

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – REGULAR MEETING
MONDAY, MARCH 27, 2017 6:00 PM
TOWN HALL – JUDGE WELSH ROOM**

Chairman Richter convened the open meeting at 6:00 pm noting the following:

Board of Selectmen attending: Chairman Raphael Richter, Vice Chairman Erik Yingling, Members Dr. Cheryl Andrews, and Tom Donegan.

Excused: Robert Anthony

Other attendees: Town Manager David Panagore, Asst. Town Manager David Gardner, Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

Consent Agenda – Approval without objection required for the following items:

- A. *Parade Permit request by Barry Cook on behalf of the AIDS support Group of Cape Cod 9th Annual ASGCC 5k Run/Walk to be held on Sunday July 16, 2017.*
- B. *Parade Permit requested by Brandon Motta on behalf of the Provincetown Recreation Department's annual 4th of July Parade to be held on Tuesday July 4, 2017.*
- C. *Parade Permit request by Mike Dionne on behalf of Ragnar Cape Relay, to be held Saturday May 16, 2017.*
- D. *Approval of exemption under MGL c 268A. §20 to allow Christopher Landry and Jennifer Nolette to hold more than one appointment position.*

Without objection Chairman Richter waived the reading of the consent agenda and without objection it was approved unanimously by the BOS.

1. Public Hearings:

- A. Economic Development Permit 17-02 – 130 Bradford Street – Highland Farm by William Rogers (applicant) Kirti “Kenny” Pandya (business representative), o.b.o. Milan Realty LLC, to increase the assigned Title 5 flow to the property by 220 gallons per day to add two employee housing bedrooms.**

Chairman Richter read the legal notice: An Economic Development Permit for Milan Realty LLC, 130 Bradford Street, Provincetown, to increase the assigned Title 5 flow to the property by 220 gallons per day to add two employees housing bedroom.

EXHIBITS/DOCUMENTS: Completed Economic Development Sewage Gallons Permit dated February 22, 2017. Documents are available for review.

Applicant present at the meeting. They have been working with town to get permits and permission to put a second floor on the current building to build 2 bedrooms for employee housing. Planning board is requiring applicant to put money into escrow for sidewalks at the intersection. Applicant has found it very difficult to find housing.

Public Comment:

- Gordon Siegel, in support of having the applicants approved for housing.
- Rachel White, in favor of housing.

Selectman Comment:

- Vice chair Yingling asked for more explanation of why the applicant is requesting housing.
- Mr. Donegan asked if staff had a recommendation.
- Dr. Andrews feels this is a traditional New England approach is to have an apartment over the shop, is very supportive of these types of projects.
- Chair Richter right with in the spirit of why we have the Economic Development permits out there. Happy to support.

Vice chair Yingling moved that the Board of Selectmen vote to approve Economic Development Permit 17-02 for 130 Bradford Street, by William Rogers, applicant, on behalf of Milan Realty LLC, property owners, based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2017-03-13, specifically:

- **Support, create or enhance year-round employment opportunities/incomes and/or**
- **Support an extended employment season of at least 9 months and/or**
- **Help to diversify Provincetown’s year-round economic base and/or**
- **Create seasonal or year-round employee/business owner housing will be favored.**

Mr. Donegan seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Abstain: 0

B. Economic Development Permit 17-04 – 225 Commercial Street – The Gallery Catering dba The Canteen by Robert Anderson (applicant/ owner), o.b.o. Topknot Properties LLC, to increase the assigned Title 5 flow to the property by 3035 gallons per day to add 71 full service restaurant seats to the existing restaurant.

Selectmen Donegan read the legal notice: An Economic Development Permit for Topknot Properties LLC, 225 Commercial Street, Provincetown, to increase the assigned Title 5 flow to the property by 3035 gallons per day to add 71 full service restaurant seats to the existing restaurant.

EXHIBITS/DOCUMENTS: Completed Economic Development Sewage Gallons Permit dated February 28, 2017. Documents are available for review.

Chairman Richter and vice chair Yingling, planned to recuse from the hearing. Meeting moved to April 13, 2017 at 6 p.m. because no quorum was met.

Mr. Donegan moved to continued public hearing to April 13, 2017

Dr. Andrews seconded the motion.

