

Town of Provincetown
Annual Town Meeting – Monday, April 3, 2023

Meeting Called to Order. Town Moderator, Mary-Jo Avellar convened the Annual Town Meeting at 6:00 pm on Monday, April 3, 2023 in the Town Hall Auditorium

Preliminary Motions offered by the David Abramson, Chairman of the Select Board:

MOTION: David Abramson moved that the Town vote to waive the reading of the warrant.

Motion passed. 6:05 pm

MOTION: David Abramson moved that the Town vote to grant permission to speak at the April 3, 2023 Annual Town Meeting to the following persons who are not registered voters of the Town of Provincetown:

John Giorgio, Esq., and other attorneys of the firm of KP Law, P.C., Town Counsel;
Patricia Miller, President, Provincetown Part-time Resident Taxpayers Association;
Erin Rowan, Rowan Boatworks;
Josh Rowan, Rowan Boatworks;
Vanessa Vartabedian, Provincetown Community Television;
Scott Fahle, Principal Assessor;
Linda Fiorella, Licensing Agent;
James Golden, Chief of Police;
Gregory Hennick, Police Lieutenant;
Beau Jackett, Director of Management Information Systems;
Michelle Jarusiewicz, Community Housing Director;
William Juraschek Bautista, Airport Manager;
Katie Milledge, Treasurer Collector;
Brandon Motta, Recreation Director;
Elizabeth Paine, Town Clerk;
Sherry Prada, Deputy Public Works Director;
Nick Robertson, Town Accountant;
Cody Salisbury, Water Superintendent;
Elisabeth Verde, Executive Assistant to the Town Manager;
James Vincent, Director of Public Works.

Motion passed. 6:05 pm

MOTION: David Abramson moved that on all matters to come before the April 3, 2023 Annual Town Meeting, 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 passed. 6:05 pm

MOTION: David Abramson moved that notwithstanding the requirements for a public hearing on each warrant article contained in Section 2-3-g of the Town

Charter, Town Meeting may consider and act on all articles on the warrant for this Town Meeting.

Motion passed. 6:05 pm

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to transfer \$6,250.72 from 910 Employee Benefits and Other Insurance to pay the following unpaid bills from fiscal year 2022:

Vendor	Amount	Department
Sunderland Printing	\$3,750.00	Bike Committee
Regional Water Authority	\$1,640.00	Water Department
CDW Government	\$545.47	MIS Department
WB Mason	\$315.25	Fire Department
Total	\$6,250.72	

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion passed with a four-fifths vote at 6:08 pm.

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

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

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

[Requested by the Select Board and Town Manager]

MOTION: FY2024 OPERATING BUDGET

Alex Morse moved that the Town vote to approve the Fiscal Year 2024 operating budget as printed in the warrant and further to raise and appropriate the sum of 33,310,333, transfer \$6,000 from the Wetlands Protection Fund, \$30,000 from the Title V Revolving Fund,

\$30,000 from the Ferry Embarkation Fund, \$90,000 from Municipal Waterways Fund, and \$300,000 from the Tourism Fund for a total of \$33,766,333, as recommended by the Select Board and Finance Committee;

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

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion passed at 6:10 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to raise and appropriate the sum of \$180,313 for its tuition assessment and the sum of \$80,066 for its capital assessment for a total of \$260,379 for Cape Cod Technical Regional High School for FY 2024.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

School Committee Recommends 3-0-0

Motion passed at 6:11 pm.

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

6001 Water Enterprise Fund	FY 2023	FY2024	% change
Enterprise Fund Costs	\$2,253,972	\$2,421,414	7.429%
General Fund Costs	\$371,000	\$371,000	0%
TOTAL COSTS	\$2,624,972	\$2,792,414	6.379%
6002 Wastewater Enterprise Fund	FY 2023	FY 2024	% change
Enterprise Fund Costs	\$4,209,063	\$3,566,467	-15.267%
General Fund Costs	\$74,000	\$74,000	0%
TOTAL COSTS	\$4,282,063	\$3,640,467	-15.003%

or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

MOTION - Enterprise Funds. Alex Morse moved that the Town vote to raise and appropriate \$2,702,871 from Water Enterprise Fund revenues, \$3,452,261 from Wastewater Enterprise Fund revenues, \$188,206 from Wastewater fund balance reserved for debt service and \$89,543 from Water Enterprise retained earnings, for a total of \$2,792,414 for the Water Enterprise Fund and \$3,640,467 for the Wastewater Enterprise Fund.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Water Board Recommends the WEF 6-0-0

Sewer Board Recommends the WWEF 4-0-0

Motion passed at 6:13 pm.

Article 5. Provincetown Public Television Funding. To see if the Town will vote to appropriate an amount from the PEG Access and Cable Related Fund for PEG access television; or to take any other action relative thereto.

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 5 as printed in the warrant and further to appropriate the sum of \$172,557 from the PEG Access and Cable Related Fund.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion passed at 6:13 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 6 as printed in the warrant and further to transfer \$622,129.11 from the Emergency Stabilization Fund to the General Stabilization Fund.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion Passed with a Two-Thirds Vote at 6:14 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to transfer the sum of \$100,000 from free cash to the General Stabilization Fund.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion passed at 6:16 pm.

