Truro Board of Selectmen Meeting Minutes – Tuesday, March 17, 2015 Truro Town Hall, 5:00 p.m.

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

Present: Town Administrator-Rae Ann Palmer, Anthony Jackett-Harbormaster, Timothy Silva-Chair, Pamet Harbor Commission, Beau Gribbin, Kelly Laramee, Jason Laramee, Eric Morea, Hannah King, Mark Borelli, Graham Giese, Jason Norton, Liz Cohen, Peter Romanelli, Deborah McCutcheon, Ansel Chaplin

Public Comment

Chair Coburn called the meeting to order at 5:00 p.m. He announced the meeting was being recorded for broadcast on Truro TV channel 18, and asked if any audience members were recording. Hearing no response in the affirmative, he opened the meeting up for public comments. No one came up to speak during the public comment period, and Chair Coburn opened the Public Hearing.

Public Hearings

A. CONTINUED-The Truro Board of Selectmen will hold a public hearing on Tuesday, February 24, 2015 at 5:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro, at which time proposed changes will be made to the Canoe/Kayak/Raft-Daily Launch & Seasonal Fees; Ramp-Fee Daily; Commercial Hauler Ramp-Seasonal & Single Launch Fees; & a Proposed Non-State Resident Daily Ramp Fee.

Mr. Jacket and Mr. Silva approached the Board. Mr. Silva stated that the Board of Selectmen should have a list of expenses in their packets, which had been requested at the last meeting. Mr. Silva proceeded to review the expenses. He also read off a list of fee comparisons using surrounding towns. Selectman Wisotzky is comfortable with the proposal. He asked a question regarding the proposed fee for daily ramp launch. If the town proposes \$15.00 and the State does not approve it, will the fee revert back to the current fee (\$10.00). Ms. Palmer stated that it would have to. If the town approves the \$15.00, and the State does not approve it, we would have to charge the existing fee. Selectman Wisotzky wants to make sure that the town ends up with at least a \$12.00 fee. Selectman Weinstein stated that if the proposed fees are accepted, and the harbor has the same amount of launches, kayaks, and seasonal launches/kayaks, as last year then the increased revenue would be a little over \$5700.00. Mr. Jackett wanted to add that while they cannot charge an out of state fee, they can charge the canoe/kayak/raft launch the same fee as the daily ramp. He also confirmed that federal money was used (per Jack Sheppard and Doug Cameron). Chair Coburn thinks it would be helpful for the Board to approve the proposed increases. He would also like, as one of the Board's goals, to explore other opportunities to reduce the amount of money taxpayers are paying to subsidize the operation of the harbor.

Selectman Wisotzky made a motion to approve the proposed fees as presented for Pamet Harbor. Selectman Worthington seconded this motion.

So voted unanimously, 5-0.

Mr. Silva briefly discussed the possibility of using Mill Pond Road to offer additional parking for users of the harbor. Chair Coburn apologized for the omission of this topic on the agenda and asked that it be placed on the March 24, 2015 agenda. Ms. Palmer would like the DPW Director to go out and review the location in order for the Board of Selectmen to have all the information they need.

B. In accordance with an application filed on January 15, 2015 by Beau Gribbin, 563 Shore Road, North Truro, MA, for a Shellfish Aquaculture Grant, pursuant to the Aquaculture Grants Regulation, the Board of Selectmen will conduct a public hearing at the Truro Town Hall, 24 Town Hall Road, Truro MA on Tuesday, March, 17th, 2015 at 5:00 pm. The proposed grant is for 1 acre, grant #22 located in the Aquaculture Development Area as shown on plans submitted with the application on file in the Selectmen's office.

Beau Gribbin and Tony Jackett approached the Board. Chair Coburn announced that as Executive Director of the Community Development Partnership, he has dealings with Mr. Gribbin and will abstain from voting. Mr. Jackett explained that this application will fill the 25 acre aquaculture area. Selectman Weinstein asked Mr. Jackett where the last grant was located on the schematic provided.