VOTED

In Favor: 2
Opposed: 0
Abstain: 2

2. Public Statements:

- Barbara Rushmore - Police station should not be building out on the highway, but should be moved to the current location where Riley’s t-shirt location is. To lose this parking lot to the town would be catastrophic. Here to ask for a special Town meeting to be called. Down town would be a much better choice for the location of the station.
- Gordon Siegel – Feels there is legal inconsistency in the Creative Commons Land Development Agreement. Asks for support to Article 17.
- Rachel White – Has thought long and hard about this project. Not letting the building go for some other viable need.

3. Selectmen’s Statements:

- **Thomas Donegan** – No statement
- **Cheryl Andrews** – Take advance of the Forum recordings.
- **Robert Anthony** –
- **Erik Yingling** – Understands the town is changing very fast, corporate America is at our doorstep. CVS will provide year-round housing. And property owners have the right to do what they wish with their property. While excited to see everyone becoming involved the elections, but doesn’t feel Judge Welsh Rooms should be used for campaigning.
- **Raphael Richter** – Town meeting next week. Another forum 3/29/17 3:30 p.m. at Seashore Point.

4. Joint meeting/Presentations:

A. Presentation of the Provincetown’ Cultural District Application by Provincetown’s Director of Tourism Anthony Fuccillo.

Cultural District members Chris Busa and Judy Cicero along with Tony Fuccillo and Gloria McPherson, Town Planner were present at the meeting. Mr. Fuccillo and Ms. McPherson have been working on this application. The Mass Cultural Council reached out to Provincetown to see if they wished to join. Since 2011, Mass Cultural Council has created 35 Cultural District, hoping to become the 36th. Cultural Tourism is one of the largest economic engines nationally and globally. A public vote is one of the requirements of the application. Ms. McPherson feels this is a really easy fit for Provincetown, and will be placed on the Mass Cultural website. Mr. Busa, it is a prestigious recognition and is fundamental to the next stage. It would be great to be acknowledged as the oldest national art colony. Mr. Fuccillo explained the committee came together and outlines a district they would like to see. Mr. Donegan is one the Fine Arts Works Center Board, very supportive of this, good for all the organization in town, help with funding and this will be a good thing to do. Vice Chair Yingling, thank the group; this will further remind the world that Provincetown is rich in culture and history. Chairman Richter irritates all statement, in favor.

Mr. Fuccillo also informed the Board, Mass Cultural would like two elected official present at the tour of the proposed district visit in April.

Dr. Andrews moved that the Board of Selectmen approve the application to Mass Cultural District to designate a Provincetown Cultural District as propose.

Vice chair Yingling seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Abstain: 0

5. Appointments: NONE

6. Requests:

A. Commercial Street Road Reconstruction – Presented by DPW Director Richard Waldo

DPW Director and Russ Kleekamp, engineer of the project, were present for the meeting. Follow up to the traffic hearing for the line stripping of Commercial Street, the director is hoping to get approval from the BOS as they move forward. Prior to construction, total of 56 parking. After consideration of changes now have 57 spots. Between Law St and Pearl St, they were able to shrink the unloading area and two areas of no parking in front of driveways to create another parking spot. The concern is the area in front of 347 Commercial Street. There is space for parking, but would become problematic for the condo association leaving their driveways. Mr. Kleekamp left it unclassified because he feels it is important to listen to the public comment on it. A discussion took place in regards to these spots. The board feels it is best to bring the two spaces in question in for a public meeting. A public hearing will be held on April 24, 2017 to consider potential time restricted parking adjacent to 347 Commercial Street.

Vice chair Yingling moved that the Board of Selectmen vote to approve the parking line and roadway striping plan as prepared by GHD and presented by the Public Works Director.

Mr. Donegan seconded the motion.

VOTED

In Favor: 4

Opposed: 0

Abstain: 0

Chairman Richter asked whether or not any follow-up had been done on the parking in front of 401 Commercial Street with the structure that is jutting in to the public way preventing parking. Chairman Richter is going to place on a future agenda as a public hearing.

B. Community Compact IT Grant Round II (Broad Band) - Presented by MIS Director Beau Jacket

Mr. Jacket was joined by OpenCape Executive Director Steve Johnston and Sertex President Mike Solitro to speak to the Board about the grant funding the state is offering. Mr. Jacket informed the board that as a community compact, Provincetown is eligible to apply for an IT Grant from the state and has been working with Mr. Johnston and Mr. Solitro to They are in the process of building a fiber network in Westfield and Mr. Jacket wanted them give a presentation on the process, engineering and to give some explanation to the Board. The grant is to try to secure funding for the initial design and engineering of the project. If awarded the grant, Mr. Jacket would be coming back to the Board and talk more specifics.

