

Truro Board of Selectmen
Meeting Minutes – Tuesday, March 24th, 2015
Truro Town Hall, 5:00 p.m.

Members Present: Jay Coburn-Chair, Paul Wisotzky-Vice Chair, Jan Worthington-Clerk, Robert Weinstein, and Maureen Burgess

Others Present: Town Administrator Rae Ann Palmer, and Trudi Brazil, Town Accountant, Acting Assistant Town Administrator

Selectmen Coburn called the meeting to order at 5:00 p.m.
Items were pulled out of order per the Chair's request.

Board/Committee/Commission Appointments

Review & Approve & Interview –Beth O'Rourke –COA Board –Alternate Appointment

Beth O'Rourke presented before the Board of Selectmen as an applicant for the Council on Aging Board. Ms. O'Rourke spoke of her willingness to serve. **Selectmen Wisotzky moved to appoint Beth O'Rourke to the Council on Aging Board as an alternate for a one year term ending June 30, 2016. Selectmen Burgess seconded the motion. So voted unanimously 5-0.**

Review & Approve & Interview –Rachel Harrington-Recreation Commission-three year term

Rachel Harrington spoke to her application before the Board of Selectmen for the Recreation Commission. **Selectmen Wisotzky moved to appoint Rachel Harrington to the Recreation Commission as a full member for a three year term ending June 30, 2018. Selectmen Weinstein seconded the motion. So voted unanimously 5-0.**

Board of Selectmen Action

Continued Discussion of Selection of Town Counsel

Selectmen Chair Coburn stated that the decision of Town Counsel requires full attention and careful consideration but stated due to Annual Town Meeting approaching and current Counsel's review of those Warrant Articles this should be postponed until after Town Meeting. The Chairman recommended that this decision be made the first Board of Selectmen meeting after Town Meeting (May 6). **Selectmen Burgess made a motion to postpone the decision until after Town meeting. Selectmen Weinstein seconded the motion.** Selectmen Weinstein asked for certainty that this decision not be postponed again after the May 6th meeting. He asked that the law firms be informed that a decision will be made at the May 6th meeting, thanking them for participating in the process and for their patience. **Selectmen Weinstein amended the motion to include the Town Administrator send a letter to all the applicants stating that a decision will be made at the May 6th meeting, thanking them for participating in the process and for their patience. Selectmen Burgess accepted the amendment. So voted 4-0-1. Selectmen Worthington abstained.**

Continued Vote to Place and recommend Articles on Annual Town Meeting Warrant

ARTICLE 4: AMENDMENTS TO THE FY2015 OPERATING BUDGET

Town Administrator Rae Ann Palmer went through the items in the fiscal year 2015 operating budget and went over amendments including reappropriating funds for the increased tipping fees for the Transfer Station Purchase of Services Budget. **Selectmen Wisotzky moved to recommend Article 4:**

Amendments to the FY2015 Operating Budget as printed. Selectmen Weinstein seconded the motion. So voted unanimously 5-0.

ARTICLE 5: FY 2016 OMNIBUS BUDGET APPROPRIATION

Town Accountant Trudi Brazil explained that the Recap is around \$8K. She spoke of the use of Free Cash. **Selectmen Wisotzky moved to recommend Article 5: FY 2016 Omnibus Budget Appropriation as printed. Selectmen Weinstein seconded the motion. So voted unanimously 5-0.**

ARTICLE 6: TRANSFER OF FUNDS FROM FREE CASH

Selectmen Wisotzky moved to recommend Article 6 Transfer of Funds from Free Cash; Section 1 to Reduce or Stabilize the FY2016 Tax Rate . Selectmen Burgess seconded the motion. So voted unanimously 5-0.

ARTICLE 17: AMENDMENT TO THE TRURO PERSONNEL BYLAW TO ADD A BYLAW REGARDING A SHARED POSITION WITH ANOTHER MUNICIPALITY

Town Administrator Rae Ann Palmer explained that part-time employees that fall under the Personnel Bylaw are not eligible for benefits , sick time , holiday pay and vacation time. In particular, Ms. Palmer cited the Animal Control Officer who works for Truro 18 hours a week. This Article is particular to shared positions through an Intermunicipal Agreement with another Town. **Selectmen Burgess moved to recommend Article 17 Amendment to the Truro Personnel Bylaw to add a bylaw regarding shared position with another municipality as printed in the Warrant. Selectmen Burgess seconded the motion. So voted unanimously 5-0.**

