Fund or by the users, at no cost to the taxpayer; and WHEREAS, the Board of Health and the Wastewater Citizens Advisory Committee have recommended, and the Board of Selectmen has selected, the site of the Old Burn Dump as the site for the wastewater treatment building; THEREFORE, the Town votes to appropriate the sum of \$500,000 to be expended under the direction of the Director of Public Works to continue the development of plans and specifications for construction of sewerage systems in accordance with the engineering scope of services developed by the Wastewater Management Plan Citizens Advisory Committee for a wastewater facilities plan as outlined by the Department of Environmental Protection, including the siting of the wastewater treatment building at the Old Burn Dump site, and including without limitation all costs defined under C.29C,§1 of the General Laws; and to raise said appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum of money under and pursuant to

C.44,§7(22) and/or C.29C of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; and that to the extent that any State, Federal or other funds are or become available for the purposes set forth above, the Board of Selectmen is authorized to apply for and accept such funds; or to take any other action relative thereto.

[Requested by the Board of Selectmen, the Board of Health, the Town Manager, and the Wastewater Citizens Advisory Committee]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Board of Health Recommends: 5-0-0

Wastewater Citizens Advisory Committee Recommends: 5-1-1

Elizabeth Steele-Jeffers moved as printed in the warrant.

Motion Carried. 2/3rd vote.

Article 4. *Old Burn Dump Site for Public Land Conservation/Recreation; Prohibit Wastewater.* To see if the Town will vote to set aside and manage the forty-seven acres surrounding Clapp Pond and Duck Pond and including the site of the old burn dump for purposes only of conservation and recreation; and to prohibit any use of these lands for any facilities not related to conservation and recreational purposes including but not limited to wastewater management; or to take any other action relative thereto.

[Requested by Peter Souza and others]

Finance Committee Does Not Recommend: 6-0-0

Board of Selectmen Does Not Recommend: 3-2-0

Board of Health Does Not Recommend: 5-0-0

Conservation Commission Recommends: 4-0-0

Peter Souza moved that the Town will vote to set aside and manage the forty-seven acres surrounding Clapp Pond and Duck Pond and including the site of the old burn dump for purposes only of conservation and recreation; and to prohibit any use of these lands for any facilities not related to conservation and recreational purposes including but not limited to wastewater management.

Peter Souza moved to amend the motion under article 4 by deleting the words: “including the site of the of the Old Burn Dump” and replacing them with the following words “excluding the site of the Old Burn Dump as identified on a plan to be approved by the Board of Selectmen”.

Amendment Defeated.

Motion Defeated.

Article 5. *Water Enterprise Reserve Fund for Capital Expenditures.* To see if the Town will vote to appropriate the sum of \$83,905 from the Water Enterprise Reserve Fund for Capital Expenditures, to be expended by the Water and Sewer Board with the approval of the Board of Selectmen for capital expenditures of said enterprise, or to take any other action relative thereto.

[Requested by the Board of Selectmen, the Water and Sewer Board, and the Town Manager]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to appropriate the sum of \$83,905 from the Water Enterprise Reserve Fund for Capital Expenditures, to be expended by the Water and Sewer Board with the approval of the Board of Selectmen for capital expenditures of said enterprise.

Motion Carried.

Article 6. *Water Enterprise Fund Capital Projects.* To see if the Town will vote to borrow or transfer from available funds the following sums to defray the costs of the certain capital improvements to be funded by the Water Enterprise Fund, as follows:

1. South Hollow and Knowles Crossing Wellfield Improvements: \$450,000 to be expended under the direction of the Town Manager and the Director of Public Works for rehabilitation of water department equipment, including improvements to the wells at the South Hollow and Knowles Crossing well fields, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor;

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved to appropriate and borrow the sum of \$450,000 to be expended under the direction of the Town Manager and the Director of Public Works for rehabilitation of water department equipment, including improvements to the wells at the South Hollow and Knowles Crossing well fields, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor;

Motion Carried 2/3rd vote.