Mr. Johnston and Mr. Solitro presented their experiences and thoughts on the process and answered questions the board had.

C. Cape Light Compact and County Update – Presented by Selectman Thomas N. Donegan

Mr. Donegan gave an update to the Board in regards to Cape Light Compact and the Barnstable County. Provincetown was the first to adopt JPE agreement with Cape Light Compact. After hearing debate at the County about OPEB, Mr. Donegan had concerns and reached out to them for some follow up. It is not in their current budget. Transfer tax was discussed by Mr. Donegan and Dr. Andrews. Mr. Donegan will be following up with them this summer when they do their charter review and report back to the Board at that time.

7. Town Manager / Assistant Town Manager:

A. Recommendations on the Articles for the April 2017 Town Meeting Warrants.

Motion: Move that the Board of Selectmen vote to recommend Article STM – 1 FY 2017 Budget Adjustments.

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article STM – 2 Prior Year Bills.

Motioned by: Cheryl Andrews **Seconded by:** Erik Yingling **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article STM – 3 Charter Commission Expenses.

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article STM – 4 CIP Request for Munis Purchase Orders/Requisitions Module

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article STM – 5 National Marine Sanctuary Visitor Center in Provincetown.

Motioned by: Tom Donegan **Seconded by:** Erik Yingling. **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article STM -6 Housing Tenant Rights Assistance

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 3/1/0 (ca)

Motion: Move that the Board of Selectmen vote to recommend Article STM – 7 CIP Request for Analysis of Parking Control and Revenue Collection Systems for the Municipal Parking Lots

Motioned by: Tom Donegan **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 1 To Hear Town Reports.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM-2 FY 2018 Operating Budget. Division I – General, Division II – Finance, Division III– Public Safety, Division IV – Public Works, Division V – Public Service, and Division VI – School.

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 3 FY 2018 Cape Cod Regional Technical High School Assessment

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 4 FY 2018 Enterprise Funds

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM- 5 Fund Collective Bargaining Agreement (Town & NEPBA)

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

No action taken on ATM – 6.

Motion: Move that Board of Selectmen vote to recommend Article ATM – 7.A Recreation – Bike Racks

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.B Historic – Bas Relief Monument and Bas Relief Park Conservation Plan

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Mr. Yingling Recuse himself

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.C Historic – Creative Commons – Restoration – 46 Bradford Street.

Motioned by: Tom Donegan **Seconded by:** Cheryl Andrews **Passed:** 3/0/0

Mr. Yingling Rejoined

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.D Historic – Alden Street Cemetery Phase 2

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.E Community Housing – Cape Cod Village.

Motioned by: Tom Donegan **Seconded by:** Cheryl Andrews **Passed:** 3/0/1 (ey)

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.F Community Housing – Housing Down Payment Assistance Program

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.G. Community Housing – Community Housing Office

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 7.H. Administrative Expenses

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

No action taken on ATM – 8.1

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.2 – FY Capital Improvements Programs – Police Livescan Automated Fingerprint Identification System

Motioned by: Tom Donegan **Seconded by:** Erik Yingling **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.3 – FY Capital Improvements Programs – Storm Management

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.4 – FY Capital Improvements Programs – Shank Painter Road Design Phase

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.5 – FY Capital Improvements Programs – Pavement Management Plan

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.6 – FY Capital Improvements Programs – Bas Relief Restoration and Park Improvements

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to not recommend Article ATM – 8.7 – FY Capital Improvements Programs – Long Point Dike Improvements Project

Motioned by: Cheryl Andrews **Seconded by:** Raphael Richter **Passed:** 2/1(ey)/1(td)

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.8 – FY Capital Improvements Programs – Police Fleet Upgrade Plan

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.9 – FY Capital Improvements Programs – DPW Street and Sidewalk Maintenance and Repair

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.10 – FY Capital Improvements Programs – Public Works Fleet Replacement

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.11 – FY Capital Improvements Programs – Public Works Building Maintenance

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.12 – FY Capital Improvements Programs – Public Works Facility – Highway Garage

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.13 – FY Capital Improvements Programs – Use of Parking Funds for Parking Kiosk

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.14 – FY Capital Improvements Programs – Munis Payroll Software

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.15- FY Capital Improvements Programs – Fire Department Air Pack Replacement

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.16 – FY Capital Improvements Programs – Fire Department Ambulance Equipment.