Mr. Jackett also mentioned that there are a couple of grant holders who would like to move their grants. If the Board approves the change when they come before them, then they would need to send a letter to the Division of Marine Fisheries stating those changes.

Selectman Burgess asked Mr. Gribbin for a definition of QPX, a disease which wiped out last year's seed. Mr. Jackett explained that it is a "parasite unknown", and then proceeded to give a theory of how it occurred.

Selectman Worthington made a motion to approve Beau Gribbin's aquaculture site #22. Selectman Weinstein seconded this motion.

So voted, 4-0-1 (Chair Coburn abstained).

C. The Truro Board of Selectmen will hold a Public Hearing on Tuesday, March 17, 2015 at 5:00 p.m. to hear the application of Johnson Golf Management Inc., d/b/a Highland Links Golf Course, Kelly Laramee, Manager and Owner of Record is requesting a New Seasonal – All Alcohol Pouring License (under MGL Chapter 138 § 12) with the Town of Truro. The premises location is 10 Highland Light Road, Truro, MA 02652. The hearing will take place at the Truro Town Hall, 24 Town Hall Road, Truro, MA, 02666.

Kelly and Jason Laramee approached the Board. Ms. Laramee explained that they are asking for a seasonal license to sell alcohol at the Highland Links golf course. Their hours would be seven days a week from 10am to 7pm.

Selectman Weinstein made a motion to approve a Seasonal-All Alcohol Pouring License to Kelly Laramee, Manager and Owner of Johnson Golf Management Inc., d/b/a Highland Links Golf Course, located at 10 Highland Light Road, Truro, MA 02652.

Selectman Wisotzky seconded this motion.

So voted unanimously, 5-0.

Board/Committee/Commission Appointments

A. Review and Approve Re-Appointment Eric Morea-Pamet Harbor Commission-three year term. Eric Morea approached the Board. Chair Coburn stated that two years ago there was a discussion about the Pamet Harbor Commission making sure that potential conflicts of interest were disclosed. Chair Coburn asked if Mr. Morea had filed an ethics disclosure regarding his being a charter boat Captain. As long as Mr. Morea fills out the ethics disclosure within ten days, Chair Coburn has no problem supporting his reappointment. Selectman Weinstein clarified which form Mr. Morea is to fill out. Selectman Wisotzky made a motion to re-appoint Eric Morea for a three year term to the Pamet Harbor Commission.

Selectman Worthington seconded this motion.

So voted unanimously-5-0.

B. Review and Approve & Interview Hannah King-Commission on Disabilities-three year term. Hannah King approached the Board. Ms. King has worked at Truro Central School for the last eight years. She has a Masters Degree in Special Education, has lived in Truro for ten years, and is interested in becoming more involved in the community.

Selectman Burgess made a motion to appoint Hannah King to the Commission on Disabilities as a full member for a three year term, ending on June 30, 2018.

Selectman Wisotzky seconded this motion.

So voted unanimously, 5-0.

Board of Selectmen Action

Update on Ballston Beach overwash.

Mark Borelli and Graham Giese approached the Board. Selectman Wisotzky had some questions centered around what <u>new</u> information do they need in order to help the Town make a decision about what to do, in the short term, about the parking lot, and in the long term, to restore tidal flow to the Pamet River Valley. Mr. Borelli stated that this particular study will not cover the long term restoration of tidal flow to the Pamet River Valley. They want to look at the overwash events in 2013 and 2015, understand why the 2015 event occurred the way it did, how much sand is there, and most importantly, look at where it might go next. The only data collected on the 2015 event was done by the National Seashore, and no analysis has been done. Another concern of Selectman Wisotzky is that the Board needs to have information sooner vs. later. He asked Mr. Borelli if recommendations would be available by December of 2015. Mr. Borelli can accelerate the work to accommodate that time frame. Selectman Wisotzky asked for options on what to do with the parking lot for this season. Mr. Borelli gave some general options:

- North of the last driveway, the sand deposited could be left there
- Asphalt could be removed and dune could be allowed to migrate

Selectman Weinstein's immediate concern is what to do with the parking area. He has also been approached by many people in the community who do not want to see tax dollars spent on rebuilding the dune. Selectman Weinstein inquired if the DPW had been given direction to move some of the sand off of the parking lot and create an approximate six foot berm. Ms. Palmer replied, stating that the DPW staff did remove some of the sand to allow access to one of the houses. The directive did not come from the Center for Coastal Studies.

