

**Truro Select Board Meeting  
Wednesday, October 9, 2018  
Truro Town Hall**

**Select Board Members Present:** Chair Robert Weinstein; Maureen Burgess, Kristen Reed, Paul Wisotzky, Janet Worthington

**Present:** Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark

Chair Robert Weinstein called the meeting to order at 5:00 p.m. Tim McCarthy indicated that he was recording the meeting for LIP TV.

**PUBLIC COMMENT**

Dave DeWitt thanked Karen Tosh and the Planning Board for their work developing the marijuana bylaw.

**APPOINTMENT OF COUNSEL FOR HERRING RIVER RESTORATION PROJECT**

Town Manager Rae Ann Palmer introduced two attorneys for the Selectmen to interview as possible counsel representing Truro for the Herring River Restoration Project. David Lurie of Lurie Friedman LLC went first. He reviewed his experience in land use cases. He expressed his interest in the Herring River Restoration Project. In response to Selectmen's questions, he discussed: working on inter municipal matters; approaching the project by resolution without litigation involved; the time his small firm could offer; negotiation of his rates; the timeline he had provided; protection of Truro while keeping the project going; and his observations on the phases with a view towards liability. Chair Weinstein added information on the interests of the two towns and the Cape Cod National Seashore. Mr. Weinstein clarified that, despite a misconception, he supports the project. He commented on Attorney Lurie's knowledge of the MOU's for the project. Mr. Lurie expanded upon Truro's issues with the plan. Attorney Lurie discussed his experience with dispute resolution through mediation.

Attorney Barry Fogel of Keegan Werlin LLC introduced himself as the head of its Environmental, Municipal and Land Use Group. He reviewed his career and relevant environmental and inter municipal cases he had handled. He explained his approach to dealing with Truro's needs while avoiding disputes. He said he will provide his municipal rates, but he was not presenting them for the public record. Selectmen asked him several questions. He responded with: his ideas to get the project moving forward; providing monitoring and mitigation; a general statement on governance and MOU's; following rules and regulations; evolution of the Herring River Restoration Project; dealing with road engineering; and the availability of Keegan Werlin.

Robert Weinstein suggested that the Board take the decision under advisement and not take a vote at the meeting. He suggested an executive session for further discussion.

Paul Wisotzky moved to table making the decision on an attorney to represent Truro for the Herring River Restoration Project. Maureen Burgess seconded, and the motion carried 5-0.

**BOARD OF SELECTMEN ACTION*****Cape Light Compact Presentation***

Maggie Downey, Cape Light Compact Administrator, gave a PowerPoint presentation, providing an update on the Compact's proposed 2019-2021 Three-Year Energy Efficiency Plan in advance of the October 31, 2018 filing deadline with the Department of Public Utilities. She began with an overview of the Cape Light Compact (CLC). She reviewed the Calendar of Events and welcomed feedback through an online survey at [www.capelightcompact.org/eeplan](http://www.capelightcompact.org/eeplan). CLC offers programs for residential homes, income eligible, and commercial & residential buildings. Program enhancements and statistics on income verification offerings were included in the presentation. Ms. Downey explained the battery storage system that is now offered. Kristen Reed, who has used CLC, stated that they do follow-up visits. Ms. Downey explained the advantages and limitations of cold climate heat pump technology. From the audience, Christopher Clark requested information on geo-thermal systems. Ms. Downey said they are not yet cost effective.

***Aquaculture Shellfish Grant License***

Dan Smith now qualifies for a five-year lease for his Beach Point shellfish grant. Truro *Regulations for Aquaculture Licenses* allows for 5-year renewals after first-time licenses. Mr. Smith said he has had no problems with his two grants. He is interested in expanding the variety of shellfish on his grant. He has submitted all reports and complied with all regulations. He takes pride in the oyster production he has achieved. Janet Worthington congratulated him and thanked him for his work on the Shellfish Committee. Kristen Reed added her support.

Maureen Burgess moved to renew the two-acre tidal grant license to Dan Smith, located off Beach Point Landing for a term of five (5) years ending October 9, 2023. Janet Worthington seconded, and the motion carried 5-0.

***House Size Bylaw and Marijuana Bylaw Report & Referral***

Rae Ann Palmer said that the Planning Board had made its report and referral of two bylaws; Residential House Size and Marijuana. There will be a work session with Town Counsel available before the Selectmen need to vote on the bylaws. Paul Wisotzky asked about Petitioned Articles which are being prepared for Special Town Meeting. Rae Ann Palmer said they will require a public hearing. There will be a brief regular meeting before the work session in order to schedule the hearing. Board members will submit any questions they have before the meeting next week.

Paul Wisotzky moved to table a motion on Residential House Size and Marijuana bylaws. Maureen Burgess seconded, and the motion carried 5-0.