Motioned by: Erik Yingling **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 8.17- FY Capital Improvements Programs – Water Department Security Upgrades.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 3/1/0 (ca)

No action taken on ATM – 9

No action taken on ATM - 10

Motion: Move that the Board of Selectmen vote to recommend Article ATM- 11 – Mandatory Retirement Age of the Fire Chief – A home Rule Petition

Motioned by: Cheryl Andrews **Seconded by:** Raphael Richter **Passed:** 4/0/0

No action taken on ATM – 12

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 13 – Zoning Amendment Regarding Detached Structures.

Motioned by: Raphael Richter **Seconded by:** Tom Donegan **Passed:** 3/1/0 (ca)

Selectman Donegan recuse himself

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 14 – Petitioned Article – Province Road Paving.

Motioned by: Cheryl Andrews **Seconded by:** Raphael Richter **Passed:** 2/1/0 (ey)

Selectman Donegan rejoined.

No action was taken on ATM – 15

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 16 – Petitioned Article – Non-binding Public Advisory Question for the 2017 Spring Annual Town Meeting to Protect Public Health and Safety: Move Spent Fuel at Pilgrim Nuclear Power Station to Secure Dry Casks As Soon As Possible.

Motioned by: Cheryl Andres **Seconded by:** Erik Yingling **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to indefinitely postpone Article ATM – 17 – Petitioned Article – Sale of the Community Center Building.

Motioned by: Raphael Richter **Seconded by:** Cheryl Andrews **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 18 – Establishment of the Scholarship and Trust Administration Committee.

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

No Action was taken on ATM – 19

No Action was taken on ATM – 20

Motion: Move that the Board of Selectmen vote to indefinitely postpone Article ATM – 21- Visitor Service Board – Amendments to Board Composition.

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 22 – Finance Committee Request to Fund Health Insurance Consultant.

Motioned by: Erik Yingling **Seconded by:** Raphael Richter **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 23 – General Bylaw Amendment: Chapter 13, Section 13-4-2 Personal Watercraft in Provincetown Harbor

Motioned by: Cheryl Andrews **Seconded by:** Raphael Richter **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 24 – General Bylaw Amendment: General Amendment: Chapter 15, Local Historic District, Section 15-9 Exclusions and Sections 15-11, Appendices, (Solar Exclusions)

Motioned by: Erik Yingling **Seconded by:** Raphael Richter **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 25 – General Bylaw Amendment: Chapter 6, Section 2: Employment

Motioned by: Cheryl Andrews **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 26- General Bylaw Amendment: Chapter 16, Tree Bylaw

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 27- Establishment of the Tree Revolving Fund.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM – 28 – Establishment of the Council on Aging Meal Revolving Fund.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM -29- Zoning Bylaw Amendment: Article 4, Section 4810, Inclusionary Housing Bylaw.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM-30- Zoning Bylaw Amendment: Article 1, Definitions – Seats

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM -31- Zoning Bylaw Amendment: Article 1, Definitions – Restaurant Use.

Motioned by: Erik Yingling **Seconded by:** Tom Donegan **Passed:** 3/0/1(ca)

Motion: Move that the Board of Selectmen vote to recommend Article ATM -32- Zoning Bylaw Amendment: Article 2, Section 2440, Permitted Principal Uses – Accessory Dwelling Units

Motioned by: Tom Donegan Seconded by: Raphael Richter Passed: 4/0/0

Motion: Move that the Board of Selectmen vote to recommend Article ATM-33-Zoning Bylaw Amendment: Article 4, Section 4120, Density Schedule.

Motioned by: Tom Donegan Seconded by: Raphael Richter Passed: 4/0/0

No action was taken on Article 34.

Motion: Move that the Board of Selectmen vote to recommend Consent Articles ATM – 35 through Articles ATM – 49.

Motioned by: Tom Donegan Seconded by: Erik Yingling Passed: 4/0/0

B. Town Manager’s Report – Administrative Updates.

Not much to report, most of town hall has been out sick. Town meeting times going out and should be in everyone’s mailboxes on Saturday. Thanking Assistant Town Manager Gardner for his work at the Forum.