ARTICLE 18: AMENDMENT TO THE TRURO PERSONNEL BYLAW TO ADD A SUBSECTION FOR LIMITATION ON DUAL OR MULTIPLE POSITIONS

Town Administrator Rae Ann Palmer explained that this Article pertains to staff that hold dual positions within the Town and would prevent the employee from receiving over time due to Fair Labor Standards Act. **Selectmen Burgess moved to recommend Article 18 Amendment to the Truro Personnel Bylaw to add a subsection for limitation on dual or multiple positions as printed in the Warrant. Selectmen Wisotzky seconded the motion. So voted unanimously 5-0.**

ARTICLE 24: ZONING AMENDMENT-CONVERSION OF COTTAGE OR CABIN COLONY, MOTOR COURT, MOTEL OR HOTEL FOR YEAR ROUND USE

Selectmen Chair Coburn spoke of previous discussion items surrounding the zoning amendment. He explained the areas in Truro that this would effect should condominiums be made year round. He stated that there is a proposed amendment that would address the Beach Point Condominiums due to the use of Town water and if the amendment is presented on Town Meeting floor the Board of Selectmen may want to revisit their recommendation on Town Meeting floor. Selectmen Burgess noted that 58% of the Condominiums are on Beach Point. **Selectmen Wisotzky moved to recommend Article 24 Zoning Amendment conversion of cottage or cabin colony , motor court, motel or hotel, for year round use as printed in the Warrant. Selectmen Weinstein seconded the motion. So voted 4-0-1. Selectmen Burgess abstained.**

ARTICLE 25:CHARTER AMENDMENT CHANGE "TOWN ADMINISTRATOR" TO "TOWN MANAGER"

Selectmen Wisotzky moved to recommend Article 25 Charter Amendment Change to "Town Administrator" to "Town Manager " as printed in the Warrant. Selectmen Weinstein seconded

the motion. So voted 4-1-0. Selectmen Worthington opposed.

ARTICLE 26: CHARTER AMENDMENT TO SECTION 3-1-1

Selectmen Weinstein moved to recommend Article 26 Charter Amendment to Section 3-1-1 as printed in the Warrant. Selectmen Burgess seconded the motion. So voted unanimously 5-0 .

ARTICLE 27: CHARTER AMENDMENT SECTION 4-2-7

Selectmen Burgess moved to recommend Article 27 Charter Amendment Section 4-2-7 as printed in the Warrant. Selectmen Weinstein seconded the motion. So voted unanimously 5-0.

ARTICLE 28: CHARTER AMENDMENT SECTION 4-2-9

Selectmen Wisotzky moved to recommend Article 28 Charter Amendment Section 4-2-9 as printed in the Warrant. Selectmen Burgess seconded the motion. So voted unanimously 5-0.

ARTICLE 29: CHARTER AMENDMENT SECTION 4-2-1

Selectmen Burgess moved to recommend Article 29 Charter Amendment Section 4-2-1 as printed in the Warrant. Selectmen Wisotzky seconded the motion. So voted unanimously 5-0.

ARTICLE 30: CHARTER AMENDMENT SECTION 4-3-1 AND APPENDIX B, PART 2

Selectmen Burgess moved to recommend Article 30 Charter Amendment Section 4-3-1 and Appendix B, Part 2 as printed in the Warrant. Selectmen Wisotzky seconded the motion. So voted unanimously 5-0.

ARTICLE 31: CHARTER AMENDMENT SECTION 5-4-3

Selectmen Wisotzky moved to recommend Article 31 Charter Amendment Section 5-4-3 as printed in the Warrant. Selectmen Burgess seconded the motion. So voted 4-1-0. Selectmen Worthington opposed.

ARTICLE 32: CHARTER AMENDMENT SECTION 5-5-5

Selectmen Wisotzky moved to recommend Article 32 Charter Amendment Section 5-5-5 as printed in the Warrant. Selectmen Burgess seconded the motion. So voted 4-1-0. Selectmen Worthington opposed.

ARTICLE 33: CHARTER AMENDMENT SECTION APPENDIX B, PART 3

Selectmen Burgess moved to recommend Article 33 Charter Amendment Section Appendix B, Part 3 as printed in the Warrant. Selectmen Wisotzky seconded the motion. So voted 4-1-0. Selectmen Worthington opposed.

Selectmen Chair Coburn explained after these items are approved at Town Meeting they will go to the Ballot May 2016 before they go into effect.