Selectman Burgess asked if they decide to leave the blacktop in the parking area, would that be an impediment. Mr. Borelli stated that it would not be an impediment, however eventually it would appear at the end of the beach.

Selectman Worthington wished to offer a different perspective. She is more concerned, short term, about what will happen with the parking lot this summer. Ballston Beach is a huge asset, and she would like to see the Town open Ballston Beach this summer. She does not see the sand washing in, between now and Columbus Day. She is asking, along with what her colleagues are saying, is how the Town can have the parking lot this summer. Selectman Wisotzky would like to clarify that they are not talking about closing Ballston Beach, they are talking about potentially losing a section of the parking lot. He asked how many parking spaces would be lost if the sand was left there. Ms. Palmer stated that the sand is covering approximately 1/3 of the spaces, and Mr. Norton believes about 2/3 of the spaces are covered. Ms. Palmer mentioned the possibility of pushing the sand out of the way for the season in order to open the parking lot for this summer, and then they could address potentially abandoning the parking lot after the season is over. Selectman Wisotzky would like to be careful on wording. They are not abandoning the whole parking lot; they may close a section of the parking lot. Ballston Beach is

opening this summer, and they are determining how much of the parking lot is going to be open. If the desire is to remove the pavement, they will need to remove the sand. To Selectman Wisotzky, the solution is to move the sand for this summer and then at the end of the season reassess and most likely remove the pavement from a portion of the lot. He would also like to discuss if there is any way to gain parking, to get back what they might lose. Selectman Weinstein asked Mr. Borelli; if the sand were to be cleared down to the pavement where would it best be situated. Mr. Borelli would need to figure out how much sand is there. Selectman Wisotzky asked the Board if it is their interest to maintain as much parking this summer, as they have in prior years. Selectman Worthington stated that it is her interest. Chair Coburn would like to maintain as much parking as possible, as long as they are not taking steps that will need to be undone later. Mr. Borelli thought it might be good to have some signage to let people know how much sand was deposited in the parking lot. Selectman Wisotzky mentioned that there had been discussion of having a pamphlet prepared, which people could receive when picking up their beach sticker.

Liz Cohen came before the Board to speak. She has a concern that if the dune starts to rebuild we should not undermine that by having people walking all over it. She is wondering what would be the best way for people to access the beach.

Peter Romanelli came before the Board to speak. He is on the Conservation Commission and requested that they be included in all updates, as they will be the permitting agency for this.

B. Update on Assembly of Delegates

Deborah McCutcheon approached the Board. She is the elected delegate to the Barnstable County Assembly of Delegates. There are some important things going on at the County level which she wished to inform the Board about.

- Session has started with a large interest in the budget of Barnstable County for a number of
 reasons. Not the least of which is that they are seeking an increase of 5% from all cities/towns
 in both the Cape Cod Commission fees and in the taxes that each town pays. This has led to
 some increased examination of their budget. It appears that through a less than transparent
 budget device, the County has borrowed a good deal of its operating expenses for the last
 several years. Repayment of some kind needs to occur.
- 2. Built into the budget are some issues which the Assembly is concerned about. There is a 6% increase for everybody in the County. If there is a step increase, you won't get the 6%.
- 3. There have not been any reimbursements to County affiliated organizations even though it's been represented in the budget documents, most particularly to Cape Light Compact. Cape Light Compact is under a lot of scrutiny for its budget and spending practices.