C. Others – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting. Votes may be taken

8. Minutes: NONE

9. Closing Statements/Administrative Updates:

- **Robert Anthony** – None
- **Erik Yingling** – None
- **Tom Donegan**- None
- **Cheryl Andrews** – Brings up the artwork in the room being blocked and perhaps they should be switched out. Respects what vice chair Yingling’s comments about asking for no campaigning but feels that their meeting is a place for people to feel welcome to speak freely and we should not be preventing them to speak.
- **Raphael Richter** – As long as public is not using meeting to slander others, agrees with Selectman Andrews in allowing the public to speak freely.

Selectmen Andrews motions to switch out the snow painting with the painting of the town meeting. Chairman Richter seconded the motion.

VOTED

**In Favor: 4
Opposed: 0
Abstain: 0**

A. Letter of support for the Pilgrim Monument and Provincetown Museum 2017 Cultural Facilities Fund application from Vice Chair Yingling.

Without objection the meeting was adjourned at 9:05 pm

Minutes transcribed by: Elizabeth Paine

APRIL 3, 2017 ANNUAL AND SPECIAL TOWN MEETINGS

| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | R |
|----------------|---|--------|------------|--------------------|---|-------|---|---|
| | | | | Second: | Y | N | A | |
| STM-1 | FY 2017 Budget Adjustments | R | CA | TD | 4 | 0 | | |
| STM-2 | Prior Year Bills | R | CA | EY | 4 | 0 | | |
| STM-3 | Charter Commission Expenses | R | CA | TD | 4 | 0 | | |
| STM-4 | CIP Request for MUNIS Purchase Orders/Requisitions Module | R | CA | TD | 4 | 0 | | |
| STM-5 | National Marine Sanctuary Visitor Center in Provincetown | R | TD | EY | 4 | 0 | | |
| STM-6 | Housing Tenant Rights Assistance | R | EY | TD | 3 | 1(ca) | | |
| STM-7 | CIP Request for Analysis of the Parking Control and Revenue Collection Systems for the Municipal Parking Lots | R | TD | CA | 4 | 0 | | |
| REGULAR AGENDA | | | | | | | | |
| ATM -1 | To Hear Town Reports | R | EY | TD | 4 | 0 | | |
| ATM-2 | FY 2018 Operating Budget | R | EY | CA | 4 | 0 | | |
| | Division I – General | R | EY | CA | 4 | 0 | | |
| | Division II – Finance | R | EY | CA | 4 | 0 | | |
| | Division III – Public Safety | R | EY | CA | 4 | 0 | | |
| | Division IV – Public Works | R | EY | CA | 4 | 0 | | |
| | Division V – Public Service | R | EY | CA | 4 | 0 | | |
| | Division VI - School | R | EY | CA | 4 | 0 | | |
| ATM-3 | FY 2018 Cape Cod Regional Technical High School Assessment | R | EY | CA | 4 | 0 | | |
| AMT-4 | FY 2018 Enterprise Funds | R | EY | TD | 4 | 0 | | |

LEGEND: R = RECOMMEND; NR = NOT RECOMMEND; RR = RESERVE RECOMMENDATION; IP = INDEFINITELY POSTPONE; X = NO RECOMMENDATION

| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | |
|---------|---|--------|------------|--------------------|---|-------|-------|-------|
| | | | | Second: | Y | N | A | R |
| AMT-5 | Fund Collective Bargaining Agreement (Town & NEPBA) | R | EY | CA | 4 | 0 | | |
| AMT-6 | Fund Collective Bargaining Agreement (Town & AFSCME) | X | | | | | | |
| AMT-7 | Community Preservation Budget for FY 2018 – Reserves & Debt Service | | | | | | | |
| | A. Recreation – Bike Racks | R | CA | TD | 4 | 0 | | |
| | B. Historic – Bas Relief Monument and Bas Relief Park Conservation Plan | R | CA | TD | 4 | 0 | | |
| | C. Historic –Creative Commons- Restoration- 46 Bradford Street | R | TD | CA | 3 | 0 | | 1(ey) |
| | D. Historic – Alden Street Cemetery Phase 2 | R | CA | TD | 4 | 0 | | |
| | E. Community Housing- Cape Cod Village | R | TD | CA | 3 | 0 | 1(ey) | |
| | F. Community Housing – Housing Down Payment Assistance Program | R | CA | TD | 4 | 0 | 0 | |
| | G. Community Housing – Community Housing Office | R | CA | TD | 4 | 0 | | |
| | H. Administrative Expenses | R | CA | TD | 4 | 0 | | |
| ATM-8 | FY 2018 Capital Improvements Program | | | | | | | |
| | 1. Police Station | X | | | | | | |
| | 2. Police Livescan Automated Fingerprint Identification System | R | TD | EY | 4 | 0 | | |
| | 3. Storm Water Management | R | EY | TD | 4 | 0 | | |
| | 4. Shank Painter Road Design Phase | R | EY | CA | 4 | 0 | | |
| | 5. Pavement Management Plan | R | EY | CA | 4 | 0 | | |
| | 6. Bas Relief Restoration and Park Improvements | R | CA | TD | 4 | 0 | | |
| | 7. Long Point Dike Improvements Project | NR | CA | RR | 2 | 1(ey) | 1(td) | |
| | 8. Police Fleet Upgrade Plan | R | CA | TD | 4 | 0 | | |