Public Comment Period

Chris Lucy spoke of the Street bylaw with the Board of Selectmen voting 4-1 to not support it. He spoke of the arguments for supporting the Article. He spoke of the width of vehicles such as trucks that traverse the roads. Mr. Lucy explained the history of the bylaw came to fruition going back 2 years and to the issue of the Kline property with the road condition of Stephens Way. He stated the reasons why not voting to recommend the Article was unfair and adds to the confusion of the current bylaw and that the bylaw was reviewed by Town Counsel. He stated that the Planning Board did not look to this Article to cure "a problem". He welcomed people to attend the Planning Board meetings prior to Town

Meeting should they have questions.

Alternative Parking at Pamet Harbor-Discussion Only

Tim Silva, Chair of the Pamet Harbor Commission, Chief Takakjian, and Anthony Jackett, Truro Harbormaster, approached the Board. Mr. Silva stated that the Commission has been discussing alternative parking for the past year. The Commission has been looking at Mill Pond Road for extra parking. Mr. Silva met with Jay Norton today and they looked at three locations on that road where people could pull their car off the road and park. Chief Takakjian confirmed that he visited Mill Pond Road with the DPW Director, and the Town Administrator. Strictly from a public safety viewpoint, there are a couple of locations on the right hand side of the road (if you are facing Wellfleet) where there would be no public safety issues. Mr. Norton stated that from an infrastructure and public works point of view, he did not see any issues. He pointed out that it is within Conservation's jurisdiction, so the Conservation Commission will need to be involved with any further discussions. Mr. Jackett called the State Access Board to see if a bike rack could be installed at the parking lot of the harbor to accommodate people parking down on Mill Pond Road and bringing a bike to get to the harbor. The State Access Board is amenable to the bike rack as long as it does not interfere with the parking or launching in the lot. Chair Coburn asked if there was any progress with asking the Pamet Harbor Yacht Club for permission to use their parking area. Mr. Silva stated that there were a couple of people in the audience who were involved in the negotiations, and they could speak to that question. Eric Morea came before the Board. He has sent emails to the Pamet Harbor Yacht Club, but has not received any response back. He stated that the club has a Board which needs to discuss the request. Chair Coburn believes that a parking lot within walking distance, for overflow parking, is the best scenario for the harbor. Mr. Morea asked how to proceed, as their request was made over a month ago. Mr. Jackett added that after talking with some of the Board members, the club felt that any agreement should be between the yacht club and the boat operators. Chair Coburn suggested sending another request. Joe Francis came up to speak. He let the Board know that the club has been closed during the winter, so no one has been over there for a while. The water has been turned back on, and the parking lot has been plowed, so he believes some sort of reply to their request should be forthcoming.

Selectman Worthington brought up that she and Selectman Wisotzky had met earlier in the afternoon to discuss access to the beaches, and how the Town could possibly have some sort of shuttle. She wondered, in the future, if possibly people chartering a boat could get picked up by a shuttle and be dropped off at the harbor. Mr. Silva stated that the Commission has discussed that before. Mr. Morea brought up the concern of having a charter boat wait for longer than 15 minutes (which is the designated amount of time allowed) while at the courtesy float. Elena Rice came before the Board to speak. In addition to the boats bottle-necking the float, the Board needs to consider that the Pamet Harbor is tide sensitive, something which may come into play if a shuttle idea is implemented.

Selectman Burgess asked if the Commission was considering parking boat trailers on Mill Pond Road. Mr. Silva stated that the parking on Mill Pond Road would strictly be for vehicles. Chair Coburn would like to get a definitive "yes" or "no" answer from Pamet Harbor Yacht Club before exploring other venues for parking. Mr. Morea would like to ask the Board of Selectmen to postpone the parking ban until next year, in order for staff and Mr. Jackett, to give an accurate reading of when the busy days are and, when the slow days are. Chair Coburn stated that this was a discussion only, and Mr. Morea could approach any Board of Selectmen member to ask that his request be placed on a future agenda with a proposal. Selectman Wisotzky's concern with the Mill Pond Road parking proposal is the pedestrian traffic issue. He asked if there was a "slow pedestrian" sign which could be put up. Chief Takakjian stated that additional signage could definitely be installed. Selectman Weinstein thanked the Harbor Commission for all their hard work, and stated that he is in support of the proposed parking on

Mill Pond Road. Ms. Palmer let the Board know that while she, the DPW Director, and the Chief of Police were walking the road, a citizen came down to talk with them. This citizen objected to having the parking in that area. She advised the Board of Selectmen to take the neighbor's concerns into consideration as they move forward. Chair Coburn suggested that the Pamet Harbor Commission work on a proposal, and when it is on a Board of Selectmen agenda, the public will be allowed to come in and voice their concerns before they make a decision.

