

Truro Board of Selectmen
Meeting Minutes – March 25, 2014
Truro Town Hall, 5:00pm

Members Present: Jay Coburn-Chair, Breon Dunigan-Vice Chair, Jan Worthington-Clerk-*Absent*, Robert Weinstein, and Paul Wisotzky

Others Present: Acting Town Administrator Charleen Greenhalgh

Chair Jay Coburn called the meeting to order at 5:00 p.m.

Review and approval of Minutes- March 13 , 2014 ¹

Wisotzky moved to approve the Meeting Minutes of Thursday, March 13th , 2014 as printed. Weinstein seconded the motion. So voted unanimously 4-0.

Public Comment Period

Ms. Greenhalgh reported that there will be no Executive Session this evening.

Application to Serve- Recreation Commission-Jackson Dutra and Bertram Perkel

Two Applications to Serve were before the Board of Selectmen for appointments on the Recreation Commission² for Bertram Perkel and Jackson Dutra. The appointments are supported by the Chair of the Recreation Commission. **Dunigan made a motion to approve the Bertram Perkel and Jackson Dutra to the Recreation Commission. Wisotzky seconded the motion. So voted unanimously 4-0.**

Announcement of Ratification of Truro Police Employee's Federation Collective Bargaining Agreement

Coburn announced that the Board of Selectmen signed a contract with the Truro Police Employee's Federation under Executive Session.

Review and Approve Contract Extension- Trudi Brazil, Town Accountant

Coburn stated that before the Board of Selectmen was a one year extension with a 3% increase³.

Weinstein made a motion to approve the contract for a one year extension for Trudi Brazil, Town Accountant. Wisotzky seconded the motion. So voted unanimously 4-0.

Review and Approve Contract with with Rise Engineering

Ms. Greenhalgh stated that this was the final contract under Green Communities for a boiler in the Community Center⁴. Ms. Greenhalgh commented that the building is already using propane. Weinstein asked if propane usage was researched. Dunigan responded as a former member on the Building Committee that it was researched and it was determined that oil was more cost effective than propane. Ms. Greenhalgh believed that the amount used by the Town was below what was spent last year to heat the building. **Wisotzky moved to approve and authorize the Chair to sign the contract with RISE Engineering. Weinstein seconded the motion. So voted unanimously 4-0.**

Weinstein amended the motion to authorize the Chair to sign and approve the contract for a one year extension for Trudi Brazil, Town Accountant. Wisotzky seconded the motion. So voted unanimously 4-0.

Review and Approve: Proclamation for Equal Pay Day 4/18/2014- Business Professional Women of MA

Coburn explained the proclamation as presented by the Business Professional Women of MA⁵.

Wisotzky moved to approve the proclamation for Equal Pay Day for April 8th, 2014. Dunigan seconded the motion. So voted unanimously 4-0.

Review and Approve FY14 Local Cultural Council funds from MA Cultural Council and Authorize the Chair to sign

Coburn explained that these are funds⁶ that are distributed to the Local Cultural Council that in turn grants the funds to local artists. **Wisotzky moved to approve the FY14 Cultural Council funds from the Massachusetts Cultural Council and authorize the Chair to sign. Weinstein seconded the motion. So voted unanimously 4-0.**

Review and Approve Contract with MMA for Town Administrator Search

Coburn explained that two bids were received for the Town Administrator Search Consultant. There is an agreement before the Board of Selectmen for MMA Consulting Group Inc⁷. The agreement is for the Consultant to conduct the Town Administrator search and work with the Search Committee. **Dunigan moved to approve the MMA contract and authorize the Chair to sign. Wisotzky seconded the motion. So voted unanimously 4-0.**

Review and Approve FY2013 Truro CERT Contract with MEMA and Authorize the Chair to sign

Coburn explained that this contract⁸ was for training for the CERT Team in handling Hazardous Materials for \$1100.00. **Dunigan moved to approve the (HMEP, EMPG, and CCP) contract with MEMA and authorize the Chair to sign. Wisotzky seconded the motion. So voted unanimously 4-0.**

Public Hearing – New Common Victualer –Salty market LLC

Coburn read into the record the Public Hearing notice⁹ for the New Common Victualer License for Salty Market, LLC., located at 2 Highland Rd. Ellery Althaus, owner/manager confirmed that there are still outstanding items that have not been completed on time for the Public Hearing. **Coburn asked for a motion to continue the Public Hearing until Tuesday, April 8th at 5:15pm. Wisotzky so moved. Dunigan seconded the motion. So voted unanimously 4-0.**

Public Hearing- New Annual Farm Distillery Pouring License- Truro Vineyards of Cape Cod LLC