LEGEND: R = RECOMMEND; NR = NOT RECOMMEND; RR = RESERVE RECOMMENDATION; IP = INDEFINITELY POSTPONE; X = NO RECOMMENDATION

| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | |
|---------------------|---|--------|------------|--------------------|---|-------|---|-------|
| | | | | Second: | Y | N | A | R |
| | 9. DPW Street and Sidewalk Maintenance and Repair | R | EY | CA | 4 | 0 | | |
| | 10. Public Works Fleet Replacement | R | EY | CA | 4 | 0 | | |
| | 11. Public Works Building Maintenance | R | EY | CA | 4 | 0 | | |
| | 12. Public Works Facility – Highway Garage | R | EY | CA | 4 | 0 | | |
| | 13. Use of Parking Funds for Parking Kiosk | R | EY | CA | 4 | 0 | | |
| | 14. Munis Payroll Software | R | EY | TD | 4 | 0 | | |
| | 15. Fire Department Air Pack Replacement | R | EY | CA | 4 | 0 | | |
| | 16. Fire Department Ambulance Equipment | R | EY | CA | 4 | 0 | | |
| | 17. Water Department Security Upgrades | R | EY | TD | 3 | 1(ca) | | |
| ATM-9 | Change Date of Annual Town Meeting and Annual Town Election – A House Rule Petition/Charter Change. | X | | | | | | |
| ATM-10 | General Bylaw Amendment: Change Date of Annual Town Meeting and Annual Town Election | X | | | | | | |
| ATM- 11 | Mandatory Retirement Age of the Fire Chief- A Home Rule Petition | R | CA | RR | 4 | 0 | | |
| ATM-12 | Commercial Street Security Improvements | X | | | | | | |
| ATM-13 | Zoning Amendment Regarding Detached Structures | R | RR | TD | 3 | 1(ca) | | |
| PETITIONED ARTICLES | | | | | | | | |
| ATM-14 | Petitioned Article – Province Road Paving | R | CA | RR | 2 | 1(ey) | | 1(td) |
| ATM-15 | Petitioned Article – To Fund An Additional Egress for Maushope Housing | X | | | | | | |

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| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | |
|----------------------------------|--|--------|------------|--------------------|---|---|---|---|
| | | | | Second: | Y | N | A | R |
| ATM-16 | Petitioned Article – Non-Binding Public Advisory Question for The 2017 Spring Annual Town Meeting to Protect Public Health and Safety: Move Spent Fuel At Pilgrim Nuclear Power Station to Secure Dry Casks As Soon As Possible. | R | CA | EY | 4 | 0 | | |
| ATM-17 | Petitioned Article – Sale of the Community Center Building | IP | RR | CA | 4 | 0 | | |
| TOWN BOARD ARTICLES | | | | | | | | |
| ATM-18 | Establishment of The Scholarship and Trust Administration Committee. | R | CA | TD | 4 | 0 | | |
| ATM-19 | Fully Fund Pier Maintenance | X | | | | | | |
| ATM-20 | Reduce Pier Corporation Rent to \$1 | X | | | | | | |
| ATM-21 | Visitor Services Board – Amendments to Board Composition | IP | CA | TD | 4 | 0 | | |
| ATM-22 | Finance Committee Request to Fund Health Insurance Consultant | R | EY | RR | 4 | 0 | | |
| General Bylaw Amendment Articles | | | | | | | | |
| ATM-23 | General Bylaw Amendment: Chapter 13, Section 13-4-2 Personal Watercraft in Provincetown Harbor | R | CA | RR | 4 | 0 | | |
| ATM-24 | General Bylaw Amendment: General Bylaw Amendment: Chapter 15. Local Historic District, Section 15-9 Exclusions and Section 15-11, Appendices, (Solar Exclusions) | R | EY | RR | 4 | 0 | | |
| ATM- 25 | General Bylaw Amendment: Chapter 6, Section 2: Employment | R | CA | TD | 4 | 0 | | |
| ATM- 26 | General Bylaw Amendment: Chapter 16, Tree Bylaw | R | EY | TD | 4 | 0 | | |
| ATM-27 | Establishment of the Tree Revolving Fund | R | EY | TD | 4 | 0 | | |