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

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

CPA MOTION 1: Parts 1 and 2 Reserves and Debt Service Alex Morse moved that the Town vote to set aside from Community Preservation Act estimated annual revenue the sum of \$105,851 for the Open Space reserve fund, the sum of \$105,851 for the historic resources reserve fund and the sum of \$635,108 for the Community Housing Reserve Fund;
and further to appropriate the sum of \$315,430 to fund debt service for Fiscal Year 2024 as follows: \$37,661 from Open Space reserves, the sum of \$119,037 from Historic Preservation reserves and the sum of \$158,732 from Community Housing reserves.

Community Preservation Committee Recommends 8-0-0

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Motion passed at 6:17 pm.

CPA MOTION 2: Part 3 Grants and Administrative Expenses Alex Morse moved that the Town vote to appropriate the following amounts to be expended for the following purposes from Community Preservation Undesignated Fund Balance, each being considered a separate appropriation, said funds to be expended under the direction of the Town Manager:

	Amount	Description
A.	\$35,000	Administrative Expenses - for CPA administrative expenses for the Community Preservation Committee and other expenses as needed.
B.	\$500,000	Community Housing – a request by The Community Builders in support of deed restricted year-round rental units at 3 Jerome Smith Road.
C.	\$225,000	Community Housing – a requested by the Community Housing Council to transfer funds to the Affordable Housing Trust to provide funds for various eligible housing programs and strategies.
D.	\$75,000	Community Housing – a request by Juniper Hill Affordable Housing Development in support of deed restriction housing at 95 Lawrence Road, Wellfleet, MA.
E.	\$100,000	Open Space/Recreation – a request by the Recreation Commission for the resurfacing of the Chelsea Earnest Memorial Playground.
F.	\$73,000	Historic Preservation – a request by the Provincetown Art Association and Museum for the roof replacement of the historic house at 460 Commercial Street.
G.	\$73,000	Historic Preservation – a request by <i>The Hindu</i> to rebuild and planking of the deck of the historic sailing vessel.

Donna Cooper moved to divide article 8, part 2.

Motion to divide the article does not pass. 6:27 pm

Community Preservation Recommends items A, B, E, and F 8-0-0

Community Preservation Recommends item C, G 7-0-1

Community Preservation Recommends item D 6-2-0

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Recreation Commission Recommends item E 5-0-0

Community Housing Council Recommends items B, C, and D 5-0-0

YRMR Rental Housing Trust Recommends Items B, C, and D 5-0-0

Motion passed at 6:28 pm.

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

CIP MOTION 1. CAPITAL IMPROVEMENT ARTICLES FUNDED FROM THE CAPITAL IMPROVEMENT STABLIZATION FUND: Alex Morse moved that the Town vote to transfer \$785,000 from the Capital Stabilization Fund and to authorize the Town Manager in conjunction with the Department Head to enter into such contracts, including lease purchase agreements for terms not to exceed 5 years to fund the following, each being considered a separate appropriation:

	Department	Description	Amount
A	Airport	Construct Snow Equipment Removal Building	\$20,000
B	ComDev	Coastal Resilience and Climate Action Plan	\$300,000
C	ComDev	Eder Conservation Area – Demolition and Debris Removal	\$75,000
D	ComDev	Long Point Dike Modification Project	\$120,000
E	ComDev	Demolition and Site Preparation for 288A Bradford Street and 26 Shank Painter Road	\$200,000
F	Fire	Main Station Heater Blowers Replacement	\$70,000
		Total CIP Motion 1:	\$785,000

and costs related thereto;

Motion Passed by a Two-Thirds Vote at 6:29 pm.

CIP MOTION 2. CAPITAL IMPROVEMENT ARTICLES FUNDED FROM FREE CASH Alex Morse moved that the Town vote to transfer \$3,001,000 from Free Cash and to authorize the Town Manager in conjunction with the Department Head to enter into such contracts, including lease purchase agreements for terms not to exceed 5 years to fund the following, each being considered a separate appropriation:

	Dept	Description	Amount
G	Fire	Ambulance 197 Replacement	\$450,000
H	Fire	Upfit High Water Rescue Truck	\$100,000
I	Fire	LIFEPAK, AED and LUCAS Replacement	\$225,000
J	Harbor	Harbormaster Boat Replacement	\$236,000
K	Marine	Ongoing Beach Maintenance and Dredging	\$50,000
L	Pier	Pier Electrical Upgrades	\$30,000
M	Pier	Pier Infrastructure Maintenance and Fender Pile Replacement	\$200,000
N	Pier	Pier Lighting Upgrades and Design	\$30,000
O	Police	Police Vehicle Fleet Replacement	\$135,000
P	DPW	Public Works Vehicle Fleet Replacement	\$335,000
Q	DPW	Building Capital Maintenance Plan	\$375,000
R	DPW	Streets, Sidewalks and Bike Path	\$55,000
S	DPW	Stormwater Improvements	\$100,000
T	DPW	Bas Relief Final Phase Repair	\$40,000