David and Kristen Roberts came before the Board of Selectmen for the Public Hearing¹⁰. Mr. Roberts explained the process that they had done for the winery and now they were requesting a similar pouring license for their distillery. He explained that this summer they will have plans for one type of hard spirit (rum). They had met with the Chief of Police on their proposal for a pouring license for the distillery. The distillery pouring area (40'x60') will be separate from the wine pouring area. Ms. Roberts explained the staff's interaction with their clientele and that all staff are TIPS certified. Wisotzky asked about the amount of rum that can be used for sampling and pouring (glass) in relation to their wine product that can be sampled and poured(glass). Ms. Roberts explained that the sample size is dictated by the State at ½ ounce. Mr. Roberts explained to Dunigan that the cocktail can contain 1 ounce of the rum along with a beverage of choice. Mark Peters, an abutter to 11 Shore Rd, stated that he didn't foresee any problems with what he considered a logical extension of their business. Dunigan asked with respect to their previous hearing for their wine pouring license (2010) and neighbors concerns how

things have progressed since then. Ms. Roberts responded that they have been in ongoing contact with those neighbors and presently there were no issues. Mr. Roberts reminded the Board of Selectmen that they have to go through an annual licensing process for approval which requires their business to be responsible. Coburn expressed the opportunity for economic development for exporting a product throughout the Commonwealth. The public hearing was closed. **Wisotzky moved to approve the new annual farm distillery pouring license for Truro Vineyards of Cape Cod, LLC. Dunigan seconded the motion. So voted unanimously 4-0.** It was confirmed that the license be approved for the same hours as the farm winery license (Mon-Sat 11-8pm & Sun 12-8pm)

Review of Draft Annual Town Meeting Warrant and Draft Budget¹¹

Coburn spoke to the Letter from the Board of Selectmen in the Warrant with \$240,000 (General Override) being incorporated.

Article 4: Amendments to the FY2014 Operating Budget

Weinstein moved to recommend. Wisotzky seconded. So voted unanimously 4-0.

Article 5: FY2015 Omnibus Budget Appropriation

Ms. Brazil went through the reduction of funds from Department heads budgets in the Omnibus Budget to show how the final amount of \$242,974.41 was actuated bringing the budget to \$17, 298,058.40. An increase of \$424,000.00 (2.5%) over the FY14 Budget. She explained the growth projection of \$115K for spending capacity. There was a recommendation of transfers from the Capital Improvement Trust Fund to cover the air conditioning for the school gymnasium and the generator at the Library for \$50K, and remove them from the Capital Exclusion. She explained in order to fully fund the Omnibus budget will require a pass at Town Meeting and the pass of the General Override. She added that the recommendation from the Finance Committee was to support the budget as presented and to include the General Override.

Wisotzky moved to recommend. Weinstein seconded. So voted unanimously 4-0.

Article 9: Community Preservation Act Sections 1-4

Section 1 Friends of Truro Recreation/Recreation Commission

Dunigan explained the previous discussion of the maintenance of the Friends of Truro Recreation/Recreation Commission request of a tennis court and walking trail. Deborah McCutcheon, Chair of the Community Preservation Committee, stated that there was a unanimous approval for Section One. Finance Committee voted 0-5 not in favor. There was a continued discussion to the specifics of the request and Legal Counsel's opinion. Ms. McCutcheon explained that the walking trail is the first priority of the request but the CPC will be overseeing the allocation of the funds and spoke to Town Counsel's opinion. Dunigan spoke to the history of the request from the Recreation Commission.

Wisotzky moved to recommend. Dunigan seconded. So voted 2-2.

Section 2 Friends of the Truro Meeting House/Preservation of the 1827 Congregational Meeting House Phase (III)

Ms. McCutcheon discussed the history of the Friends of the Truro Meeting House request before the CPC and is unanimously in favor of the continued project.

Wisotzky moved to recommend. Weinstein seconded. So voted 3-0-1, Dunigan abstained.

Section 3 Reserve for Affordable Housing

Ms. McCutcheon explained that the CPC is required to set money aside for Affordable Housing with a vote of 4-0 in support by the Committee.

Wisotzky moved to recommend. Dunigan seconded. So voted unanimously 4-0.

Article 14 Transfer Funds from Capital Improvement Trust

Section One Airconditioned Gynasium at Truro Central School

Wisotzky moved to recommend. Dunigan seconded. So voted unanimously 4-0.

Section Two Generator for the Truro Public Library

Wisotzky moved to recommend. Dunigan seconded. So voted unanimously 4-0.

Article 22: To amend the Personnel by-law to combine Harbormaster and Shellfish Warden positions

Weinstein moved to recommend. Wisotzky seconded. So voted unanimously 4-0.

Article 24: To amend the Personnel by-law to add Inspector of Buildings/Building Commissioner

Wisotzky moved to recommend. Weinstein seconded. Weinstein commented that he was still not in support of a fulltime Building Commissioner. Dunigan received confirmation that LIUNA was aware of this position being removed from the Union. So voted 3-0-1, Weinstein abstained.

Article 25: Amend §30.2 Use Table to include Habitable Studio & Working Studio

Ms. Greenhlagh explained the need for Habitable and Working Studio being in the Use Table.

Wisotzky moved to recommend. Weinstein seconded. So voted unanimously 4-0.

Article 26: Amend §2 and §11 of Truro Sign Code

Ms. Greenhalgh explained that this would limit the number of signs and the time allowed for the placement of the sign as well as language for sight line.

Weinstein moved to recommend. Wisotzky seconded. So voted unanimously 4-0.