2. DEP Water Management Permit/New Source Development: \$250,000 to be expended under the direction of the Town Manager and the Director of Public Works for DEP Water Management Act permitting and new source development, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(3A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved article 6-2 as printed in the warrant.

Motion Carried. 2/3 vote.

3. Water Department Equipment: Backhoe: \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for a backhoe for the Water Department, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7C), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved article 6, item 3 as printed in the warrant.

Motion Carried 2/3 vote.

4. McGuire/Thomas Property Septic System Replacement: \$50,000 to be expended under the direction of the Town Manager and the Director of Public Works for replacement of the septic systems installed by the Town of Provincetown in 1954 at the McGuire/Thomas property, so-called, located in the aquifer protection area of the South Hollow well field, and for costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Sections 7 and 8, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore;

or to take any other action relative thereto.

[Requested by the Town Manager, the Board of Selectmen, and the Water and Sewer Board]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved article 6, item 4 as printed in the warrant.

Motion Carried 2/3rd vote.

Article 7. *Rescind Unused Borrowing Authority.* To see if the Town will vote to rescind borrowing authority, as follows:

4-98 ATM 4-8	DPW Pumper Truck	\$25,000
4-96 ATM 19	Transportation Center ISTEAs local share	\$476,620

or to take any other action relative thereto.

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

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to rescind borrowing authority, as follows:

4-98 ATM 4-8	DPW Pumper Truck	\$25,000
4-96 ATM 19	Transportation Center ISTEAs local share	\$476,620

Motion Carried.

Article 8. *FY 2000 Budget Transfers.* To see if the Town will vote to transfer the sum of \$154,568.66 from the following Fiscal Year 2000 budgets established under Article 2 of the April 5, 1999 Annual Town Meeting and other available funds, as follows:

Art. 11, 4/95 ATM 375 th Anniversary Celebration	\$ 1,703.14
Art. 24, 4/93 ATM Barrier free restroom for Library	687.48
Art. 4-1, 4/96 STM painting of Town Hall	617.00
Art. 4-3, 4/97 ATM Town Hall Structural Analysis	233.75
Art. 4-6, 4/93 ATM Town Hall Barrier removal	239.04
Art. 4-7, 4/93 ATM Community Center Barrier Removal	0.44
Art. 4-11, 4/95 ATM Community Center Roofing & Repairs	2,185.07
Art. 7-7, 4/98 STM Fire Safety Helmet	1,600.00
Art. 3-4, 4/95 STM Harbor Dredging - Sup. Local Share	3,700.00
Art. 4-5, 4/94 ATM Courtesy Float	450.00
Art. 7-11, 4/98 STM Parking Department Vehicle	647.00
Art. 2-6, 4/97 STM PHS Front Walk Repair	155.17
Art. 10, 4/95 ATM Bicycle Racks	435.00
Art 4-5, 4/96 ATM Freeman St. Pumphouse Pumps	377.00
Art 7, 4/96 ATM Human Service Grant - Nauset, Inc.	2,332.50
Art 7, 4/96 ATM Human Service Grant - South Shore	875.00
123-A Town Manager - Personal Services	1,000.00
169-A Licensing - Personal Services	1,500.00
190-A DPW/Buildings & Grounds - Personal Services	1,918.00
191-B DPW/Buildings & Grounds Town Hall - Expenses	1,500.00
192-B DPW/Buildings & Grounds Grace Gouveia - Expenses	1,500.00
193-B Police Station - Expenses	1,000.00

210-B Police – Expenses	5,000.00
295-B Harbormaster – Expenses	2,000.00
671-A Heritage Museum - Personal Services	3,624.20
710-B Debt Service	<u>119,378.87</u>
	\$154,658.66

to increase the following Fiscal Year 2000 appropriations:

113-B Election & Town Meeting - Expenses	\$ 605.00
123-B Town Manager – Expenses	4,000.00
145-B Treasurer – Expenses	1,500.00
151-B Legal Services – Expenses	10,000.00
156-B Administration – Expenses	11,800.00
161-A Town Clerk - Personal Services	1,652.00
161-B Town Clerk – Expenses	300.00
169-B Licensing – Expenses	6,600.00
171-B Conservation Commission - Expenses	2,400.00
176-B Board of Zoning Appeals - Expenses	295.00
179-B Historical Commission - Expenses	335.00
210-B Police – Expenses	6,000.00
240-B Inspections – Expenses	1,855.00
241-A Permit Coordinator - Personal Services	1,900.00
295-A Harbormaster - Personal Services	2,000.00
421-A DPW/Administration - Personal Services	1,574.00
421-B DPW/Administration – Expenses	55,000.00
422-A DPW/Highway- Personal Services	2,182.00
422-B DPW/Highway- Expenses	1,000.00
431-A DPW/Solid Waste/Recycling - Personal Services	30,006.00
431-B DPW/Solid Waste Recycling - Expenses	10,000.00
511-B Health Agent – Expenses	1,015.00
610-A Library - Personal Services	1,488.00
610-B Library – Expenses	1,000.00
FY 98 Elder Affairs Grant - Council on Aging	<u>151.66</u>
	\$154,658.66

or to take any other action relative thereto.

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

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town transfer the sum of \$154,658.66 from the Fiscal Year 2000 budgets established under Article 2 of the April 5, 1999 Annual Town Meeting and other available funds, as printed in the warrant to increase the Fiscal Year 2000 appropriations as printed in the warrant.

Motion Carried.

Article 9. *FY 2000 Cape End Manor Supplemental Budget.* To see what sum the Town will vote to appropriate and transfer from available funds to increase the FY 2000 Cape End Manor Enterprise Fund budget established under Article 4 of the April 5, 1999 Annual Town Meeting, or to take any other action relative thereto.

[Requested by the Town Manager]

Finance Committee Recommends: 5-0-0

Board of Selectmen Recommends: 5-0-0

Keith Bergman moved that the Town vote to transfer from Free Cash the sum of \$135,235 to increase the FY 2000 Cape End Manor Enterprise Fund budget established under Article 4 of the April 5, 1999 Annual Town Meeting.

Motion Carried.

Article 10. *Dinghy Dock Extensions.* To see if the Town will vote to transfer the sum of \$5,000 from the Municipal Waterways Improvement Fund, to be expended under the direction of the Marine Superintendent, for dinghy dock extensions, and costs related thereto, or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Harbor Committee]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 3-2-0

Harbor Committee Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to transfer the sum of \$5,000 from the Municipal Waterways Improvement Fund, to be expended under the direction of the Harbor Committee and the Marine Superintendent, for dinghy dock extensions, and costs related thereto.

Motion Carried.

Article 11. *Tourism Fund Promotional Projects.* To see if the Town will vote to transfer the sum of \$20,000 from the Tourism Fund, to be expended under the direction of the Tourism Director for Spring 2000 tourism promotional project approved by the Board of Selectmen, or to take any other action relative thereto.

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

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Visitor Services Board Recommends: 6-0-0

Elizabeth Steele-Jeffers moved that the Town vote to transfer the sum of \$20,000 from the Tourism Fund, to be expended under the direction of the Tourism Director for Spring 2000 tourism promotional project approved by the Board of Selectmen

Motion Carried.

Article 12. *Acceptance of Local Option Statute: Senior Citizen Property Tax Work-off Abatement.* To see if the Town will vote to accept the provisions of Chapter 59, section 5K of the General Laws, to establish a property tax work-off program under which senior citizens provide volunteer services to the Town in exchange for a reduction in their tax bills; or to take any other relative thereto.

[Requested by the Board of Selectmen and the Board of Assessors]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Board of Assessors Recommends: 4-0-0

Elizabeth Steele-Jeffers moved that the Town vote to accept the provisions of Chapter 59, section 5K of the General Laws, to establish a property tax work-off program under which senior citizens provide volunteer services to the Town in exchange for a reduction in their tax bills.

Motion Carried.

Article 13. *Acceptance of Local Option Statute: Abatement Exemptions: Cost of Living Increase for Surviving Spouse, Minor Child or Elderly Person.* To see if the Town will vote to accept the provisions of Chapter 59, section 5 of the General Laws, added by section 1 of Chapter 181 of the Acts of 1995, which allows the Town to increase an abatement granted pursuant to section 5, clause 17D of said Chapter 59 by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year; or to take any other relative thereto.