U	DPW	Fire Monitoring System Replacement	\$80,000
V	DPW	Interior Library Improvements	\$130,000
W	DPW	Province Landing Rd Pedestrian Improvements	\$50,000
X	Rec	VMCC Recreation Floor Refinishing	\$35,000
Y	School	Fences Surrounding Early Learning Center	\$35,000
Z	YRMRRHT	Harbor Hill Roof Replacement	\$310,000
		Total CIP Motion 1:	\$3,001,000

and costs related thereto;

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Public Pier Corporation Recommends items J, K, L, M and N 5-0-0

Conservation Commission Recommends item K 5-0-0

Community Housing Council Recommends item Z 5-0-0

School Committee Recommends item Y 3-0-0

Board of Health Recommends item S 3-0-0

YRMR Rental Housing Trust Recommends item Z 5-0-0

Recreation Commission Recommends item X 5-0-0

Harbor Committee Recommends item J 4-0-1

Coastal Resiliency Advisory Recommends I, K,M,N,R,S, and W 5-0-0

Motion passed by a Two Thirds vote at 6:43 pm.

CIP MOTION 3. CAPITAL IMPROVEMENT ARTICLE FUNDED FROM A TRANSFER FROM UNEXPENDED FUNDS FROM PREVIOUSLY APPROVED TOWN MEETING ARTICLES AND FREE CASH.

Alex Morse moved that the Town vote to transfer \$20,334.36 from 2018 Annual Town Meeting Article 24, VFW Development Consultant, \$113,750.00 from 2019 Annual Town Meeting Article 13E Library Generator, and \$40,915.64 from Free Cash for a total of \$175,000 to be expended under the direction of the Town Manager for the installation of pickleball courts at the Jerome Smith Parking lot, and cost related thereto.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Recreation Commission Recommends 5-0-0

Motion passed by a Two Thirds vote at 6:46 pm.

CIP MOTION 4. PIER WATERLINE REPLACEMENT FUNDED FROM BORROWING CONTINGENT UPON A PROPOSITION 2 ½ DEBT EXCLUSION

Alex Morse moved the Town vote to appropriate a total of \$1,700,000, to be expended under the direction of the Town Manager and the Pier Manager, for the replacement of the MacMillan Pier Waterline, including without limitation all costs related thereto, and, that to meet this appropriation the Treasurer with the approval of the Select Board is hereby authorized to borrow \$1,700,000 pursuant to M.G.L. c 44, §§ 7 and 8, or any other enabling authority and to issue bonds and notes therefor. No amounts shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to repay any borrowing pursuant to this vote from the limitations on local property taxes set forth in G.L. c 59 §21C (also known as Proposition 2 ½).

Select Board Recommends	5	0	0
Finance Committee Recommends	7	0	0
Public Pier Corp Recommends	5	0	0
Board of Health Recommends	3	0	0
Coastal Resilience Advisory Recommends	5	0	0

Motion Passed with a Two-Thirds Vote at 6:48 pm.

CIP MOTION 5. WATER ENTERPRISE FUND CAPITAL IMPROVEMENT ARTICLES FUNDED FROM RETAINED EARNINGS:

Alex Morse moved that the town vote to appropriate from Water Enterprise Fund Retained Earnings a total of \$200,000 to fund the following Capital Improvement articles:

	Description	Amount	Funding Source
9CC	Water Meter Replacement Program	\$50,000	Retained Earnings
9DD	SCADA System Upgrades	\$150,000	Retained Earnings

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Board of Health Recommends 3-0-0

Coastal Resiliency Advisory Recommends 5-0-0

Water Board Recommends 6-0-0

Motion passed at 6:49 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 10 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Motion passed at 6:50 pm.

Article 11: Supplemental Funding for 3 Jerome Smith Road Housing Development.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 11 as printed in the warrant and further to transfer \$1,650,000 from the Tourism Fund and \$600,000 from free cash for a total of \$2,250,000.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Community Housing Council Recommends 5-0-0

YRMR Rental Housing Trust Recommends 5-0-0
Visitor Services Board Recommends 4-1-1
Motion passed by a Two Thirds vote at 7:05 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 12 as printed in the warrant and further to transfer from free cash the sum of \$325,000.

Select Board Recommends 5-0-0
Finance Committee Recommends 7-0-0
Community Housing Council Recommends 5-0-0
YRMR Rental Housing Trust Recommends 5-0-0
Motion passed at 7:08 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 13 as printed in the warrant and further to transfer from free cash the sum of \$50,000.

Select Board Recommends 5-0-0
Finance Committee Recommends 7-0-0
Community Housing Council Recommends 5-0-0
YRMR Rental Housing Trust Recommends 5-0-0
Motion passed at 7:18 pm.

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

[Requested by the Select Board and Town Manager]

MOTION: Alex Morse moved that the Town vote to approve Article 14 as printed in the warrant and further to transfer from free cash the sum of \$100,000.

Select Board Recommends 5-0-0
Finance Committee Recommends 7-0-0
Community Housing Council Recommends 5-0-0
YRMR Rental Housing Trust Recommends 5-0-0
Motion passed at 7:28 pm.

Article 15: Home Rule Petition. Acquisition of Year-Round Housing Occupancy Restrictions. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to provide as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill so

submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

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

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

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

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

Town- the Town of Provincetown.