Article 27: Amend §70 Site Plan Review by Deleting in its entirety and replacing it with new language

Ms. Greenhalgh explained the changes to the Site Plan Review.

Wisotzky moved to recommend. Weinstein seconded. So voted unanimously 4-0.

Article 28: Amend §30.5 Flood Plain District – Adoption of New FEMA Flood Maps

Ms. Greenhlagh added that the FEMA Flood Maps must be approved in order for properties to receive flood insurance.

Wisotzky moved to recommend. Dunigan seconded. So voted unanimously 4-0.

Article 29: Amend §90.5B Flood Plain District- Adoption of New FEMA Flood Maps

Wisotzky moved to recommend. Weinstein seconded. So voted unanimously 4-0.

Article 30: Amend §10.4 by adding new definitions and §30.2 use table –by adding uses to the table

Weinstein moved to recommend. Wisotzky seconded. So voted unanimously 4-0.

It was agreed that the Warrant was finalized for 2014 Annual Town Meeting.

TFRAC Follow Up Items

Wisotzky asked to postpone the review of the duties and job descriptions until April 8th. He reminded the Board of Selectmen that the Board agreed to higher an Executive Consultant that would report to the Board of Selectmen directly. Ms. Greenhlagh stated that Elaine Davis at Barnstable County has offered her services for Procurements. Dunigan stated that they would like to have a consultant by the beginning of the Fiscal year. There was a discussion as to whether the position had to be done through a procurement process and if the Town was still under agreement with Municipal Resources to assist with questions regarding the Executive Consultant. Municipal Resources was debated as the agency that would oversee the Executive Consultant since they provided the report and could impliment the findings in the report. Dunigan asked to include members from TFRAC to assist in some of the discussions related to the job description for the interum Chief and Executive Consultant. Coburn commented that as long as there is an understanding that the Committee is dissolved.

Selectmen Reports and Liaison Reports

Dunigan- No report was given.

Coburn- Nothing report was given.

Weinstein- He stated that a tenant in a dispute with their landlord had given him a letter after the Board of Health Meeting for the Board of Selectmen to read. He attended the Zoning Board of Appeals meeting regarding the Winkler property. Winkler's Attorney asked for a continuation of the hearing. Since there is an issue with water quality in Zone 1 of Cape View Motel and possibly Zone 2 contribution area he asked that the Water Resource Oversight Committee be involved in the discussions as well as the Provincetown Water Board. He asked to revisit the issue with Comcast after Town meeting as well as a discussion regarding the provisions of Legal Services.

Wisotzky-He asked that another issue be raised again at a future meeting that of digitizing the Board of Selectmen packets.

Worthington- *Absent*

Next Meeting Agenda: April 8th, 2014

Applications to Serve on the Town Administrator Search Committee; Public Hearing with the Shellfish Advisory Committee on proposed amendments to Aquaculture Regulations; Housing with Love request to Use Town Property; TEEA Fee Waiver (depending on Highland Golf Course Bid results); Waste Disposal Contract; Lower Cape Television Contract with Cable & Internet Advisory Committee); Local Support for a modification within the current state tax classification for small business tax exemptions as proposed by the town of Dartmouth, MA; Salty Market continued Public Hearing; TFRAC Items; contract for Outreach Work at the Library; change order for Anneese Electrical Service.

Acting Town Administrator's Report¹²

Ms. Greenhalgh reported that Janet Rose, Clerk in the Assessing Office submitted her letter of resignation and received approval for the filling the position from the Board of Selectmen. Ms. Greenhalgh received a concensus that the Library position for Outreach and Programing could commence prior to the contract being agreed upon on April 8th. Anneese Electrical needs to do extra conduit and trenching work at the Public Safety Facility and a change order will be before the Board on April 8th.

Coburn asked for a motion to adjourn. Wisotzky so moved. Weinstein seconded the motion. So voted unanimously 4-0. The meeting was adjourned at 7:14 p.m.

Respectfully submitted, Nicole Tudor, Board of Selectmen Secretary

Jay Coburn, Chairman

Breon N. Dunigan, Vice-Chairman

Absent

Janet W. Worthington, Clerk

Robert Weinstein

Paul Wisotzky
Board of Selectmen
Town of Truro

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- ¹ Board of Selectmen meeting March 13, 2013 Meeting Minutes
 - ² Applications to Serve-Jackson Dutra and Bertram Perkel
 - ³ Trudi Brazil, Town Accountant One Year Extension 2014 with the Town of Truro
 - ⁴ RISE Engineering contract for new boiler at Community Center
 - ⁵ Equal Pay Day Proclamation from Business Professional Women for April 8th, 2014
 - ⁶ MA Cultural Council contract for FY14
 - ⁷ MMA Consulting Group Inc Agreement with the Town of Truro
 - ⁸ FY13 MEMA CERT TEAM contract for Hazardous Materials
 - ⁹ New Common Victualer Notice Salty Market LLC., and License information
 - ¹⁰ Public Hearing for new annual farm distillery pouring license at Truro Vineyards of Cape Cod, LLC
 - ¹¹ Draft Annual Town Meeting Warrant and Draft Budget FY15
 - ¹² Acting Town Administrator's report –March 25, 2014