[Requested by the Board of Assessors]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Board of Assessors Recommends: 4-0-0

Berta Romano moved that the Town vote to accept the provisions of Chapter 59, section 5 of the General Laws, added by section 1 of Chapter 181 of the Acts of 1995, which allows the Town to increase an abatement granted pursuant to section 5, clause 17D of said Chapter 59 by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year.

Motion Carried.

Moved to adjourn until tomorrow at 10:48 p.m.

Tuesday's Nights Meeting April 4, 2000

Special Town Meeting Continued

Meeting began at 7:30 p.m.

396 Town Meeting Voters in Attendance.

Article 14. *SBA-Funded School Building Improvements.* To see if the Town will vote to appropriate and borrow the sum of \$6,500,000, to be expended under the direction of the School Building Committee, which has been appointed by the School Committee, for the purpose of providing rehabilitated and renovated facilities for the Provincetown Public Schools, including Provincetown High School on Winslow Street and Veteran's Memorial Elementary School on Mayflower Lane, and including, but not limited to, design services, construction bids, and reconstruction, rehabilitation, remodeling, and renovation of such facilities and for other expenses related thereto and, that to raise said appropriation the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to issue bonds and/or notes of the Town therefore, pursuant to Chapter 44 of the General Laws or any other enabling authority; and to the extent that any State, Federal or other funds are or become available for the purposes set forth above, to authorize the School Building Committee, the School Committee, and the Superintendent of Schools to apply for and accept such funds, or to take any other action relative thereto.

[Requested by the School Committee and the School Building Committee]

Finance Committee Recommends: 5-0-0

Board of Selectmen Recommends: 4-1-0

School Committee Recommends: 3-1-0

School Building Committee Recommends: 7-0-1

Burton Wolfman moved that the Town vote to appropriate and borrow the sum of \$6,500,000, to be expended under the direction of the School Building Committee, which has been appointed by the School Committee, for the purpose of providing rehabilitated and renovated facilities for the Provincetown Public Schools, including Provincetown High School on Winslow Street and Veteran's Memorial Elementary School on Mayflower Lane, and including, but not limited to, design services, construction bids, and reconstruction, rehabilitation, remodeling, and renovation of such facilities and for other expenses related thereto and, that to raise said appropriation the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to issue bonds and/or notes of the Town therefore, pursuant to Chapter 44 of the General Laws or any other enabling authority; and to the extent that any State, Federal or other funds are or become available for the purposes set forth above, to authorize the School Building Committee, the School Committee, and the Superintendent of Schools to apply for and accept such funds.

Robert Vetrick moved to amend the motion by adding the following after the phrase *pursuant to Chapter 44 of the General Laws or any other enabling authority*: "for a period of ten years"; and by adding the addition sentence "and provided further that, within compliance of the minimum school spending requirements of M.G.L. Chapter 70, half of the local debt service cost shall be paid from the school department through one or more of the following ways: (1) operating department for said ten-year period; (2) school choice revolving funds; (3) the sale or lease of the annex; or (4) other options that may arise, provided, however, that any bonds or notes issued hereunder are general obligations of the Town.

Amendment Carried.

Paul Trainor moved to amend by adding "and that the School Building Committee seek the assistance of the Board of Selectmen, Town Manager and DPW Director in the expenditure" to be inserted after "School Committee"

Amendment Defeated.

Paul Trainor moved to amend by adding "and construction of a new facility" to be inserted after "construction bids".

Moderator ruled it out of bounds of the article.

Motion as Amended Carried 2/3rd vote.

Article 15. *School Building Repairs.* To see if the Town will vote to borrow or transfer from available funds the following sum to defray the costs of capital improvements submitted in accordance with Chapter 9 section 2 of the Provincetown Charter, which will commence prior to July 1, 2000 as follows: the sum of \$175,451.00, to be expended under the direction of the School Committee, for VMES building repairs including the VMES roof (sections 3 & 4), window repair, science room, plumbing, and paint oil storage tanks, and for repairs to High School buildings including, window repair, science lab upgrades, main floor boy's bathroom repairs, and to paint oil storage tanks, or to take any other action relative thereto.

