

**Truro Board of Selectmen
Meeting, December 15, 2015
Town Hall Meeting Room**

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

Present: Town Administrator Rae Ann Palmer

Chair Paul Wisotzky called the meeting to order at 5:00 p.m.

PUBLIC COMMENT

Three people came forward to discuss 27 Stephens Way. Bill Worthington spoke against tearing it down and destroying any housing when the need for affordable housing is so great in Truro. Joan Holt, who had questioned the legality of the construction of 27 Stephens Way from the start, said that the building should not remain there. Jack Reimer supported Joan Holt with the opinion that the house should be taken down.

BOARD OF SELECTMEN ACTION

Sutton Place Condominium Manager's Unit

Attorney Lester J. Murphy explained the revision to the Declaration of Covenant for Sutton Place Condominium Trust's new designation of the manager's unit at 503-522 Shore Road. The units are seasonal, but a year-round manager's unit is allowed. The owner is seeking to have the manager's unit changed from Unit 9 to Unit 7. Unit 9 will become a seasonal unit.

Jay Coburn moved to approve the revision to the Declaration of Covenant for Sutton Place Condominium Trust's for the designation of Unit 7 as manager's unit at 503-522 Shore Road. Robert Weinstein seconded, and the motion carried 5-0.

Sun-Edison Contract

Town Administrator Rae Ann Palmer had requested that the Board of Selectmen approve and authorize the Chair to sign a contract with Sun-Edison for the solar array at the Transfer Station. She called upon Rick Holland from Town Counsel, Kopelman & Paige, to explain the contract. He said it was a two-year contract, solely for the photo voltaic array. Secondly, it is an agreement for the metering credits which the Town will receive. Attorney Holland explained the price of the credits and how the system works. He projected savings for the Town through the use of the credits. Robert Weinstein asked about the unauthorized work by AT&T that had caused damage at the Transfer Station. Attorney Holland said they are pursuing compensation for damages, and AT&T is cooperating. There is a timeline that needs to be met for the array to go on line.

Maureen Burgess moved to approve the contract and authorize the Chair to sign the contract with Sun-Edison for the solar array at the Transfer Station. Robert Weinstein seconded, and the motion carried 5-0.

Pay-As-You-Throw Plan

The SMART Committee had requested a recommendation from the Selectmen on the Pay-As-You-Throw (PAYT) program. Members of the Board of Selectmen expressed their opinions on the PAYT program. Janet Worthington and Maureen Burgess had many concerns about staffing, quality and cost of the bags, the split opinion of the SMART Committee, the Board of Health's role, support from the entire town, giving better recycling a chance, home bag maintenance, and the difference between raised sticker fees and PAYT. Jay Coburn and Robert Weinstein supported the plan that would put responsibility of trash recycling and management on the home owner and save money for the Town. Robert Weinstein, who was the liaison to the SMART Committee, reviewed the efforts of that board to study and choose PAYT as the best option for Truro, a change that would benefit the community. Paul Wisotzky said the data is clear on the reduction of solid waste and savings in tonnage. He considered the dissent on the SMART Committee healthy, but, he said there was a missing piece – an operational plan to implement PAYT by July 1. He favors the PAYT plan, but the operational/implementation piece is not clear to him. He said there should be more public hearings to establish this. Jay Coburn reminded everyone that PAYT is the Board of Health's decision.

Jay Coburn moved to approve that the Board of Health to move forward with an operational/implementation plan for PAYT. Robert Weinstein seconded. The motion is not a recommendation for PAYT. Further discussion ensued.

Robert Weinstein discussed the Board of Health's role and the public hearing process. Rae Ann Palmer said that operation of Transfer Station was in purview of the DPW; the fees are in the purview of the Board of Health. She said she supported the motion to produce an operational plan. DPW Director Jay Norton and Health Agent Pat Pajaron came forward and recommended that an operational plan be created. Pat Pajaron also discussed making allowances for low income families.

From the audience, Paul and Nancy Fenechault expressed their concerns about PAYT even though they support good recycling and composting. Steve Sollog said this was not just a fee change but a whole new mechanism and would prefer that the townspeople decide, not just one board. Jack Reimer also recommended bringing the decision to Town Meeting where people could have their say. He also questioned if more couldn't be done at the Transfer Station through screening what is brought in and checking that it is being put in the right receptacles. Joan Holt said that she didn't think that the PAYT program was ready to go forward to Town Meeting for a July 1st implementation date. She said that the pro's and con's should be compiled before the Town should go forward.

