

Truro Board of Selectmen
Meeting Minutes – January 14, 2014
Truro Town Hall, 5:00pm

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

Others Present: Town Administrator Rex Peterson, Assistant Town Administrator Charleen Greenhalgh

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

Review and approval of Minutes- December 10th, 2013 (5:45pm)

Wisotzky moved to approve the meeting minutes of December 10th, 2013 minutes¹. Weinstein seconded the motion. So voted unanimously 4-0-1. Worthington abstained.

Review and approval of Minutes- December 10th, 2013 (Joint Session)

Wisotzky moved to approve as amended the minutes of the meeting with the Provincetown Board of Selectmen on December 10th, 2013 minutes². Weinstein seconded the motion. So voted unanimously 4-0-1. Worthington abstained.

Review and approval of Minutes- December 16th, 2013 (Budget Task Force)

Dunigan moved to approve the Budget Task Force minutes of the December 16th, 2013³ meeting. Worthington seconded the motion. So voted unanimously 4-0-1. Wisotzky abstained.

Review and approval of Minutes- December 17th, 2013

Wisotzky listed corrections that he would like made on pages 7 & 8.

Weinstein moved to approve the minutes as amended of the December 17th, 2013 meeting⁴. Dunigan seconded the motion. So voted unanimously 5-0.

Review and approval of Minutes- December 17th, 2013- Executive Session

Wisotzky moved to approve the Executive Session December 17th, 2013 minutes⁵ and hold them. Worthington seconded the motion. So voted unanimously 5-0.

Public Comment Period

Coburn reminded the public that Special Town Meeting is on Wednesday, January 15th at 6pm at the Truro Community Center.

Application to serve Mark Wisotzky- State Representative to the Truro Housing Authority, authorize Chair to sign letter to Governor

Selectmen Wisotzky recused himself from the discussion. Carl Brotman, Chair of the Housing Authority, spoke of the make up of the membership of the Housing Authority which includes one Governor appointee⁶. Art Hultin resigned from this appointment after 10 years. Mr. Brotman spoke of the applicant, Mark Wisotzky's long career in the building industry and his recent retirement to Truro after many years summering here. Mr. Brotman explained that it is a 2 year position. **Weinstein moved to appoint Mark Wisotzky to the appointment of the Governor's representative to the Truro Housing Authority and authorize the Chair to sign the letter to the Governor. Dunigan seconded the motion. So voted unanimously 4-0. Wisotzky recused himself.**

**Police Department
Truro Police Department Quarterly Report
Grant application, authorize Chair to sign
Part-time Telecommunicator appointments
Conditional offer of employment, Officer Bayer
Police Officer appointments⁷**

Chief Takakjian stated that two police officers (Steven Raneo and David Hobbs) have completed their probationary period and he respectfully requested that they be appointed as Police Officers with a start date of December 10, 2013 and an end date of December 31, 2015. **Dunigan moved to appoint the Police Officers with a start date of December 10, 2013 and an end date of December 31, 2015. Wisotzky seconded the motion. So voted unanimously 5-0.**

Chief Takakjian added that the Police Department has been actively looking to fill two vacancies that they currently have. Chief Takakjian introduced Officer Craig Bayer to the Board of Selectmen. He requested that the Board of Selectment appoint Mr. Bayer as a probationary Police Officer with the Town of Truro. Chief Takakjian outlined the stipulations and conditions of employment. He added that his probationary period would be from February 3, 2013 until one year there after. **Dunigan moved to appoint Officer Bayer to a probationary period beginning February 3, 2013 for one year. Wisotzky seconded the motion. So voted unanimously 5-0.**

Chief Takakjian explained that they have also been looking for part-time Dispatch personnel. He requested that (Andrew Doody and Julie Cataldo-Roda) be appointed as part-time telecommunicators with a start date of January 14, 2014 until such time that they are no longer employed. **Dunigan moved to approve the appointments of Julie Cataldo-Roda and Andrew Doody as part-time dispatchers with a start date of January 14, 2014 until their services are no longer needed. Weinstein seconded the motion. So voted unanimously 4-0-1. Worthington abstained.**