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

SECTION 2. Notwithstanding any special or general law to the contrary in the Commonwealth, the Provincetown Year-Round Market Rate Rental Housing Trust created pursuant to Chapter 305 of the Acts of 2016 of the General Court, or an authorized municipal board or agency approved by the Select Board, may acquire a year-round housing occupancy restriction for rental or ownership housing.

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

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

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

release of the restriction must be recorded or registered in the Barnstable County Registry of Deeds or the Barnstable Registry District of the Land Court, as applicable.

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

SECTION 7. This act shall take effect upon its passage.
Or to take any other action relative thereto.

[Requested by the Select Board]

MOTION: Alex Morse moved that the Town vote to authorize the Select Board to file a Home Rule Petition relative to the Acquisition of the Year-Round Housing Occupancy Restrictions as printed in the warrant under Article 15.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Community Housing Council Recommends 4-0-1

YRMR Rental Housing Trust Recommends 5-0-0

Board of Health Recommends 3-0-0

Motion passed at 7:30 pm.

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

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

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

SECTION 1. Section 1 of Chapter 25 of the Acts of 2018 is hereby amended by adding the following phrase in line 10 after the words "income tax purposes:- or (iii) on up to four (4) units of a residential multi-unit parcel occupied by either the taxpayer of the property and used as their principal residence for income tax purposes or a resident of the town of Provincetown, who occupies the unit on a year-round rental basis and is used as his or her principal residence for income tax purposes.

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

[Requested by the Select Board and the Town Manager]

MOTION: Alex Morse moved that the Town vote to authorize the Select Board to file a Home Rule Petition relative to an Expansion of the Residential Tax Exemption for Year Round Rentals as printed in the warrant under Article 16.

Select Board Recommends 5-0-0

Finance Committee Recommends 8-0-0

Community Housing Council Recommends 5-0-0

YRMR Rental Housing Trust Recommends 5-0-0

Board of Assessor Recommends 5-0-0

Board of Health Recommends 3-0-0

Motion passed at 7:31 pm.

Town Meeting took a 15 minute recess.

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

CHAPTER _____ : PLASTIC REDUCTION

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

Effective Date

This Bylaw shall take effect on September 1, 2024.

Purpose and Intent

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

Definitions

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

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

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

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

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

“Town Facility Users” means all persons, societies, associations, organizations, or special event promoters who require a permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town’s expense.

Prohibition

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

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

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

Administration and Enforcement.

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

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

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

Or to take any other action relative thereto.

[Requested by Marjorie Kehne, and others]

MOTION: Marjorie Kehne moved that the Town vote to amend the Provincetown General Bylaw as printed in the warrant under Article 17.

Select Board Reserved Recommendation 5-0-0

Open Space Committee Recommends 4-0-0

Board of Health Recommends 3-0-0

Frank Vasello moved to indefinitely postpone Article 17.

Motion to indefinitely postpone passed at 8:00 pm.

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

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

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

1. Enable residents to earn extra money from their properties to better afford to live here, maintain their properties, and contribute to the community.

2. Minimize public safety and health risks.

3. Deter commercial interests from buying housing to use primarily as short-term rental businesses.

4. Protect existing year round rental housing stock.

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

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

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

An Owner may register to operate only one dwelling unit as a Short-Term Rental. If a person owns two properties, or owns one and is listed as a manager or agent for a second that is owed by an LLC, for example, that person must choose one or the other to be registered as a Short-Term Rental. No person shall have more than one legal or equitable title or beneficial interest in any dwelling unit used for a Short-Term Rental except as provided for above. An Owner may hire a property management company to list and manage Short-Term Rentals, but the registration must be in the Owner's name.

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

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

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

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

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

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

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

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

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

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

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

Or to take any other action relative thereto.

[Requested by Michael Gaucher, and others]

**Rob Tosner moved to indefinitely postpone articles 18, 19 and 20. passed at 9:16 pm
Motioned passed 270 in favor 170 opposed at 9:16 pm.**

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

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

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

a. Encourage the creation of a range of housing opportunities for households of all incomes, ages and sizes in order to support a strong, stable and diverse year round community and a viable and healthy local workforce and to prevent the displacement of Provincetown residents;

b. Mitigate the negative impact of residential development on the availability and cost of housing;

c. Protect the long-term affordability of such housing through appropriate, enforceable restrictions that run with the land;

d. Ensure enough short-term rental properties to support a vibrant tourism economy.

18.2.2. Definitions

"Short-term rental" is defined in the regulations of the Massachusetts Department of Revenue for the purpose of state and local occupancy excise taxes, 830 CMR 64G and in the Regulations of the Provincetown Board of Health, Article 5 -Habitations for Rent Regulation.

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

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

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

18.2.3. Limits,

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

a. The Board of Health shall establish a system by lottery or other means that promotes the purposes of this bylaw to determine the priority of applications that exceed the limit established by this bylaw.

b. In the event that a property owner voluntarily relinquishes their Short-term Rental certificate, the Board of Health revokes a Short-term Rental Certificate or a property that has a Short-term Rental Certificate is transferred to a new owner, the current Short-term

Rental Certificate shall be canceled, and another may be issued, if the cap has not been reached.

c. In the event of non-use of a certificate, the certificate shall be revoked and only reissued to that property if the cap has not been reached.