***Warrant Articles for Special Town Meeting***

Town Manager Rae Ann Palmer reviewed the eight Warrant Articles for Special Town Meeting. She explained the plan for the Capital Improvement Trust Fund and Capital Stabilization Fund. The Capital Improvement Trust Fund money can be moved for transfers for a beach shed, boilers at the School and into the Capital Stabilization Fund. Another Operating Budget transfer is from unspent HVAC ductwork cleaning to public safety doors. The culvert appropriation line has

money that can be transferred to a Culvert Fund for the Little Pamet and other culverts. Article 6 requests acceptance of a change in Mass General Law for PEG access and cable. Lastly, the zoning bylaws and Petitioned Articles are in the draft Warrant.

### **CONSENT AGENDA**

- A. Review/Approve and Authorize Signature: Curb Cut Application for Pamela Blair, 6 Castle Road
- B. Review and Approve Reappointments and New Appointments to: Disabilities Commission – Hannah King, Charter Review Committee – Jay Coburn
- C. Review and Approve Board of Selectmen Minutes: September 25, 2018

Janet Worthington asked about including appointments in the Consent Agenda.

Paul Wisotzky moved to approve the Consent Agenda as printed. Kristen Reed seconded, and the motion carried 5-0.

### **SELECTMEN REPORTS AND TOWN MANAGER'S REPORT**

Paul Wisotzky had attended the Local Comprehensive Planning Committee meeting. They are developing an RFP for a consultant, he said. He and Janet Worthington offered condolences to the Williamson family for the loss of their son.

Maureen Burgess attended final meeting of Part-Time Residents Advisory Council, who seek to be on the agenda for the second Selectmen's meeting in June. They are planning a meet and greet at the Truro Vineyard early next summer. Rae Ann Palmer had more information on this planned outreach event. Ms. Burgess said the Council has a membership issue because of absences. She also reported on the meeting demonstrating call boxes for the beaches.

Kristen Reed gave her condolences for the loss of Ross Williamson. She has contacted Lisa Sette from the Center of Coastal Studies about giving a presentation on seals. She had referred to Janet Worthington someone with a question about creating a Friends of the Pamet Harbor. She thanked Wellfleet for a trauma and stress presentation to be held October 12 at the Wellfleet Senior Center in response to the recent fatality from the shark attack in Wellfleet.

Town Manager Rae Ann Palmer discussed the Talk-a-Phone call box demonstration for the beaches. These are based on Internet or cellular phones. Since Truro does not have good service for either of these, she is looking into satellite service. The NPS Superintendent and other Towns are considering getting fiber. A new cell tower on the ocean side would likely have to be built by the Town. If installed, call boxes would provide instant access. The Town continues to work on improving the emergency response procedure for the beaches.

### **SELECTMEN COMMENTS**

Chair Weinstein extended condolences to Williamson family and thanked emergency responders for their rescue efforts. He had done a driving survey with DPW Director Jarrod Cabral to locate North Pamet Road trees that are threatening the power lines. Mr. Weinstein thanked the company responsible for the resurfacing of a number of roads in Town.

**Public Records Material of 10/9/18**

1. Cape Light Compact PowerPoint presentation
2. Dan Smith's shellfish grant application papers
3. Memos from Jessica Bardi, Interim Planner on proposed zoning bylaws
4. House Size Bylaw proposed amendments
5. Marijuana Bylaw proposal
6. List of Proposed 2018 Special Town Meeting Warrant Articles
7. Curb Cut Application for Pamela Blair, 6 Castle Road
8. Appointment papers for Disabilities Commission – Hannah King and Charter Review Committee – Jay Coburn

### **NEXT MEETINGS**

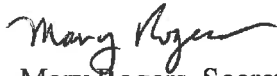
Rae Ann Palmer reviewed agenda items for the next meetings:

Tuesday, October 16, 2018 - 2 p.m. work session for bylaw review and a brief regular meeting;  
Tuesday, October 23, 2018 – public hearing for 2 Higgins Hollow Rd. electric service by Ever  
Source, votes on Warrant Articles, possible seal presentation, and a pinning ceremony for new  
firefighters.

### **ADJOURNMENT**

Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0.  
The meeting was adjourned at 7:17 p.m.

Respectfully submitted,



Mary Rogers, Secretary



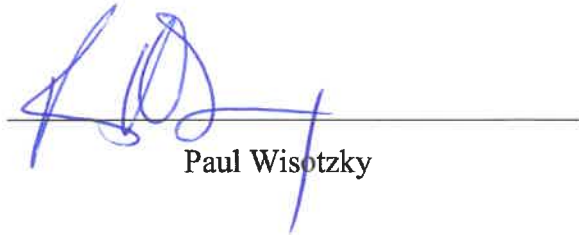
Robert Weinstein, Chair



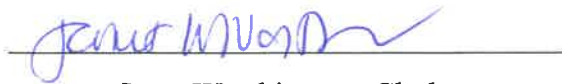
Maureen Burgess, Vice-chair



Kristen Reed



Paul Wisotzky



Janet Worthington, Clerk