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| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | |
|---------------------------------|--|--------|------------|--------------------|---|---|-------|---|
| | | | | Second: | Y | N | A | R |
| ATM-28 | Establishment of the Council on Aging Meal Revolving Fund | R | EY | TD | 4 | 0 | | |
| ZONING BYLAW AMENDMENT ARTICLES | | | | | | | | |
| ATM-29 | Zoning Bylaw Amendment: Article 4, Section 4810, Inclusionary Housing Bylaw | R | EY | TD | 4 | 0 | | |
| ATM-30 | Zoning Bylaw Amendment: Article 1, Definitions – Seats | R | EY | TD | 4 | 0 | | |
| ATM-31 | Zoning Bylaw Amendment: Article 1, Definitions – Restaurant Use | R | EY | TD | 3 | 0 | 1(ca) | |
| ATM- 32 | Zoning Bylaw Amendment: Article 2, Section 2440, Permitted Principal Uses- Accessory Dwelling Units. | R | TD | RR | 4 | 0 | | |
| ATM - 33 | Zoning Bylaw Amendment: Article 4, Section 4120, Density Schedule | R | TD | RR | 4 | 0 | | |
| ATM- 34 | Zoning Bylaw Amendment: Article 3, Section 3110, Nonconformancy | X | | | | | | |
| CONSENT AGENDA | | | | | | | | |
| ATM-35 | Room Occupancy Tax – A Home Rule Petition | R | TD | CA | 4 | 0 | | |
| ATM-36 | 0.5% Real Estate Transfer Fee – A Home Rule Petition | R | TD | CA | 4 | 0 | | |
| ATM-37 | Expanding Residential Property Exemption – A Home Rule Petition | R | TD | CA | 4 | 0 | | |
| ATM-38 | Cape Cod Greenhead Fly Control District Assessment | R | TD | CA | 4 | 0 | | |
| ATM -39 | Fireworks Celebration | R | TD | CA | 4 | 0 | | |
| ATM-40 | Local Option Tax on Sale of Recreational Marijuana | R | TD | CA | 4 | 0 | | |
| ATM-41 | Amendments to Personnel Bylaw/Classification and Compensation Plan | R | TD | CA | 4 | 0 | | |
| ATM-42 | Expenditures from the Tourism Fund | R | TD | CA | 4 | 0 | | |

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| Article | Motion (R, NR, RR, IP, etc.) | Motion | Motion by: | Board of Selectmen | | | | R |
|--|--|--------|------------|--------------------|---|---|---|---|
| | | | | Second: | Y | N | A | |
| ATM-43 | FY2008 Human Services Grant Program | R | TD | CA | 4 | 0 | | |
| CONSENT AGENDA – MUNICIPAL MODERNIZATION ACT | | | | | | | | |
| ATM-44 | Veterans Exemption (Municipal Modernization Act) | R | TD | CA | 4 | 0 | | |
| ATM-45 | Other Post-Employment Benefits Fund (Municipal Moderation Act) | R | TD | CA | 4 | 0 | | |
| ATM-46 | Use of Bond Proceeds, (Municipal Modernization Act) | R | TD | CA | 4 | 0 | | |
| ATM-47 | General Bylaw Amendment: Chapter 8, Section 5- Licenses and Permits of Delinquent Taxpayers. (Municipal Modernization Act) | R | TD | CA | 4 | 0 | | |
| ATM-48 | FY2018 Revolving Funds | R | TD | CA | 4 | 0 | | |
| ATM-49 | General Bylaw Amendment: Revolving Fund Bylaw (G.L. c.44 §53E ½). | R | TD | CA | 4 | 0 | | |

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