18.2.4. Penalties

a. The Penalties set forth in Article 5 -Habitations for Rent Regulation shall apply to violations of this bylaw.

b. In addition, any property that is found to have violated the Board of Health Regulations by offering a Short-term Rental without the appropriate certificate during the period when the cap has been reached shall be ineligible for a Short-term Rental Certificate for the rest of the year in which the violation is found to have occurred.

18.2.5. Severability.

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

18.2.6 Effective Date

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

[Requested by Michael Gaucher, and others]

**Rob Tosner moved to indefinitely postpone articles 18, 19 and 20. passed at 9:16 pm
Motioned passed 270 in favor 170 opposed at 9:16 pm.**

Article 20. Petitioned Article – General Bylaw Amendment - Short Term Rental Cap with Transferable License Program (*Deletions shown in strike-through and new text shown as underlined.*) To see if the Town will vote to amend the Provincetown General Bylaws by Creating Chapter 18, Housing as follows:

18.1 Short Term Rental Certificates – Limits and Transferability

18.1.1 Purpose

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

a. to ensure that the town maintains a physical inventory of long-term residential units for households of all incomes, ages and sizes in order to support a strong, stable and diverse year-round community, a viable and healthy local workforce, and to mitigate the displacement of Provincetown residents;

b. To mitigate the negative impact of short-term housing on the availability and cost of long-term housing;

c. To protect the long-term existence of long-term housing through appropriate, enforceable actions including capping the number of short-term rental certificates in the town;

d. To provide a mechanism by which short-term rental certificates can be maintained, transferred, regulated, and managed in order to support and sustain the tourism sector, which is vital to the town's economy.

18.1.2 Definitions

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

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

18.1.3 Regulations

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

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

In the case of residential properties that are owned by LLCs, Corporations, or Trusts, a corresponding STR certificate can only be held by an associated natural human being. Valid STR certificates may be transferred to an existing or new owner who has not had a certificate suspended or revoked in the past two years. While the new owner must be eligible under the standards of this bylaw, the transfer of a license from one owner to another shall be considered a permissible and private transaction. (For example, the seller of a property may choose to transfer their STR certificate directly to the buyer of that property. The buyer of a property without an STR certificate may seek to purchase an STR certificate from the owner of another property – thereby ensuring that whenever a new STR is created in Provincetown, another property shall exit the STR market.) The number of certificates shall be capped at their current verified number, 1283. STR certificates may be suspended for a set period of time by the Board of Health for cause, or may be revoked entirely. Suspended certificates may be transferred to existing or new eligible owners, and continue to count against the cap during their suspension. Every property that has paid STR taxes to the state between July 1, 2019 and March 1, 2023 is presumptively eligible to be issued an STR certificate within the newly-defined cap. Properties that have not paid STR taxes to the state but that can demonstrate an STR rental history to the satisfaction of the Board of Health may be eligible to be issued a certificate under the cap. Once the 1283 STRs that appear to presently exist have been issued certificates, owners of property without a short-term rental history who wish to convert their residential properties to short-term rental use will need to arrange for the transfer of an existing STR certificate to themselves.

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

18.1.4 Penalties

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

\$300 1st Offense and each subsequent offense

Each day that a violation exists constitutes a separate offense.

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

18.1.5 Board of Health Authority

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

[Requested by Paul Benson, and others]

**Rob Tosner moved to indefinitely postpone articles 18, 19 and 20. passed at 9:16 pm
Motioned passed 270 in favor 170 opposed at 9:16 pm.**

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

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

[Requested by Shira Kavon, and others]

MOTION: Shira Kavon moved that the Town vote to approve Article 21 as printed in the warrant.

Select Board Recommends 4-1-0

Visitor Services Board Not Recommend 5-1-0

Open Space Committee Recommends 3-0-1

Motion passed at 9:32 pm.

Kenneth Russell DeGraff moved to reconsider the motion to indefinitely postpone Articles 18, 19 and 20.

Motion failed at 9:37pm.

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

[Requested by Gordon Siegel, and others]

MOTION: Gordon Siegel moved that the Town vote to approve Article 22 as printed in the warrant.

Select Board voted to Reserve Recommendation 4-1-0

Visitor Service Board voted to Not Recommend 6-0-0

Motion failed at 9:39 pm.

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

[Requested by Jonathan Sinaiko, and others]

MOTION: Alex Morse moved on behalf of the petitioner to Indefinitely Postpone Article 23.

Select Board voted to Not Recommend 4-1-0

Community Housing Council voted to Not Recommend 4-1-0

Motion to indefinitely postpone passed at 9:39 pm.

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

[Requested by the Select Board]

MOTION: Alex Morse moved that the Town vote to approve Article 24 as printed in the warrant.

Select Board Recommends 5-0-0

Motion passed at 9:40 pm.

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

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

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

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the licensing authority of the Town of Provincetown may grant 5 additional licenses for the sale of alcoholic beverages to be drunk off the premises under Section 12 of said Chapter 138. The licenses shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all requirements of said chapter 138, except said section 17 relative to the number of licenses that may be granted.

