

**Truro Board of Selectmen  
Meeting, December 8, 2015  
Truro Public Library**

**Members Present:** Chair Paul Wisotzky; Maureen Burgess, Jay Coburn, Robert Weinstein, Janet Worthington

**Conservation Commission Members Present:** Chair Peter Romanelli; James Bisceglia, Larry Lown, Deborah McCutcheon, Diane Messinger, Linda Noons-Rose

**Also Present:** Town Administrator Rae Ann Palmer, Town Counsel John Giorgio, Conservation Agent Pat Pajaron, DPW Director Jay Norton; Town Accountant Trudi Brazil; COA Director Susan Travers; Fire Chief Tim Collins; DPW Foreman Tim King

Board of Selectmen Chair Paul Wisotzky and Conservation Commission Chair Peter Romanelli called the joint meeting to order at 5:30 p.m.

**DISCUSSION OF ROLES**

Town Counsel John Giorgio of Kopelman & Paige reviewed the regulatory role of Conservation Commission and the Board of Selectmen's management role of Town-owned property. He said that the roles of the two boards should not be mixed. It is the function of the Conservation Commission to give fair hearing for private owners and the Town. Attorney Giorgio said in the pre-application stage, the project proponent, whether Town or private, should have a licensed consulting engineer to manage the details. Conservation Commission can then come to an independent decision in a posted open meeting/public hearing. Pre-application advice should also be given at an open and posted meeting, according to Attorney Giorgio. He recommended a training session on holding effective hearings.

To illustrate the process, Paul Wisotzky introduced the Ballston Beach parking area as a specific project. Attorney Giorgio recommended inviting a consultant for the project to discuss concerns at an open meeting of the Conservation Commission.

**WORKING RELATIONSHIPS**

Attorney Giorgio said that boards should not overstep their authority in decision making. He said recommended compiling complete records at hearings before applying the law to the facts. Decisions should then be written very carefully based on the facts. John Giorgio recommended inviting the Town Administrator and engineers for Town projects to meetings when needed. He recommended a policy of not interfering with staff. Attorney Giorgio said that two department chairs might meet informally. However, he did not recommend formal public information requests from one Town board to another. Board members and Attorney Giorgio discussed the protocol for making Freedom of Information requests as an individual or on behalf of a board.

Board members and John Giorgio revisited parking space painting issues at Pamet Harbor in the hopes of finally putting the matter to rest. Rae Ann Palmer suggested looking

forward and working through proper channels from now on. Each board needs to be sensitive to contacting the proper authorities, she said.

Paul Wisotzky said that he and Peter Romanelli had agreed that they would like to put the Pamet Harbor issue to rest, but the boards returned to the perceived violation of the Wetlands Protection Act at Pamet Harbor. Chair Wisotzky reviewed the case once again about changing fees, an upgrade in the Land Management Agreement that led to the enforcement of parking at Pamet Harbor. Rae Ann Palmer noted, for the record, that the actions predate her, but she and the Harbor Master had made allowances for sunset viewing. Members from both boards commented on how the regulations had affected local use of the parking lot. There is the possibility of a shuttle service in the future. The Harbor Master has collected data on usage at the Harbor. From the audience, Bill Golden commented on the reaction of townspeople to the changes in parking. Selectman Robert Weinstein emphasized that accommodating large numbers of people at all Truro beaches is a concern for both boards. Peter Romanelli expressed his hope that the Pamet Harbor issue is to put to bed permanently.

The boards planned a joint meeting for January 5, 2016 at 6 p.m. This will take place prior to a public hearing the Conservation Commission will be holding for an aquaculture request.

#### **ADJOURNMENT OF JOINT MEETING**

Selectman Jay Coburn moved to adjourn the joint meeting. Maureen Burgess seconded. From the Conservation Commission, Larry Lowe moved to adjourn the joint meeting. Diane Messinger seconded. The motion carried unanimously with both boards, and the joint meeting was adjourned at 7:00 p.m. with the Board of Selectmen's work session to follow.

Paul Wisotzky called to order the work session of the Board of Selectmen at 7:05 p.m.

#### **SNOW PLOWING AND MAINTENANCE OF PRIVATE ROADS**

DPW Director Jay Norton had prepared a report on plowing and maintenance of private roads, which was commended by the Selectmen. His report included comparisons with other Cape towns. The Board and Rae Ann Palmer discussed management of private roads that are in home owners' associations. Chair Paul Wisotzky asked about changing policy according to Massachusetts General Law Chapter 40-6D for plowing private roads. MGL 40 6D would have to be adopted at Town Meeting, and it would not go into effect for another year. Jay Coburn said he favored a plan of making private roads acceptable as public roads at cost to the abutters. Fire Chief Tim Collins said that emergency vehicles have to be able to access any road.

Robert Weinstein said the 14-foot "box" maintenance should be required for any road that requests plowing. Paul Wisotzky addressed the isolated home owners who do not have a will to create a home owners' association. COA Director Susan Travers maintains a list of elders and Reassurance members, who need to have their roads accessible. Roads in the National Seashore also need to be addressed. Tim King said plowing on an

“as needed” basis is how the DPW has always operated because of equipment and staff limitations. It has worked in the past with the exception of last winter, he said.

Town Accountant Trudi Brazil said it is very difficult to codify emergency situation, but she suggested a statement that plowing would still be done on a case by case basis. Rae Ann Palmer had suggestions for plowing priorities without listing roads by name. Fire Chief Tim Collins gave assurances that the Fire Department would get to emergencies.

Jay Norton could plow elder list roads after the public roads. Selectmen’s Plowing Policy #17 will be the framework for further discussion of plowing private roads at the December 15, 2015 Selectmen’s meeting.


### **TOWN HALL REORGANIZATION**

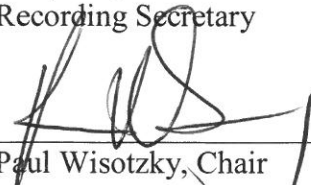
Town Administrator Rae Ann Palmer focused in on the Assistant Town Administrator in the General Government section and a part-time Planner in the Community Preservation section of the Reorganization Plan. She recommends two separate staff members: a true Assistant Town Administrator and an experienced Planner to work with the Planning Board. Ms. Palmer discussed possible salary ranges for the positions. The Selectmen agreed that the Town Administrator should go ahead with hiring an Assistant Town Administrator. For now the consultant Planner will continue working with the Town.

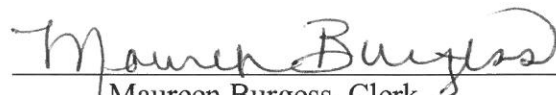
### **ADJOURNMENT**

Jay Coburn moved to adjourn. Robert Weinstein seconded, and the motion carried 5-0. The meeting was adjourned at 7:58 p.m.

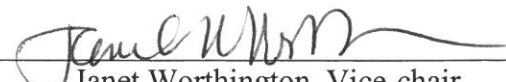
Respectfully submitted,

  
Mary Rogers  
Recording Secretary

  
Paul Wisotzky, Chair

  
Maureen Burgess, Clerk

  
Jay Coburn

  
Janet Worthington, Vice-chair

  
Robert Weinstein