C. Vote to place and recommend Articles on Annual Town Meeting Warrant

Article 1: AUTHORIZATION TO HEAR THE REPORTS OF MULTI-MEMBER BODIES

Selectman Wisotzky made a motion to recommend Article 1.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article 2: AUTHORIZATION TO SET THE SALARY OF THE BOARD OF SELECTMEN

Selectman Wisotzky made a motion to recommend Article 2.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article 3: AUTHORIZATION TO SET THE SALARY OF THE MODERATOR

Selectman Wisotzky made a motion to recommend Article 3.

Selectman Burgess seconded this motion.

So voted, 4-0-1 (Selectman Weinstein abstained).

Article 4: AMENDMENTS TO THE FY2015 OPERATING BUDGET

SKIP

Article 5: FY 2016 OMNIBUS BUDGET APPROPRIATION

SKIP

Article 6: TRANSFER OF FUNDS FROM FREE CASH

SKIP

Article C: COMMUNITY PRESERVATION ACT

Selectman Weinstein made a motion to recommend Article C.

Selectman Wisotzky seconded this motion.

So voted unanimously, 5-0.

Article C Section 2: Phase 3 Preservation of the Truro Meeting House (Historic Preservation)

Selectman Wisotzky made a motion to recommend Article C Section 2.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article C Section 3: Highland House Museum Architectural Drawings (Historic Preservation)

Withdrawn by the Community Preservation Committee

Article C Section 4: Beach Access Materials (Recreation)

Selectman Burgess made a motion to recommend Article C Section 4.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

<u>Article C Section 5</u>: Participation in the Purchase of Two Lots at Edgewood Farm to be Protected by a Deed Restriction in Perpetuity (Open Space)

Selectman Weinstein made a motion to recommend Article C Section 5.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

<u>Article C Section 6</u>: Administrative Percentage

Selectman Wisotzky made a motion to recommend Article C Section 6.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

<u>Article D</u>: AUTHORIZATION TO EXPEND FUNDS IN ANTICIPATION OF REIMBURSEMENT FOR STATE HIGHWAY ASSISTANCE AID

Selectman Worthington made a motion to recommend Article D.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article F: CAPITAL EXCLUSION TO PURCHASE DEFIBRILLATORS

Selectman Wisotzky made a motion to recommend Article F.

Selectman Worthington seconded this motion.

So voted unanimously, 5-0.

Article G: CAPITAL EXCLUSION TO REFURBISH THE TRURO CENTRAL SCHOOL

Selectman Burgess made a motion to recommend Article G.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

Article I: TRANSFER OF FUNDS FROM STABILIZATION FUND TO EMPLOYEE BENEFITS ACCOUNT

Selectman Weinstein made a motion to recommend Article I.

Selectman Wisotzky seconded this motion.

So voted unanimously, 5-0.

Article J: POND ROAD EASEMENT

Selectman Burgess made a motion to recommend Article J.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

Article K: NON-UNION PERSONNEL CLASSIFICATION AND COMPENSATION SCHEDULE, COST OF LIVING

ALLOWANCE FOR FISCAL YEAR 2015

Selectman Burgess made a motion to recommend Article K.

Selectman Worthington seconded this motion.

So voted unanimously, 5-0.

Article L: AMENDMENT TO THE TRURO PERSONNEL BYLAW

SKIP

Article M: RETURN OF FUNDS TO THE CONGREGATIONAL CHURCH

Selectman Burgess made a motion to recommend Article M.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

Article N: AMEND GENERAL BYLAWS TO BAN SMOKING ON TOWN BEACHES

Selectman Weinstein made a motion to recommend Article N.

Selectman Wisotzky seconded this motion, with the recommendation to change the wording to read

"to eliminate cigarette butts and other smoking related waste."

So voted unanimously, 5-0.

Article O and Article P

REMOVED

Article Q: TO AMEND THE PERSONNEL BYLAW TO INCREASE THE HOURS FOR THE LIBRARY DIRECTOR

Selectman Worthington made a motion to recommend Article Q.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

Article R: TO AMEND THE PERSONNEL BYLAW TO CREATE A PART-TIME HEALTH/CONSERVATION AGENT

Selectman Wisotzky made a motion to recommend Article R.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article S: ZONING AMENDMENT - §30.2, NOTE 4

Selectman Burgess made a motion to recommend Article S.