[Requested by the School Committee]

Lois Borgesi moved to indefinitely postpone action on article 15.

Motion Carried.

Dr. Andrews moved that the Town vote to postpone Article 16, Item 1 until a time certain, which will be when Town Meeting has completed action on Article 37 of the April 3, 2000 Annual Town Meeting.

Motion defeated.

Article 16. *Capital Improvements.* To see if the Town will vote to borrow or transfer from available funds the following sums to defray the costs of the certain capital improvements submitted in accordance with Chapter 9, section 2 of the Provincetown Charter, which commence prior to July 1, 2000, as follows:

1. Heritage Museum Structural Repairs: \$300,000 to be expended under the direction of the Town Manager and the Director of Public Works for structural repairs to the Heritage Museum building needed to prevent further deterioration irrespective of its future use, and costs related thereto;

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

Finance Committee Recommends: 4-3-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to appropriate and borrow the sum of \$300,000 to be expended under the direction of the Town Manager and the Director of Public Works for structural repairs to the Heritage Museum building needed to prevent further deterioration irrespective of its future use, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Motion Carried, 2/3rd Vote.

2. Fire Vehicle Account - Replace Rescue 196: \$150,000, to be combined with the unexpended balances appropriated under Article 5, Item 1 of the April 5, 1999 Annual Town Meeting, to be expended under the direction of the Board of Selectmen, Town Manager, and Board of Fire Engineers to purchase fire vehicles in FY 2001, including the replacement of Rescue 196, and costs related thereto;

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

Finance Committee Recommends: 7-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to appropriate and borrow the sum of \$150,000, to be combined with the unexpected balances appropriated under Article 5, Item 1 of the April 5, 1999 Annual Town Meeting, to be expended under the direction of the Board of Selectmen, Town Manager, and Board of Fire Engineers to purchase fire vehicle in FY 2001, including the replacement of Rescue 196, and costs related thereto; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(9), of the General laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Motion Carried, 2/3rd vote.

3. Comfort Station Upgrade: \$160,000 to be expended under the direction of the Town Manager and the Director of Public Works for the design and construction of repairs and upgrades to the MPL Comfort Station, and costs related thereto, with the resulting debt service to be paid from the Tourism Fund;

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

Finance Committee Recommends: 7-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to appropriate and borrow the sum of \$160,000 to be expended under the direction of the Town manager and the Director of Public Works for the design and construction of repairs and upgrades to the MPL Comfort Station, and costs related thereto, with the resulting debt service to be paid from the Tourism Fund established under Chapter 178 of the Acts of 1996; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3A), of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Motion Carried, 2/3rd vote.

4. Police Station Cellblocks: \$28,500 to be expended under the direction of the Town Manager, the Director of Public Works, and the Chief of Police for improvements to the Police Station cellblock area, and costs related thereto;

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

Finance Committee Recommends: 7-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to transfer from proceeds from the sale of Town property the sum of \$28,500 to be expended under the direction of the Town Manager, the Director of Public Works, and the Chief of Police for improvements to the Police Station cellblock area, and costs related thereto.

Motion Carried.

5. Parking Department. \$28,300 to be transferred from the Parking Fund to be expended under the direction of the Town Manager and the Parking Administrator for restoration of parking lots and repair of the parking storage garage roof, and costs related thereto;

or to take any other action relative thereto.

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

Finance Committee Recommends: 7-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to transfer from the Parking Fund the sum of \$28,300 to be expended under the direction of the Town Manager and the Parking Administrator for restoration of parking lots and repair of the parking storage garage roof, and costs related thereto.

Motion Carried.