Jay Coburn referred to the 2010 study of towns in Massachusetts which showed that the PAYT communities had cut their waste nearly in half. Paul Fenechault noted that only PAYT was mentioned in the study. Joan Holt said that the implementation plan should address the anticipated difficulties that some people in town would face with PAYT.

The motion to recommend that the Board of Health and Town staff develop an operational/implementation plan that addresses the concerns of the Board of Selectmen carried 3-2. (Burgess, Worthington)

Snow Plowing

Chair Paul Wisotzky and the Board discussed snow plowing and maintenance of private roads. Selectmen's Policy #17, which is currently in place, could be adapted for emergency situations, but it would take a Town Meeting vote in accordance to State law to change policy for plowing private roads. DPW Director Jay Norton reviewed the report he had prepared on snow plowing and maintenance of private roads. It included other Cape towns' policies, including their inspection policies. He had created a financial analysis for inclusion of private roads in snow removal. Rae Ann Palmer commented upon the financial impact of hiring more staff for added plowing. Mr. Norton said public safety for fire/police emergencies and people in need of medical attention is a major consideration. Paul Wisotzky suggested putting the report on the Truro website's home page.

Janet Worthington thanked Jay Norton for the report and asked him to expand on the equipment difficulties the DPW could encounter in plowing extra roads. Robert Weinstein said the Town should only focus on emergency situations. Foreman Tim King had been concerned about equipment and the effects on of extended periods of plowing in heavy snow. Mr. Weinstein thanked the Council on Aging for compiling a list of people with medical needs.

Paul Wisotzky summarized, "How do we change the policy to help with emergency situations, and, if put to the vote of town, what would it take to plow all roads." He had drafted a revised Policy Memorandum #17 that separated plowing from maintenance. He distributed and read the draft of the revised snow plowing policy. Jay Coburn suggested adding sanding for emergencies. Janet Worthington suggested adding "Town employees' safety." Rae Ann Palmer reminded the Board that the policy addresses emergency situations only.

Robert Weinstein suggested that home owners take responsibility to prepare their roads for the winter. He recommended that property owners be reminded to maintain the "14 foot box" needed on private roads. Fire Chief Tim Collins came forward and repeated his promise that the Fire Department would rescue anyone in an emergency.

Jack Reimer called attention to a General Bylaw of the Town that identifies guidelines that need to be followed for private roads. Donna Leoumburno, who lives on a private road, came forward to ask about voting on the Mass law that would be needed to plow all roads in town.

Jay Coburn suggested providing more information to townspeople on neighborhood associations and encouraging homeowners to create or reactivate them.

Jay Coburn moved to accept a Policy #17 with substitute language that deals with snow plowing with *sanding and plowing* and adding *town employee safety*. Robert Weinstein seconded, and the motion carried 5-0.

Paul Wisotzky suggested that discussion Massachusetts law governing private roads be placed on a future agenda along with roads within the National Seashore.

Jay Coburn recused himself from the meeting.

Exemption by Board of Selectmen

Paul Wisotzky explained the exemption by the Board of Selectmen that Jay Coburn needs for his disclosure as a Special Municipal Employee of financial interest in a Municipal Contract as required by MGL Ch. 268A § 20(d). No money from the Town of Truro supports his salary.

Robert Weinstein moved to approve the MGL Ch. 268A § 20(d). exemption for Jay Coburn's disclosure as a Special Municipal Employee of financial interest in a Municipal Contract as required by MGL Ch. 268A § 20(d). Maureen Burgess seconded, and the motion carried 4-0.

CDP Housing Rehab Program Contract

The Board reviewed the Community Development Partnership Contract for the Housing Rehab program for the Fiscal Year 2015 CDBG grant.

Maureen Burgess moved to approve the Community Development Partnership Contract for the Housing Rehab program for the Fiscal Year 2015 CDBG grant and authorize the Chair to sign. Robert Weinstein seconded, and the motion carried 4-0.

Rae Ann Palmer encouraged qualified homeowners to apply to the Housing Rehab program that CDBG offers.

Jay Coburn returned to the meeting.

Annual Town Report Dedication and Cover

Rae Ann Palmer presented for the Board's approval the 2015 Annual Town Report's dedication, at the staff's suggestion, to retired Fire Chief Brian Davis. The cover design submissions had all been of snow, and the Board made other suggestions for the cover.