Chief Takakjian noted that there was a grant before them for their Dispatch Center from the State's 911 Program. The grant entails personnel costs of \$5300.00, equipment at \$7500.00 and miscellaneous equipment for \$187.00. He asked that the Board of Selectmen authorize the Chair to sign the grant for this year's program. **Wisotzky moved to approve and authorize the Chair to sign. Dunigan seconded the motion. So voted unanimously 4-0-1. Worthington abstained.**

Chief Takakjian added that he would like to read into the record his Quarterly Report. He thanked the staff at the Police Department both Patrol Officers and Dispatch. He also wanted to thank other departments including the Department of Public Works and the IT Department. He also thanked the citizen of Truro for their support. The Police Department will hold a public forum again this February. The Police Department hopes to have Certification and Accreditation this year. The public drug kiosk in the Library has been a success. He read into the record a letter from Truro Central School addressed to Sergeant DeAngelo regarding the Police Department's efforts in their community programs. Chief Takakjian responded to Dunigan that there were no shelter requirements in this past storm but there is an Article on the STM Warrant that will fund emergency supplies. Weinstein asked what the total staffing numbers were including the appointments just made. Chief Takakjian responded that there is 11 Police Officers and they are fully staffed with Telecommunicators. The two part-time Telecommunicators just appointed, will fill in for staff, but they will not be able to work until the summer after their training.

Local Initiative Program and Land Purchase⁸ -Review application and letter of support, authorize Chair to sign

Carl Brotman, Chair of the Housing Authority explained that there was a grant for \$180K from last years Town Meeting in which Habitat for Humanity has been looking for land to purchase with these funds. Leedara Zola, Director of Land Acquisition and Permitting at Habitat for Humanity, explained that Habitat along with the Housing Authority have looked for land within that price range. Highland Affordable Housing added to the funds so that they can now purchase a parcel large enough for three homes. They have secured a Purchase and Sale for property at 181 Route 6 (1.7 acres). In order to get three homes on this parcel they are seeking to use MGL 40B which will allow a developer to waive certain local zoning provisions. The Local Initiative Program (LIP) allows a Town to work with a developer and the Department of Housing and Community Development. The LIP application requires the approval of the Board of Selectmen. The State will complete a site visit and will issue a site eligibility letter. Then the Zoning Board will look at all of the details.

Mr. Brotman added that it is a complicated site that will require a 4-500 foot driveway to access the back of the property. He explained that the Trust Fund money (STM Article 8) will purchase the land and Highland Affordable will use their money for the required site work. Dunigan asked where the access was located. Mr. Brotman explained that there will be a curbcut from Route 6 and the property will have three separate SFR's. Ms. Zola explained that they are hoping to do two 2 bedrooms (SFRs), and one 3 bedroom (SFR). Weinstein questioned the grade issues of the property and whether the site's conditions will cause the costs to grow. Ms. Zola responded that she doesn't have exact figures but it is doable. Wisotzky thanked the Housing Authority and Ms. Zola for their fast efforts to get things accomplished to date. Wisotzky added that (Article 8) will free up money for the site work. **Wisotzky moved to authorize the Chair to sign the application and the letter of support for the Local Initiative Program. Weinstein seconded the motion. So voted unanimously 5-0.**

POCCA, review and sign letters regarding NSTAR herbicide spraying, management plan⁹

Laura Kelly, Director of POCCA, reported that NSTAR is not meeting their requirements on many levels. This information was distributed in a letter from MDAR (Massachusetts Department of Agriculture Resources). Ms. Greenhalgh stated that they did receive this letter through the Health Department. Ms. Kelly added that she was before the Board of Selectmen to request that they send a letter to MDAR which includes the YOP (Yearly Operational Plan) 2014 while it is still the Comment Period. The Comment Period was extened until February 18th. **Wisotzky moved to approve the letter dated January 14, 2014 to NSTAR and the Department of Agriculture Resources. Weinstein seconded the motion. So voted unanimously 5-0.** Ms. Kelly mentioned that the letter dated December 21st, 2013 was a fact based letter that POCCA is allowing people to co-sign. **Wisotzky moved to endorse the letter to the Massachusetts Department of Agriculture Resources dated December 21, 2013. Weinstein seconded the motion. So voted unanimously 5-0.**