Article 17. *Removal of Underground Storage Tanks from MPL Gas Dock.* To see if the Town will vote to transfer from available funds the sum of \$24,825, to be expended under the direction of the Town Manager and the Director of Public Works, for removal of the underground storage tanks for the MPL Gas Dock, and costs related thereto; or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Conservation Commission Recommends: 3-0-0

Elizabeth Steele-Jeffers moved that the Town vote to transfer from Free Cash the sum of \$24, 825, to be expended under the direction of the Town Manager and the Director of Public Works, for removal of the underground storage tanks for the MPL Gas Dock, and costs related thereto.

Motion Carried.

Article 18. *Acquire Transfer Station Access Road Intersection.* To see if the Town will vote to authorize the Board of Selectman to acquire by purchase, gift or otherwise the fee interest in a certain parcel of real estate comprised of 5,000 square feet, more or less, including the intersection of the Transfer Station access road and Race Point Road, owned by Miriam Collinson and shown as Lot #1 on a plan of land dated March 9, 2000, a copy of which is on file in the office of the Town Clerk, and to transfer from available funds the sum of \$18,000 therefor; or to take any other action relative thereto.

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

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved that the Town vote to authorized the Board of Selectman to acquire by purchase, gift or otherwise the fee interest in a certain parcel of real estate comprised of 5,000 square feet, more or less, including the intersection of the Transfer Station access road and Race Point Road, owned by Miriam Collinson and shown as Lot #1 on a plan of land dated December 23, 1999, a copy of which is on

file in the office of the Town Clerk, and to transfer from proceeds of the sale of Town property the sum of \$18,000 therefor.

Motion Carried, 2/3rd Vote.

Article 19. *Maintenance and Improvement of Land Bank Property.* To see if the Town will vote, pursuant to section 5 of Chapter 293 of the Acts of 1998, to transfer from the Land Bank Fund the sum of \$10,960, representing three percent of Provincetown's FY 2000 Land Bank proceeds, to be expended under the direction of the Director of Public Works for maintenance and improvement of property purchased with Land Bank funds; or take any other action relative thereto.

[Requested by the Board of Selectmen, the Town Manager, and the Open Space Committee]

Finance Committee Recommends: 6-0-0

Board of Selectmen recommends: 5-0-0

Conservation Commission Recommends: 4-0-0

Elizabeth Steele-Jeffers moved article 19 as printed in the warrant.

Motion Carried.

Article 20. *Pre-acquisition Expenses for Proposed Land Bank Property.* To see if the Town will vote, pursuant to Chapter 293 of the Acts of 1998, to transfer from the Land Bank Fund the sum of \$10,000, to be expended under the direction of the Board of Selectmen, the Open Space Committee, and the Town Manager, for pre-acquisition costs for properties proposed to be acquired with Land Bank funds, including appraisal costs and expenses for title searches, and costs related thereto; or to take any other action relative thereto.

[Requested by the Board of Selectmen, the Town Manager, and the Open Space Committee]

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Conservation Commission Recommends: 4-0-0

Elizabeth Steele-Jeffers moved Town will vote, pursuant to Chapter 293 of the Acts of 1998, to transfer from the Land Bank Fund the sum of \$10,000, to be expended under the direction of the Board of Selectmen, the Finance Committee, the Open Space Committee, and the Town Manager, for pre-acquisition costs for properties proposed to be acquired with Land Bank funds, including appraisal costs and expenses for title searches.

Motion Carried.

Article 21. *Massachusetts Highway Department Chapter 90 Funds for Road and Sidewalk Construction and Repairs.* To see if the Town will vote to appropriate

the sum of \$31,074.62 from funds available from the Massachusetts Highway Department for the undertaking of road and sidewalk construction and repairs under the provisions of Section 34(2)(a) of Chapter 90 of the General Laws and Chapter 53 of the Acts of 1999; or to take any other action relative thereto.

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

Finance Committee Recommends: 6-0-0

Board of Selectmen Recommends: 5-0-0

Elizabeth Steele-Jeffers moved article 21 as printed in the warrant.

Motion Carried.