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

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

[Requested by the Licensing Board]

MOTION: Alex Morse moved that the Town vote to authorize the Select Board to file a Home Rule Petition relative to the granting of Alcohol Beverage Licenses as printed in the warrant under Article 25.

Licensing Board Recommends 5-0-0
Select Board Recommends 5-0-0
Finance Committee Recommends 7-0-0
Motion passed at 9:41 pm.

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

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

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

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

SECTION 2. This act shall take effect upon its passage.

Or to take any other action relative thereto.

[Requested by the Select Board]

MOTION: Alex Morse moved that the Town vote to authorize the Select Board to file a Home Rule Petition to amend the Charter as printed in the warrant under Article 26.

Select Board Recommends 5-0-0

Motion passed at 9:42 pm.

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

11-6-4. Obstructions within the Public Ways. In order to preserve and promote the safety of the public, no property owner shall permit an encroachment or obstruction within the public way. Whenever the Director of Public Works, the Fire Chief or the Chief of Police determine that the public way is obstructed by a hedge, tree, brush, or similar natural growth, fence, sign, structure, landscape element or object so as to constitute a public safety hazard to vehicular or pedestrian traffic, or access of emergency or public works vehicles, they shall present a report to the Select Board. The Select Board shall give such notice to interested parties, including affected property owners, as they deem appropriate, and following a public hearing in which a finding of a public safety hazard is made by a majority of the board, may thereafter vote to require that the obstruction be trimmed, altered, removed, or moved so that the public way shall be unobstructed and clear from any public safety hazard. Each year by April 1st and November 1st, the Department of Public Works will issue a public

notice requiring all property owners to trim or remove obstructions within a public way within two weeks of said notice.

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

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

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

Or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

MOTION: Alex Morse moved that the Town vote to amend the Provincetown General Bylaw as printed in the warrant under Article 27.

Select Board Recommends 5-0-0

Motion passed at 9:44 pm.

Article 28. Zoning Bylaw Amendment: Inclusionary and Incentive Zoning Bylaw.

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

6. Submission Requirements and Procedures

- a. Special Permit application, review and decision procedures shall be in accordance with the Provincetown Zoning Bylaw and the Planning Board's rules and regulations.
- b. Affordable and Community Housing units created in accordance with this bylaw shall use deed restrictions that require the units to remain income restricted in perpetuity or the longest period allowed by law and for so long as the unit or project does not conform to the otherwise applicable underlying zoning requirements and any such restriction shall be held by the Town and be released only by a vote of Town Meeting as provided for by state law. Such restriction shall also grant the Town a right of first refusal to purchase a unit in the event that a subsequent qualified purchaser cannot be located, which the Town shall have the right but not the obligation to exercise and shall not release the deed restriction if a qualified purchaser cannot be located.

~~c. No Building Permit shall be issued for any units in the development until the Planning Department receives evidence that the Affordable Housing restriction has been approved by DHCD, or the Community Housing restriction has been approved by Town Counsel.~~
d. No Certificate of Occupancy shall be issued for any units in the development until the Planning Department receives evidence that the housing restriction has been executed and recorded at the Barnstable County Registry of Deeds has been accepted by the Select Board. The last Certificate of Occupancy within the development shall not be issued unless and until all the housing restrictions have been recorded.
or to take any other action relative thereto.

[Requested by the Planning Board]

MOTION: Alex Morse moved that the Town vote to amend the Provincetown Zoning Bylaw as printed in the warrant under Article 28.

Planning Board Recommends 5-0-0

Select Board Recommends 5-0-0

Community Housing Council Recommends 5-0-0

YRMR Rental Housing Trust Recommends 5-0-0

Motion Passed by a Two-Thirds Vote at 9:45 pm.

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

2320 High Elevation Protection District

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

2. In its High Elevation Site Plan Review, the Planning Board shall apply the following standards:
 - a. Placement of buildings, structures, or signs shall not detract from the site's scenic qualities and shall blend with the natural landscape.
 - b. Building sites shall be directed away from the crest of hills in order to preserve the visual and physical integrity of the dune unless such siting shall be more detrimental to the physical integrity of the dune.
 - c. Developments for more than one structure shall incorporate variable setback and multiple orientation.
 - d. Foundations shall be constructed to reflect natural slope of the terrain; excessive support members or mechanical systems shall be covered and screened.
 - e. Planting materials Landscaping shall consist primarily of native trees and plants, in coordination with the Provincetown Tree Warden.
 - f. Retaining walls shall be screened with appropriate materials.
 - g. Any grading or earth-moving shall be planned and executed in such a manner that final contours are consistent with existing terrain both on and adjacent to the site.
 - h. Utilities shall be constructed and routed to minimize detrimental effects on the visual setting.
 - i. Storage of petroleum products shall be placed on a diked impermeable surface.
 - j. All run-off from impervious surfaces shall be recharged on site by being diverted to storm water infiltration basins designed to handle a 25-year storm and covered with natural vegetation.
 - k. No area totaling 2000 square feet or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6 inches or more so as to destroy existing vegetation unless special controls are delineated and approved to control run-off, avoid erosion, and either a constructed surface or cover vegetation, provided and mulched by end of August. No such areas shall remain through the winter without plant material cover.
 - l. During construction runoff shall be trapped on site and all exposed or disturbed areas shall be temporarily stabilized within three months and shall be permanently stabilized within six months of (permanent or final) the end of work.
 - m. That the plan shall conform to the Illumination Standards of Section 3430 Illumination.
- D. Special Regulations for High Elevation Protection District B In addition to the above, construction of buildings which extend beyond the height of existing vegetation (including trees) shall be prohibited in this District, or no building shall be greater than 1 1/2 story high. Or to take any other action relative thereto.