Discussion of standing Charter Review Committee¹⁰

Coburn reminded the Board of Selectmen , Meg Royka and Bob Panesitti of the Charter Review Committee that Phil Smith at their previous meeting made recommendations for a change to the Charter and implement a standing Committee. Ms. Greenhalgh reminded the Board that they would need a new Charge. Ms. Royka explained that given the number of changes identified that a few changes be made each year building on it slowly. She also added that it made sense to have a Committee with overlapping terms. Mr Panesitti stated that since the current Charter hasn't been

revised since 1992 that in itself demands changes. Dunigan spoke of the current Charge of the Committee being to “incrementally change the Charter” in which she added concern that all documents be changed accordingly and what the implications of that would be. Wisotzky felt that a drafted new Charge would be helpful. Coburn added that until there is a standing Committee then there can not be staggered terms and all they can do now is appoint an Ad-Hoc Committee. Coburn added that he would like to see a draft Charge as well as review the recommendations for proposed changes for the Warrant for ATM. Worthington and Weinstein agreed to bring a draft revised Charge for re-appointing a Committee for a year. Coburn suggested that there also be a discussion of the proposals at the next meeting.

Update of Fire Department review and study

Bob Panesitti, reported to the Board of Selectmen that the report from Municipal Resources is going to be coming after it is reviewed by the Fire and Rescue Advisory Committee within 3-4 weeks. Mr. Panesitti added that there is some lack in training with the personnel in Fire suppression which could present a problem but there is good medical response. He added that there will be some recommendations that will be available to Truro both for short term and long term goals. They have begun looking at various staffing models. There are people in place to receive calls should something happen, with the vast majority being medical in nature but they need to determine what is the best use of resources for the town. Chief Davis has been made aware of all of the Task Force meetings and has been participating. They will also be reviewing job descriptions. There could be a transitional period over the next year and a half in order to determine what they will need administratively as well as from a personnel stand point.

Dunigan added that hopefully any changes with respect to the report will be in advance of Town meeting due to budget implications. Wisotzky thanked everyone for all their hard work. Mr. Panesitti responded to Dunigan that they should be ready for Town meeting.

Request for Construction Staging Permits and authorize the Chair to sign¹¹

33 Cooper Road	2 Heron Lane	39 Bay View Road
4 Heron Lane	21 Cooper road	32 Cooper Road

Gordon Peabody, of Safe Harbor, thanked the Selectmen for their support on these projects. They tried experimenting with a new strategy of linked responses (neighboring properties) which has a higher level of dependability and sustainability. Coburn stated that there were 6 applications before them in which the work has been completed. Mr. Peabody explained to Ms. Worthington that they took a certain amount of nourishment in the velocity zone (wave action) in which the coastal process is based on sand movement. Mr. Peabody stated that he sees serious challenges in coastal management plans for the future of Truro. Worthington asked if this was something they should be looking at as a Town with respect to nourishing all beaches. Mr. Peabody explained the differences between the bay and the ocean beach with respect to erosion. He felt that it was up to the towns Cape wide to have a comprehensive plan in place that is forward looking. Mr. Peabody further explained the resources with respect to the dunes at Ballston beach and what they were designed to withstand. It was decided that the posting wasn't correct on the agenda and this item would be continued at the next meeting to vote to authorize the Chair to sign the release of the certificate of liability insurance.

Preliminary Budget and CIP Discussion, and vote to approve the FY14 deficit spending for Snow and Ice Removal

Trudi Brazil, Town Accountant, spoke of the annual request for snow and ice removal¹². Ms. Brazil reported that the Town is not in deficit yet for the amount to remove snow and ice. Ms. Brazil formerly requested that they approve the deficit spending and authorize her to request the Assessors's to include this amount to the FY15 tax re-cap if the deficit still exists by June 30th. Worthington asked if they needed to know the balance. Ms. Brazil responded that she didn't know the balance. **Wisotzky moved**

that the Board of Selectmen authorize the expenditure of funds in excess of appropriation for emergency snow and ice removal during Fiscal Year 2014 and further that the Town Accountant communicate any such deficit to the Board of Assessors for inclusion on the FY2015 Tax Rate Recap, if such deficit is not covered by other means prior to June 30, 2014. Weinstein seconded the motion. So voted unanimously 5-0.