Article 22. *Approve EOA Project Application for Provincetown Gym & Fitness, Inc.* To see if the Town will vote to approve the Project Certification Application submitted by Provincetown Gym & Fitness, Inc. located within the Shank Painter Economic Opportunity Area at 81 Shank Painter Road, Assessors Map 07-3-023-c; and the Tax Increment Financing (TIF) agreement for a period of five years as voted by the Provincetown Board of Selectmen on November 22, 1999 with 60% exemption of new value increment in Years 1 and 2, 50% in Years 3 and 4, and 40% in Year 5. This approval is for the information contained in both the EOA Application and Project Certification Application that confirms: the project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion in the Economic Opportunity Area; and the project as described in the Project Certification Application, will increase employment opportunities for residents of Provincetown, thereby reducing blight, economic depression and reliance on public assistance; and the Town requests that the project be designated as a Certified Project for a term of five (5) years; or to take any action relative thereto.

[Requested by Board of Selectmen]

Finance Committee Recommends: 4-0-1

Board of Selectmen Recommends: 4-1- 0

Elizabeth Steele-Jeffers moved that the Town vote to approve the Project Certification Application submitted by Provincetown Gym & Fitness, Inc. located within the Shank Painter Economic Opportunity Area at 81 Shank Painter Road, Assessors Map 07-3-023-c; and the Tax Increment Financing (TIF) agreement for a period of five years as voted by the Provincetown Board of Selectmen on November 22, 1999 with 60% exemption of new value increment in Years 1 and 2, 50% in Years 3 and 4, and 40% in Year 5. This approval is for the information contained in both the EOA Application and Project Certification Application that confirms: the project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion in the Economic Opportunity Area; and the project as described in the Project Certification Application, will increase employment opportunities for residents of Provincetown, thereby reducing blight, economic depression and reliance on public assistance; and the Town requests that the project be designated as a Certified Project for a term of five (5) years.

Motion Carried.

Article 23. *Approve EOA Project Application for KC's Animal Resort.* To see if the town will vote to approve the Project Certification Application submitted by Brandychamp Realty/K.C.'s Animal Resort and Dr. John Kelly d/b/a Lower Cape Veterinarian Service located within the Shank Painter Economic Opportunity Area at 79 Shank Painter Road, Assessors Map 07-4-077-A; and the Tax Increment Financing (TIF) agreement for a period of twenty (20) years as voted by the Provincetown Board of Selectmen on December 13, 1999 with 100% exemption of new value increment in Years 1 through 5; 75% in Years 6 through 10; 50% in Years 11 through 15 and 25% in Years 16 through 20. This approval is for the information contained in both the EOA Application and Project Certification Application that confirms: the project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion in the Economic Opportunity Area; and the project as described in the Project Certification Application, will increase employment opportunities for residents of Provincetown, thereby reducing blight, economic depression and reliance on public assistance; and the Town requests that the project be designated as a Certified Project for a term of twenty years (20) years; or to take any action relative thereto.

[Requested by Board of Selectmen]

Finance Committee Recommends: 4-0-1

Board of Selectmen Recommends: 4-1-0

Elizabeth Steele-Jeffers moved to see if the Town will vote to approve the Project Certification Application submitted by Brandychamp Realty/K.C.'s Animal Resort and Dr. John Kelly d/b/a Lower Cape Veterinarian Service located within the Shank Painter Economic Opportunity Area at 79 Shank Painter Road, Assessors Map 07-4-077-A; and the Tax Increment Financing (TIF) agreement for a period of twenty (20) years as voted by the Provincetown Board of Selectmen on December 13, 1999 with 100% exemption of new value increment in Years 1 through 5; 75% in Years 6 through 10; 50% in Years 11 through 15 and 25% in Years 16 through 20. This approval is for the information contained in both the EOA Application and Project Certification Application that confirms: the project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion in the Economic Opportunity Area; and the project as described in the Project Certification Application, will increase employment opportunities for residents of Provincetown, thereby reducing blight, economic depression and reliance on public assistance; and the Town requests that the project be designated as a Certified Project for a term of twenty years (20) years; or to take any action relative thereto.

Motion Carried.

Elizabeth Steele-Jeffers moved to dissolve the Special Town Meeting 10:12

Motion Carried.