Selectman Weinstein seconded this motion.

So voted unanimously, 5-0.

Article T: ZONING AMENDMENT - §30.2, NOTE 6

Selectman Wisotzky made a motion to recommend Article T.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article U: ZONING AMENDMENT - §50.1.H

Selectman Weinstein made a motion to recommend Article U.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Article V: ZONING AMENDMENT - DEFINITION OF STREET & NEW §30.11 STREETS AND FRONTAGE

Selectman Weinstein made a motion to recommend Article V.

Selectman Wisotzky seconded this motion.

So voted, 1-4 (Burgess, Wisotzky, Worthington, Coburn against) not recommended.

Article W: ZONING AMENDMENT - CONVERSION OF COTTAGE OR CABIN COLONY, MOTOR COURT,

MOTEL OR HOTEL FOR YEAR ROUND USE

SKIP

Article Y: CHARTER AMENDMENT CHANGE "TOWN ADMINISTRATOR" TO "TOWN MANAGER"

SKIP

Article Z: CHARTER AMENDMENT TO SECTION 3-1-1

SKIP

Article AA: CHARTER AMENDMENT SECTION 4-2-7

SKIP

Article BB: CHARTER AMENDMENT SECTION 4-2-9

SKIP

Article CC: CHARTER AMENDMENT SECTION 4-2-1

SKIP

Article DD: CHARTER AMENDMENT SECTION 4-3-1 AND APPENDIX B, PART 2

SKIP

Article EE: CHARTER AMENDMENT SECTION 5-4-3

SKIP

Article FF: CHARTER AMENDMENT SECTION 5-5-5

SKIP

Article GG: CHARTER AMENDMENT APPENDIX B, PART 3

SKIP

D. Update on FY15 Board of Selectmen Goals and Objectives

Ms. Palmer indicated that there are several goals/objectives which require training for Boards, Commissions, and Staff. Labor Counsel and Mr. Palmer have talked about setting training up for after the Annual Town Meeting. Selectman Weinstein had a question regarding goal #14, which has to do with the S.M.A.R.T/P.A.Y.T Committee. He would like to see if they can expand the comment which reads; "Committee is currently meeting, researching, and considering options", to "considering all options, including single stream recycling."

E. Discussion of the FY16 Budget

Ms. Palmer stated that the Board has the latest version of the budget. She pointed out, in lieu of Mr. Weinstein's comments earlier, that it is in fact a 4.2% increase. However, it is the same budget they have been looking at all along. The difference in percentages is because the budget they have been looking at all along includes the payment to the OPEB trust. Because it's a separate article, it was taken out of this budget and will be shown as a separate article. She gave an example of how the budget has changed; they are at \$12,000 above their taxing capacity without an override. The Town Accountant is confident that they can get there without having an override for this budget. The changes are related to the Cape Tech assessment going down, the Town Accountant realized they were showing free cash funding for snow and ice deficit twice, and there were some further adjustments to the reserves for union negotiations. The major increases are health insurance (showing a 10% increase over the current year), the school budget, the fire department (for staffing), and budgeting for increases in all unions. They have also put in some reserves for changes they see occurring with staff. Selectman Wisotzky asked if the percentage of increase/decrease for each item could be pulled out. Ms. Palmer stated that she could get the Town Accountant to do that.

F. Selection of Town Counsel

Chair Coburn stated that they have conducted interviews, and looked at materials which have been provided by the applicants. At this stage he is uncomfortable rushing into a decision. There are some items which he would still like to review. Selectman Wisotzky is in agreement with the Chair, as is Selectmen Burgess and Weinstein.

Selectman Weinstein made a motion to defer the decision until the March 24, 2015 Selectman meeting.

Selectman Wisotzky seconded this motion.

So voted unanimously, 5-0.