Mr. Francis came back to speak to the Board. He voiced his opinion of the Board of Selectmen signing the Land Management Agreement. He stated that they have effectively banned people from Castle Hill coming down to paint, or people just coming to eat lunch at the harbor. He believes that who parks there cannot be up to the Harbormaster, as it is now a rule.

(Chair Coburn had a prior appointment, and turned the gavel over to Vice Chair-Wisotzky.)

Mr. Jackett came up to discuss Mr. Francis' statements. He stated that if a person with a mooring comes down to launch a boat, and there are no spots available, a person just having lunch would be asked to leave. Mr. Lawton (previous Acting Town Administrator for Truro) indicated in a letter to Mr. Jackett that when there was no pressure on the parking lot, he could use discretion as to how he would want to manage the parking lot. Historically, that is how it's been done.

Consent Agenda

- A. Review & Approve and Authorize the Vice-Chair to sign:
 - 1. Carole Ridley of Ridley & Associates Contract
- B. Review & Approve Additional Free Book Boxes at Ryder, Ballston and Coast Guard Beaches
- C. Review & Approve Extension of Shellfish Season at Pamet Harbor
- D. Review & Approve Common Victualer (Food) License: The Box Lunch & Top Mast Café
- E. Review & Approve 2015 Seasonal Alcohol Licenses & ABCC Seasonal Renewal Certification: Beach Point Health & Swim Club, Blackfish Restaurant, Fuller's Package Store, Jams Inc., Top Mast Café Restaurant, Terra Luna Restaurant, Whitman House Restaurant

Selectman Weinstein had a question regarding the proposed contract for consulting services with Ridley & Associates. In the Scope of Services it says "R & A shall provide planning analysis and support services". There was an estimate that this would not be used for more than 5 to 10 hours. He asked Ms. Palmer if this was correct. Ms. Palmer confirmed that the statement was correct. Selectman Weinstein was looking for a more encompassing explanation of exactly how this service would augment the functioning of the Planning Board. Ms. Palmer explained that Ms. Ridley is an experienced Planner. Were there issues which needed research, she is capable, and available, to do that. The variation in the hours is simply a reflection of what may, or may not, come up on a Planning Board agenda. She will do the research, prepare the agendas, write decision letters, and work with the Chair on any Plan Review. She does not anticipate that Ms. Ridley will be working 10 hours every week. Perhaps the 10 hours would be on a week where there is a Planning Board meeting.

Selectman Burgess made a motion to approve the consent agenda as printed.

Selectman Weinstein seconded this motion.

So voted unanimously, 4-0.

Selectmen Reports and Liaison Reports

Selectman Weinstein and Roberta Lema (from the PAYT Committee) were assigned the task of assessing the operating costs of the Transfer Station. A very comprehensive package of financial

information was put together. There has been discussion about single-stream recycling, which might make things more efficient. As a liaison to the Board of Health, he attended their last meeting, where they voted to ban compacting vehicles from using Truro's facility. That has been one of the contributing factors of higher costs since Wellfleet eliminated that use from their transfer station. He also attended a meeting of the Library Trustees. They had an evaluation of the Library Director, which was very positive. One item which was brought up at that meeting was permission to erect three more "free libraries". That has been supported by the Trustees unanimously. He advised them to work with the DPW regarding a location at Ballston Beach. He also attended the Pamet Harbor Commission meeting where there was a lengthy discussion about the parking issues.

Selectman Burgess attended the MOU III group of the Herring River Restoration Project. The final draft is near completion. When it is completed, she will bring it to the Board for discussion. On 3/9/2015 she attended the Bike and Walkways meeting. They have yet to hear back from MassDOT on the letter which the BoS wrote in support of their recommendations on improving road safety. Karen Snow continues to represent the Bike and Walkway Committee at the larger group which is called the Outer Cape Master Bike and Walkways Plan. In regard to the Disability Commission, she was notified by the Chair, Susan Howe, that the Town has been awarded a \$1,000.00 grant from the New England ADA Center along with the opportunity to host an ADA field based training day. The purpose of the grant is to educate participants on how to conduct an existing facility review and identify potential solutions. They are targeting Snows Park, because although it is somewhat accessible it still presents challenges for the disabled and elderly population.