[Requested by the Planning Board]

MOTION: Alex Morse moved that the Town vote to amend the Provincetown Zoning Bylaw as printed in the warrant under Article 29.

Planning Board Recommends 5-0-0

Select Board Recommends 5-0-0

Coastal Resiliency Advisory Recommends 5-0-0

Motion Passed by a Two-Thirds Vote at 9:52 pm.

CONSENT AGENDA - Articles 30 - 37

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

MOTION: Alex Morse moved to approve articles 30 through 37 as printed in the warrant by unanimous consent without objection;

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Board of Health Recommends Articles 30 – 35 3-0-0

Motion Passed at 9:57 pm.

Elise Cozi moved to remove Article 31 from consent agenda.

Motioned failed at 9:45 pm

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

[Requested by the Select Board and the Town Manager]

MOTION: Alex moved that the Town approve article 30 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Board of Health Recommends 3-0-0

Motion Passed at 9:57 pm.

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

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

or to take any other action relative thereto.

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

MOTION: Alex Morse moved that the Town vote to approve Article 31 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Board of Health Recommends 3-0-0

Visitor Services Board Recommends 6-0-0

Motion Passed at 9:57 pm.

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

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

or to take any other action relative thereto.

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

MOTION: Alex Morse moved that the Town vote to raise and appropriate the sum of \$100,800 to be expended under the direction of the Select Board, to fund grants to assist 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 printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Community Housing Council Recommends 5-0-0

YRMR Rental Housing Trust Recommends 5-0-0

Board of Health Recommends 3-0-0

Motion Passed at 9:57 pm.

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

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

or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

MOTION: Alex Morse moved that the Town vote to authorize FY 2024 spending limits for the eight existing revolving accounts established pursuant to MGL C.44, §53E½ as printed in the warrant;

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Community Housing Council Recommends 5-0-0

YRMR Rental Housing Trust Recommends 5-0-0

Board of Health Recommends 3-0-0

Motion Passed at 9:57 pm.

Article 34. Funding for Economic Development Committee. To see if the Town will vote to raise and appropriate \$76,000 with \$1,000 for Committee expenses and \$75,000 in funds available to be awarded in grants to develop increased year-round economic opportunities. Grants shall be subject to approval by the Select Board. Committee Mission Statement: Encourage initiatives to which the Town of Provincetown might grant funding that will increase year-round economic opportunities for Provincetown citizens without creating adverse impacts on the character of our community or our natural environment; or to take any other action relative thereto.

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

MOTION: Alex Morse moved that the Town vote to approve Article 34 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Motion Passed at 9:57 pm.

Article 35. Funding for Cultural Council. To see if the Town will vote to raise and appropriate \$10,000 in funds available to be awarded in grants to develop community – oriented arts, humanities and science opportunities for Provincetown. Grants shall be subject to approval by the Provincetown Cultural Council in accordance with guidelines established by the Massachusetts Cultural Council; or to take any other action relative thereto.

[Requested by the Cultural Council]

MOTION: Alex Morse moved that the Town vote to approve Article 35 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Board of Health Recommends 3-0-0

Cultural Council Recommends 5-0-0

Motion Passed at 9:57 pm.

Article 36. 0.5% Real Estate Transfer Fee - A Home Rule Petition. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the Town to impose a 0.5% real estate transfer fee as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

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

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

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

A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."

B. Transfers to the government of the U.S., the Commonwealth, the Town of Provincetown and any of their instrumentalities, agencies or sub-divisions, such as the Provincetown Housing Authority.

C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.

D. Transfers of convenience with consideration under \$100 which include: name change, into trusts, out of trust, etc.

E. Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.

F. Transfers between family members, marriage partners, parents and children, grandchildren, stepparents and stepchildren, brothers and sisters.

G. Transfers of any unit covered by a year round housing deed restriction.

Section 3.

A. The fee imposed shall be due at the time of the transfer of the real property interest.

B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid real estate taxes.

C. The Town shall notify a buyer by registered or certified mail of any failure to discharge the amount in full of fee due.

D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract.

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

[Requested by the Select Board and the Town Manager]

MOTION: I move that the Town vote to approve Article 36 as printed in the warrant.

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Community Housing Council Recommends 3-2-0

YRMR Rental Housing Trust Recommends 3-2-0

Motion Passed at 9:57 pm.