7. Consent Agenda

- A. Review & Approve & Authorize the Chair to sign.
 - 1. Support letter for Friends of Herring River Grant Application to Massachusetts Environmental Trust.
- B. Review & Approve 2nd Annual Request from Cape Abilities for *Light it Up Blue* Autism Awareness Month-Locations: Public Safety Facility and Town Hall.
- C. Review and Approve Common Victualer (Food) Licenses: Whitman House Restaurant; Jams Inc; Highland Links Golf Course.
- D. Review & Approve Draft Letter to MDAR Re: NSTAR/Eversource Herbicide use on Utility Rights-of-Way.
- E. Review & Approve Meeting Minutes: Feb. 10 & Feb. 17th (Town Counsel Interviews); Feb. 24th Regular Meeting.

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

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

8. Selectmen Reports and Liaison Reports

All reports were held for the next meeting.

Mr. Chaplin approached the Board. He apologized for missing the section of the meeting in which they were discussed granting the last ADA grant. He was attending the Board of Health meeting at that time. Chair Coburn stated that Mr. Jackett handled the agenda wonderfully and let Mr. Chaplin know that the Board voted to grant the last ADA grant. Selectman Wisotzky told Mr. Chaplin that the Board also voted to approve the fee structure for Pamet Harbor as well.

9. Next Meeting Agenda: March 24, 2015

Ms. Palmer went over the agenda for March 24th.

- · Articles for the Town meeting warrant.
- Update on the Cape Cod Commission from our Truro representative.
- Agenda item to add three more book boxes for the summer season. That could be moved to the
 consent agenda unless the Board wishes to have a presentation about it. (The Board decided it
 could be placed on the consent agenda).
- Town counsel appointment.
- Consent agenda includes:
 - A. Contract with Ridley & Associates, which will be our fill in Planner for while our Planner is out on long term medical leave.
 - B. A request to extend the shellfish season at Pamet Harbor because of the impact of the winter.
 - C. Some licensing items.

Selectman Worthington would like to talk about the Mill Pond Road parking for the harbor. Ms. Palmer stated she could place that on the agenda as a discussion item. Selectman Weinstein asked that when formulating that agenda item, would she make sure that both the Police Chief and the DPW Director be

present at the meeting so they can answer questions. Chair Coburn asked if Mr. Grunwold from the Cape Cod Commission could be held until the April Board of Selectmen meeting.

10. Town Administrator's Report

Ms. Palmer stated that she would defer her report to the weekly report, due to the time.

Selectman Wisotzky made a motion to adjourn at 7:33PM. Selectman Burgess seconded this motion. So voted unanimously, 5-0.

Respectfully submitted, Noelle Scoullar Jay Coburn, Chairman

Paul Wisotzky, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

Maureen Burgess Board of Selectmen

Town of Truro

Documents Used

Pamet Harbor Proposed Fees

Pamet Harbor Rules and Regulations

Statistics for Pamet Harbor for 2014

Land Management Agreement

Revenues/Expenditures for Pamet Harbor for 2013, 2014, and 2015 YTD

Aquaculture License Application from Beau Gribbin

New Seasonal-All Alcohol-On Premise Pouring License application from Johnson Golf Management

Application to serve-Pamet Harbor Commission-Eric Morea

Application to serve-Commission on Disabilities-Hannah King

Agenda Item from Rae Ann Palmer re: Ballston Beach Overwash

Report on Assembly of Delegates from Deborah L. McCutcheon

Draft Warrant

Letter from Town Counsel Veara with comments on proposed warrant

Fiscal Year 2015 Goals and Objectives Update

FY 2016 Municipal Operating Budget

FY 2016 Projected available spending capacity

FY 2016 Projected expenditures and assessments

Projected FY 2016 Tax Levy Recapitulation

Support letter to Massachusetts Environmental Trust

Renewal applications for 2015: Whitman House Restaurant, Jams Inc., Highland Links Golf Course

Email from Laura Kelley, Draft Letter to MDAR from Laura Kelley, Update Mass Herbicide Regulations,

Draft Letter from Truro BoS to MDAR, NSTAR Herbicide Operation Plan

Meeting Minutes-February 10, 2015

Meeting Minutes-February 17, 2015

Meeting Minutes-February 24, 2015