Ms. Brazil, reported that there was two budgets before them, which included the FY13 expenditures, the FY14 approved and updated budget with COLA distributions and any approved increases. The major missing detail is the education budget total that the School Committee is going to approve on January 22nd. The Fiscal Year 15 budget is estimated at \$17, 592, 025.00 with an increase of 4.256% over the current fiscal year's operating budget. She added that there should be a complete budget by the 27th of January. Ms. Brazil further explained the operational budget with respect to reviewing the budget on a functional basis. She spoke to the spreadsheet she created that breaks the expenses down into category variations from FY14 to FY15. Coburn stated that there is still more things that they need to look at within the budget. Ms. Brazil explained to Wisotzky that 5700 (Otherwise Unclassified Items) were things such as dues and memberships or other things that don't easily fit into a service or supply item. Mr. Peterson asked if the Operating budget included the additional Police or Fire personnel in the budget. Ms. Brazil responded that the FY15 column budget were the figures that were presented to the Budget Task Force and added that the FY14 figures for the Fire Department included the transfers from the reserves. The budget in the wage line includes wages for four fulltime Firefighter EMTs.

Reaffirm Special Town Meeting Warrant recommendations¹³

Mr. Peterson stated that this was the Board's opportunity to reaffirm the previous recommendations or revote and announce the vote at the Special Town Meeting.

Article 1:

Coburn asked for a motion to reaffirm 5-0 for Article 1.

Weinstein so moved. Dunigan seconded the motion. So voted unanimously 5-0.

Article 2:

Dunigan moved to reaffirm the vote of 4-0-1 for Article 2. Wisotzky seconded the motion. So voted unanimously 5-0.

Article 3:

Wisotzky moved to affirm the original recommendation (4-0-1). Weinstein seconded the motion. So voted unanimously 5-0.

Article 4:

Wisotzky moved to affirm 4 in favor and 1 abstention (Article 4). Weinstein seconded the motion. So voted unanimously 5-0.

Article 5-8:

Coburn asked for a motion to reaffirm en mass Articles 5 through 8. **Weinstein so moved. Wisotzky seconded the motion. So voted unanimously 5-0.**

Coburn added that Article 9 will be indefinitely postponed so they do not need to vote on that Article.

Review Special Town Meeting motions¹⁴

Coburn reminded the Board of Selectmen that they have all been assigned a motion. Wisotzky received confirmation that for Article 9 he will be moving to indefinitely postpone.

Review Streetlight Operation and Management agreement, ¹⁵authorize Chair to sign

Coburn asked for questions or comments. Wisotzky responded due to the size of the contract he was glad they had on a future agenda using some form of technology. Coburn asked for a motion to approve and authorize the Chair to sign. **Dunigan so moved. Wisotzky seconded the motion. So voted unanimously 5-0.**

Review NFWF grant application and letter of support for Eagle Neck, Mill Pond Road, Upper Pamet Valley, authorize Chair to sign¹⁶

Charleen Greenhalgh, Assistant Town Administrator/Town Planner explained to the Board of Selectmen that she does not have a letter of support at this time. She was requesting the authorization of the Chair to sign a letter yet to be written in support of an application that she will be making to the National Fish and Wildlife Foundation-Hurricane Sandy Coastal Resiliency Competitive Grant Program. She added that they are bundling three projects together in the Pamet area: Eagle Neck Creek, Mill Pond and a review of the Upper Pamet River. Ms. Greenhalgh added that this might also work well for East Harbor. They received an estimate from the Woodshole group of \$3900.00 for them to do the application. Ms. Greenhalgh added that since it is a competitive grant they need to decide if the applications should be bundled together rather than compete against each other since they are two different projects. Wisotzky explained that he had spoken earlier with Ms. Greenhalgh that the East Harbor project is moving along and there are resources available for that project. The Pamet Valley needs this to get the project going. Ms. Greenhalgh added that the Eagle Neck project is at the permitting and implementation stage and Mill Pond is at further design stage as well as the Upper Pamet area. Coburn asked if this was a full proposal or a Letter of Intent. Ms. Greenhalgh responded that that the Town applies and if the money is received the project commences within two years. Ms. Greenhalgh stated that projects receiving money for planning and design would go to the top of the list for implementation if money becomes available. **Dunigan moved to approve a letter of support for the grant application to the National Fish and Wildlife Foundation focusing on the Pamet River projects and authorize the Chair to sign . Wisotzky seconded the motion. So voted unanimously 5-0.**