Maureen Burgess moved to approve the 2015 Annual Town Report's dedication to Brian Davis and a cover to be chosen by Administration and staff. Janet Worthington seconded, and the motion carried 5-0.

Work Sessions

Selectman Jay Coburn sought approval for a Work Session's Board of Selectmen's Policy #56. He explained that it would provide ground rules for work sessions. Maureen Burgess moved to approve Selectmen's Policy #56. Robert Weinstein seconded, and the motion carried 5-0.

Follow-up on Joint Meeting with Conservation Commission

Chair Paul Wisotzky reported that Peter Romanelli and he had agreed to hold another joint meeting of the Board of Selectmen the Conservation Commission.

CONSENT AGENDA

There were six items on the Consent Agenda:

- A. Review/Approve and Authorize the Chair to sign the Weston and Sampson Contract Amendment No. 2 for the Truro Landfill, the preparation of Bid Documents and Bid Assistance;
- B. Review and approve 2016 Common Victualer- terra Luna Restaurant (Seasonal) – 104 Shore Road, FarmMaid Foods (Annual)- 8 Highland Rd. & Savory and the Sweet Escape (Annual) – 316 Route 6, Captain’s Choice, Inc. (Seasonal) – 4 Highland Road;
- C. Review and Approve reappointment of DPW Director Jay Norton to the Cape Cod Joint Transportation Committee;
- D. Review and approve the renewal of Truro Police Department appointments;
- E. Review and approve the application for a permit for an Organized Bike & Road Race for the Wounded Warrior Project Cycling Event to be held Friday, September 23, 2016; and
- F. Review and approve the BOS minutes of December 1, 2015, December 7, 2015 (Budget Task Force) and December 8, 2015.

Rae Ann Palmer asked that the Common Victualer’s License for Captain’s Choice in Section B be removed from consideration at this meeting.

Jay Coburn moved to approve the Consent Agenda with the Captain’s Choice license removed from the list of licenses in Section B. Robert Weinstein seconded, and the motion carried 5-0 with an abstention by Jay Coburn on Section B for FarmMaid Foods as they are a client of his.

SELECTMEN & TOWN ADMINISTRATOR’S REPORTS

The reports included a well-received, surprise one. Robert Weinstein had attended an Ad Hoc Committee by the Planning Board to discuss a possible Warrant Article for building in the Seashore. Maureen Burgess had attended the same meeting. She had also attended her first Human Services meeting. Paul Wisotzky and Jay Coburn had met with the Non-Resident Taxpayers Association and plan to meet with them again, possibly in summer. He reported that he as attended two Budget Task Force meetings and commended the preparation of the departments that have presented their budgets so far. Janet Worthington read “A Week Before Christmas,” a holiday verse she created to honor the year-long efforts of the Selectmen and Town Administrator. Her poetic surprise received much applause. Jay Coburn reported on the joint Planning Board and ZBA meeting he had attended. He had attended Truro’s NRTA and commented on Truro’s practice of allowing non-residents to participate on boards and speak at Town Meetings. Town Administrator Rae Ann Palmer reported that the Truro Central School had serenaded the staff with holiday songs. She mentioned renovation plans to enclose the Selectmen’s Meeting Room.

NEXT MEETING AGENDA

Town Administrator Rae Ann Palmer and the Board reviewed agenda items for the next meeting to be held January 12, 2016. A shellfish public hearing is rescheduled for this date, she said.

Jay Coburn moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Mary Rogers
Recording Secretary

Paul Wisotzky, Chair

Maureen Burgess, Clerk

Jay Coburn

Janet Worthington, Vice-chair

Robert Weinstein

Public Records Material of December 15, 2015

1. Weston and Sampson Contract Amendment No. 2 for the Truro Landfill, the preparation of Bid Documents and Bid Assistance
2. Report on Plowing and Maintenance of Private Roads in Truro
3. Applications for 2016 Common Victualer –Terra Luna Restaurant (Seasonal) – 104 Shore Road, FarmMaid Foods (Annual) – 8 Highland Rd. & Savory and the Sweet Escape (Annual) – 316 Route 6
4. Application for reappointment of DPW Director Jay Norton to the Cape Cod Joint Transportation Committee
5. Renewal of Truro Police Department appointments
6. Application for a permit for an Organized Bike & Road Race for the Wounded Warrior Project Cycling Event to be held Friday, September 23, 2016