Selectman Wisotzky attended a COA Board meeting with Ms. Palmer. They talked about snow removal. All the Board of Selectmen at this current meeting attended the Planning Board meeting. The Truro Housing Authority is continuing to work on two proposals. There is an article on the warrant for Habitat for Humanity to be able to purchase another parcel of land. They hired a consultant to do the Housing Needs Assessment.

Selectman Worthington mentioned that there is a proposal for a hatchery at MacMillan Pier in Provincetown. She is hoping that it can be supported, and will be talking to Tony Jackett about the "how and when". She will report back with more information.

Next Meeting Agenda: April 7th, 2015

Ms. Palmer read off the current items;

- A Public Hearing will be held on an application from Payomet for a seasonal wine and malt pouring license.
- They have a candidate for the Recycling Committee, who will be reviewed and approved.
- There will be an update from the Cape Cod Commission (Kevin Grunwald).
- Beach and Recreation Director (Kelly Clark), and Chair of the Beach Commission (Eliza Harned) will come to discuss an increase in non-resident beach sticker fees for next year.
- We have received notification that we will receive about \$26,000 from the State to repair potholes and damage to our roads from the winter.
- The consent agenda includes;
 - A. A contract for the Chair to sign.
 - B. Licenses to review/approve.

Selectman Worthington asked if anything was being placed on the next agenda regarding Ballston Beach. Ms. Palmer stated that as part of her report, she was going to mention that Pat Pajaron put a

tentative meeting together with the whole Pamet River Valley crew, and the Army Corps of Engineers. That will be held on April 8th so she is asking to defer any discussion until after that meeting.

Town Administrator's Report

Ms. Palmer thanked the Board of Selectmen for approving the contract with Carole Ridley to be the Acting Town Planner while the Assistant Town Administrator is out on medical leave. She also asked the Town Accountant, Trudi Brazil, to be the Acting Assistant Town Administrator during Charleen's absence, and she said yes. Ms. Palmer has prepared an RFP to hire a search consultant for the interim Fire Chief's search. She would love to get that out by the end of the week, and accept proposals by the 17th of April. That will give them some opportunity to discuss what that process will look like. She hopes we will have someone on board by August, before the current Fire Chief retires. She, Jay Norton, and Mark Borelli will try to get out to Ballston this week to discuss what they can do to open the parking lot for the season. She attended a preliminary meeting with the Cape Cod Commission to talk about the waste management agency which Truro is being charged under the Cape's 208 plan. They will be looking at what each town's role is. There will be meetings at Truro's Community Center in April and May, which the Cape Cod Commission is sponsoring.

Selectman Wisotzky remembered an item to add to the agenda. They might want to place a scheduling issue, in terms of the pre-town meeting, on their next agenda. A meeting may have to be moved.

Selectman Weinstein made a motion to adjourn at 6:31PM.

Selectman Burgess seconded this motion.

So voted unanimously, 4-0.

Respectfully submitted, Nicole Tudor & Noelle Scoullar, Board of Selectmen Secretaries

Jay Coburn, Chairman

Paul Wisotzky, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

Maureen Burgess
Board of Selectmen
Town of Truro

Documents Used:

Application to Serve-Beth O'Rourke-Council on Aging/Approval email from Chair, Bonnie Sollog
Application to Serve-Rachel Harrington-Recreation Commission/Approval email from Acting Chair, Jane Petterson
Agreement for Consulting Services between the Town of Truro and Ridley & Associates, Inc
Email from Kelly Clark with Beach Commission vote regarding the Little Library boxes/attached photographs
Applications for Common Victualer (food) license renewals; The Box Lunch and Top Mast Café
Application for On Premises All Alcohol license for Whitman House Restaurant, Application for On Premises All Alcohol license for Top Mast Café, Application for On Premises All Alcohol license for Blackfish, Application for Off-Premises Wine and Malt Package Store license for Jams, Inc, Application for Off-Premises All Alcohol Package Store license for Fuller's Package Store, Application for On Premises All Alcohol license for Terra Luna, Application for On Premises All Alcohol license for Beach Point Health and Swim Club
Memo to Chief Takajian regarding 2015 Seasonal Liquor License Renewals
Draft 031215 Warrant