Refer Zoning Bylaw Amendments for Public Hearing¹⁷

Wisotzky moved to refer the proposed Zoning amendments by the Planning Board back to the Planning Board for a Public Hearing. Dunigan seconded the motion. So voted unanimously 5-0.

Review Extension of FY12 CDBG Grant¹⁸ , Authorize the Vice-Chair to sign

Coburn recused himself. Dunigan stated that they were reviewing the extension of the Community Development Block Grant. Mr. Peterson stated that this extension request was due to a change in Housing Rehab staff at the sub-grantee level (Community Development Partnership) resulting in requiring additional time to complete the FY12 program. Coburn, stated as Executive Director of the Community Development Partnership that there were changes to staff with the initial grantee (Harwich Eucmenical Council on Housing) which caused delays in moving projects forward. This extension requires another 6 months to spend down the funds for Housing Rehab. **Dunigan stated that they need to approve an extension of the funding period. Wisotzky so moved and authorized the Vice-Chair to sign. Weinstein seconded the motion. So voted unanimously 4-0-0.**

Discussion of Town Administrator search process, Search Committee, possible consultant

Coburn stated that he has spoken with previous Chairs of the Board of Selectmen as well as colleagues that have dealt with search process within the last couple of years. Coburn explained that if the Board of Selectmen wish to create a search Committee, its members should have a deep understanding of the function and structure of the town. Also, he questioned the Board of Selectmen as to whether they want to obtain a consulting firm to assist with this process. Provincetown is currently in the process of requesting proposals for a consultant. Wisotzky asked if this would be a good opportunity to collaborate in a search process. Worthington felt that the communities were different. Coburn stated that there may be some funds to get things started but they could always put an Article on the Town

Meeting Warrant to fund the remaining. Mr. Peterson responded to Wisotzky that the consultant generally works with the committee as well as solicits candidates, but ultimately the person is answerable to the Board of Selectmen. Ms. Greenhalgh stated that she would be happy to act as the facilitator for the committee and the consultant. Worthington added that she felt that it was imperative that the search committee members have some kind of understanding of Town government. Coburn felt that they should take a look at the RFP (Request for Proposal) that Provincetown has put out for a consultant as well as determine what the Board feels that they need in a Town Administrator. Coburn requested for their next meeting that they bring forward an RFP to approve. Wisotzky and Weinstein responded that they would be willing to work with the Town Administrator to craft an RFP. Wisotzky asked if they need to make plans for an acting Town Administrator. Mr. Peterson explained that the RFP must be advertised a minimum of one month if advertised on the State website. Ms. Greenhalgh stated that due to the nature of the process it could take several months before a Town Administrator to be hired.

Selectmen Reports and Liaison Reports

Worthington- Nothing to report.

Dunigan- Attended the School Committee Budget Hearing, in which the budget is up 10.99% in part due to special education needs. She attended a meeting of the Bike and Walkways Committee. There was a discussion at this meeting on the importance of communication on all projects relating to roads including input from this committee.

Weinstein- At the Board of Health meeting a discussion took place regarding the Commonwealth of Massachusetts' pending Radon Regulations and the Health Agent will act as the community resource for these regulations when they take place. He has attended Budget Task Force meetings and he hopes that the budget increases can be addressed in the coming weeks.

Wisotzky- The Housing Authority is in the process of hiring a consultant for the Housing Summit. The Summit will be in September. The Agricultural Commission is working very hard on definitions for the Zoning ByLaw which will probably be ready for the 2015 ATM Warrant.

Coburn- At the Brewster Board of Selectmen meeting the Police Chief presented 200 bicycle helmets and safety lights to be made available to summer workers.