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

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

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

Grade	Compensation Range		Position
	FY2023 Current	FY2024 Proposed	
	[exempt MGL c41 s108N] [exempt MGL c41 s108O]		Town Manager Chief of Police
15	\$108,173 - \$140,453	\$110,336 - \$143,262	Assistant Town Manager Public Works Director Fire Chief Finance Director Community Development Director
14	\$100,626 - \$130,654	\$102,639 - \$133,267	Police Lieutenant Building Commissioner Water Superintendent
13	\$93,606 - \$121,538	\$95,478 - \$123,969	Deputy Public Works Director MIS Director Pier Facilities Manager*
12	\$87,075 - \$113,059	\$88,817 - \$115,320	Library Director Recreation Director Town Engineer Treasurer/Collector Director of COA/ Human Services Town Planner Director of Tourism Principal Assessor Harbormaster Health Director Town Clerk Environmental Planner/Conservation Agent
11	\$81,000 - \$105,171	\$82,620 - \$107,274	DPW Facilities Manager Human Resources Manager EMS Coordinator Housing Specialist MIS Analyst/Business Systems Manager
10	\$69,892 - \$90,748	\$71,290 - \$92,563	DEI Director Local Building Inspector Health Agent
9	\$66,563 - \$86,426	\$67,894 - \$88,155	Zoning Enforcement/Code Assistant Town Accountant Revenue Officer
8	\$63,394 - \$82,311	\$64,662 - \$83,957	Assistant Library Director Parking Administrator Executive Assistant to Police Chief Executive Assistant to Town Manager Secretary to Select Board Licensing Agent
7	\$60,375 - \$78,391	\$61,583 - \$79,959	Lead Librarian Pier Office Manager*

			Assistant Director of Tourism MIS Technician Outreach Coordinator - COA
6	\$57,500 - \$74,658	\$58,650 - \$76,151	Permit Coordinator Principal Accounting Clerk
5	\$56,521 - \$73,387	\$57,651 - \$74,855	No Positions in Grade
4	\$53,830 - \$69,893	\$54,907 - \$71,291	No Positions in Grade
3	\$51,266 - \$66,564	\$52,291 - \$67,895	No Positions in Grade
2	\$48,825 - \$63,395	\$49,802 - \$64,663	No Positions in Grade
1	\$46,500 - \$60,376	\$47,430 - \$61,584	No Positions in Grade

* Employee of the Provincetown Public Pier Corporation

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

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

EMT-Intermediate	\$34.56/hr	\$35.60/hr	3.00%
EMT-Paramedic	\$36.12/hr	\$37.21/hr	3.00%
Standby	\$40/hr	\$40/hr	0.00%
Detail	\$56.00/hr	\$57.00/hr	2.00%
Safety Inspections	\$25.00/hr	\$25.00/hr	0.00%
Rescue Squad Participation (per quarter)	\$250	\$250	0.00 %

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

Updated Grade	Current FY 2023	Proposed FY 2024	Position
1	\$ 20.16	\$ 20.16	After School Recreation Aides
			Pier Asst. Harbor Master - First Year
			Seasonal Recreation Aides
			COA Program Assistant
			Parking Lot Attendant/In-booth
			Barrels & Grounds Laborer
			Restroom Attendant
			Community Ambassador
			Parking Meter Enforcement
			Police Matron
			Parking Meter Collection/Repair
2	\$ 20.75	\$ 20.75	Pier Corp. Assistant Harbor Master
			Beautification Maintenance
			Building Custodian
			On-call Library Circulation Aide
			Parking Lot Attendant/Out-booth/Floater
			Pier Office Assistant – First Year*
			Seasonal Assistant Harbormaster - First Year*
3	\$ 20.16	\$ 21.34	Special Need Counselor
			Part-time Clerical
			Parking Lot Assistant Technical Manager
			Secretary, On-call Relief
			Transfer Station Laborer
			Returning Pier Office Assistant*
			Returning Seasonal Assistant Harbormaster*
			Returning Pier Maintenance Assistant*
4	\$ 20.16	\$ 21.98	Seasonal Recreation Supervisor
			COA Transport Driver
			On-call Van Driver
			Pier Maintenance Assistant - First Year*
5	\$ 20.16	\$ 22.62	Part-time Library Circulation Aide

			Parking Lot Technical Manager
			Police Matron
6	\$ 20.16	\$ 23.50	Parking and Traffic Officers
			COA Cook/Meal Coordinator
			Special Needs Coordinator
7	\$ 23.50	\$ 24.19	Property Inspector (Assessors)
8	\$ 25.10	\$ 25.10	Pier Corp. Maintenance Tech
			Pier Corp. Deputy Harbor Master
			Pier Corp. Overnight
9	\$ 25.10	\$ 25.83	Police Officer, Summer/Auxiliary
12	\$ 25.10	\$ 28.17	Summer/On-Call Tele-communicator
			Parking Lot Nighttime Attendant
16	\$ 31.84	\$ 32.77	Part-Time Certified Officer
19	\$ 35.02	\$ 35.73	Event Coordinator

* Employee of the Provincetown Public Pier Corporation

Or to take any other action relative thereto.

[Requested by the Select Board and the Town Manager]

MOTION: I move that the Town vote to amend the Personnel Bylaw and Classification and Compensation Plan, as printed in the warrant under Article 37.

Personnel Board Recommends 3-0-0

Select Board Recommends 5-0-0

Finance Committee Recommends 7-0-0

Motion Passed at 9:58 pm.

Motion to dissolve the Annual Town Meeting by Alex Morse.

April 3, 2023 Annual Town Meeting dissolved at 9:59 pm