Next Meeting Agenda: January 28th, 2014

Continuation of discussion of Legal Services of Zisson and Veara; Recycling Committee recommendation on Solid Waste; Open ATM Warrant; Preview of Warrant Articles; Public Hearing on Common Victualer License; Sub-Grantee contracts for the CDBG funds; Annual Report to the ABCC on Liquor Licenses; Discussion on the ATR cover and dedication; Ragnar Relay Road Race; Appointment of Planning Board Member; Charter Review-Appt of AdHoc Committee, Charge for a standing Committee, proposals for ATM; release of certificate of liability for staging permits; contract services with Barnstable County for IT support; RFP for Town Administrator search consultant and review the charge for a search committee; discussion of ways to streamline paper in preparation for Selectmen's meetings. Mr. Peterson explained the purpose of contracting with Barnstable County for IT services. Worthington commented that Wellfleet uses Barnstable County IT services and it works well.

Town Administrator's Report¹⁹

An offer of employment was given to Peter Morris for the position of Transfer Station Attendant/Truck Driver position. A joint meeting with the Provincetown Board of Selectmen and Truro Board of Selectmen is slated for February 25th at 2-4pm which also includes Department Heads from both towns. Paul Asher-Best has resigned from the Finance and Human Services Committee and Pam Meideros

resigned from the School Committee. **Coburn asked for a motion to accept the resignations and send out a letter of thank you on behalf of the Board of Selectmen. Wisotzky so moved the motion. Worthington seconded the motion. So voted unanimously 5-0.** Weinstein asked for an addition to the Agenda for a discussion on the letter that was sent to Comcast more than a month ago with no response. Wisotzky asked that on a future agenda the erosion issue at Ballston Beach be discussed before a future storm.

Executive Session: At 7:21 Coburn moved that the Board of Selectmen enter into executive session in accordance with the provisions of Massachusetts General Law, Chapter 30A, section 21(a) number 3, to discuss strategy relative to pending litigation involving 25-27 Stephens Way, whereas discussion of these matters in open session would have a detrimental effect on the litigating position of the Town, and to not reconvene in open session. Dunigan seconded the motion. Roll Call Vote: Robert Weinstein, aye; Paul Wisotzky; aye, Jay Coburn, aye; Breon Dunigan, aye; Jan Worthington, aye. So voted unanimously 5-0.

Respectfully submitted,

Nicole Tudor, Board of Selectmen Secretary

Jay Coburn, Chairman

Breon N. Dunigan, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

Paul Wisotzky
Board of Selectmen
Town of Truro

¹ Board of Selectmen meeting minutes of December 10th, 2013

² Board of Selectmen meeting minutes of December 10th, 2013 Joint meeting minutes

³ Board of Selectmen meeting minutes of December 16, 2013 Budget Task Force Meeting Minutes

⁴ Board of Selectmen meeting minutes of December 17th, 2013

⁵ Board of Selectmen meeting minutes of December 17th, 2013, Executive Session

⁶ Mark Wisotzky resume, Letter of Intent, Letter to Governor dated January 14, 2014 for Truro Housing Authority Rep.

⁷ Chief Takakjian appointment requests, Quarterly Report and 911 Grant application

⁸ Local Initiative Program-LIP support letter and application for 181 Route 6 Truro

⁹ POCCA Letter to MDAR & NSTAR (1/14/2014) and Open Letter to MDAR

¹⁰ Charter Review Committee Charge

¹¹ Completed staging permits for 6 properties, applicant Safe Harbor (Gordon Peabody)

¹² Trudi Brazil Memo to the Board of Selectmen and motion for snow and ice removal deficit and FY15 proposed Omnibus budget to date

¹³ Special Town Meeting Warrant January 15, 2014

¹⁴ Special Town Meeting Motions for Warrant for STM January 15, 2014

¹⁵ Streetlight Operation and Management agreement C/O BCK Law, Boston

¹⁶ NFWF grant application and letter of support for Eagle Neck, Mill Pond Road, Upper Pamet Valley through the National Fish and Wildlife Foundation

¹⁷ Proposed Zoning Bylaw amendments

¹⁸ Extension of FY12 CDBG Grant form

¹⁹ Town Administrator's Report