

**Truro Board of Selectmen
Meeting, April 19, 2016
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 5:0 p.m.

PUBLIC HEARINGS

402-408 Shore Road: A Public Hearing in accordance with the provisions of Massachusetts General Laws, Chapter 139, sections 1 through 3A, to determine whether the buildings located at 402 and 408 Shore Rd, Truro, Massachusetts, are dilapidated or are dangerous buildings and whether an order should be issued adjudging said buildings to be a nuisance to the neighborhood or dangerous.

Paul Wisotzky opened the public hearing by reading the notice for 402-408 Shore Road and ascertained that the owners had been notified. He introduced Town Council Gregg Corbo, who presided over the public hearing and explained the process. Town Clerk Cynthia Slade swore in members of the public who were about to offer testimony.

Town staff members gave their testimony first. Emily Beebe, Assistant Health and Conservation Agent, reviewed the memorandum from the Health and Conservation Agent Patricia Pajaron and herself. Code and safety issues are identified in the memo which includes photographs. Their investigation documented collapsing cesspools and boards that have blown off the structures. Their primary concerns were the accessibility of the structures to animals and people and the deteriorating asbestos. Truro Fire Chief Timothy Collins had submitted a memorandum to the Board of Selectmen and offered further testimony on his concerns about fire safety and people getting into the buildings.

Those in favor of action on the part of the Selectmen to deem the buildings dilapidated and dangerous spoke next. David Ditacchio, an immediate abutter to the property, came forward to express his support for Town action to demolish the structures. Judy McDermott Powers, abutter at 398 Shore Road, said she has registered complaints with the Board of Health a number of times and said she would like to have to Town take action. Ann Ditacchio, an abutter at 412 Shore Rd., added for the record that they had attempted to board up the property to prevent people from getting in. She requested that the Town order the structures to be taken down. Marie Porzio, owner of 394 Shore Road, said she has to clean her yard out every year from debris that has flown off the former Fore & Aft property. It is a terrible eyesore that often gets spray painted, she said. Jack Peak of 168 Shore Rd. said he was happy that the hearing was being held to move forward with a demolition.

Michael Powers asked about the process and what alternatives were available. He'd like to see more than a boarding up again, he said. Attorney Corbo said according to MGL Chapter 139 §1, the Board of Selectmen first has to determine that the structures are dilapidated, run down

and a nuisance to the neighborhood. If this applies, the Board then determines appropriate disposition, regulation, or rehabilitation of the building.

Testimony in favor of Town action to make such a determination continued with Richard Carosello, an abutter at 389 Shore Rd. He said he has been inside the building at 402 Shore Rd. and has observed signs of cigarette butts and empty cans. Mr. Carosello stated that he is especially concerned about fire. His other concerns are the boards that are torn off, animals, trash, vagrants and people who cut through to get to the beach. Mr. Carosello attempts to stop trespassing, but people see it as an abandoned property and continue to do so. He would like to see the building taken down as soon as possible.

Paul Wisotzky read into record a letter from Margery Morris and Joseph Kraitch of 396 Shore Rd. in which they cited the unsafe conditions, the eyesore, the safety threat, shingles on beach, squatters, the fire hazard and broken glass,

Two members of the public gave their testimony against action by the Selectmen. Kevin Shea, part-owner of the property at 408 Shore Rd., came forward and submitted a statement. He related his history with the Sinascalco Group and the lots. He said he keeps his four cottages boarded up and asks that they be separated from the consideration of the old motel. He read into record a letter which he had submitted to the Board of Selectmen. It detailed his plans for construction of a new single family house on his property at 408 Shore Rd., which he believes has been clearly separated from 402 Shore Rd. He highlighted the letter so that the Board could determine the status of his property separately. He said people do not live in his buildings which uses to store furniture.

Board of Selectmen questioned Mr. Shea. Jay Coburn asked if he considered his structures dilapidated and dangerous. Janet Worthington said the buildings' present condition is what the Selectmen would be considering. Town Counsel reviewed what the Board needed to determine – are the buildings dilapidated and dangerous structures?

Judy Richland, co-owner of 408 Shore Road with her husband Kevin Shea, spoke about the unfairness of confusing the two properties. The conditions at 402 Shore Rd. are quite different, she said. She also noted that they have been paying taxes for 408 Shore Rd. They have always supported a different development of the property.

Attorney Corbo said that the Board of Selectmen, in their deliberations, should consider that there are two separate properties. Ann Ditacchio of 412 Shore Road returned to say she was in favor of a single family house constructed at 408 Shore Rd. She understood that this did not go forward because the two lots were considered as one property.

Jay Coburn reminded everyone that the issue of the hearing was a determination on the dilapidated and dangerous conditions of the property. Before going ahead with the deliberation phase of the hearing, Attorney Corbo said that the Town had received a letter from the owners of 402 Shore Rd. requesting a postponement of the public hearing. Jay Wisotzky explained that the Board had considered it important to begin the hearing process, but he agreed that the hearing should be left open so that the other owner could be heard.

Janet Worthington moved to continue the public hearing until May 24, 2016.

Robert Weinstein seconded. Members of the Board and Attorney Corbo discussed allowing the owners of 402 Shore Rd. to follow due process by coming to the hearing to present their information; the safety issues involved; the immediacy of the situation; and the possibility of taking action on only one of the properties, 402 Shore Rd.

The motion to keep the record open and reconvene the public hearing until May 24, 2016 carried 5-0.

6:12 p.m.

Common Victualer License – Box Lunch: A public hearing on an application for a new Common Victualer (food) license received from Julie Grande (JCG, LLC) dba Box Lunch with Julie Grande as the new Manager/Owner, located at 300 Route 6, Unit 4, Truro, MA.

Julie Grande, owner of the Provincetown Box Lunch, said she would like to open a Box Lunch in Truro.

Janet Worthington moved to approve the new 2016 seasonal common victualer (food) license for Box Lunch (Truro) upon compliance with all regulations and receipt of the necessary documents and fees and requirements from the Health Department. Maureen Burgess seconded, and the motion carried 5-0.

RECREATION COMMISSION APPOINTMENT

Rex McKinsey provided information on his interest in becoming a member of the Recreation Commission.

Robert Weinstein moved to appoint Rex McKinsey to the Recreation Commission for an unexpired 3-year term. Maureen Burgess seconded, and the motion carried 5-0.

BOARD OF SELECTMEN ACTION

Presentation of FY17 Cape Cod Regional Tech High School Budget

Bob Sanborn, Cape Cod Tech's Superintendent, came forward to present the Fiscal Year 2017 High School Budget. There is only one student from Truro now attending Cape Cod Tech, he said. His full report had been submitted to the Board in advance, but he updated some of the information in the presentation. The report included enrollment, MCAS results, graduate follow-up statistics, demographics of the students, their graduation rate, financial statistics, plans for a new electric system, creation of a building committee to review the facility and voting support for a new building. Mr. Sanborn answered questions on declining enrollment, offering courses in aquaculture, and recruitment of students.

ACH Positive Pay Agreement with Cape Cod Five Cents Savings Bank

Cynthia Slade, Town Treasurer, presented a report on a Positive Pay Agreement that would provide greater security and be run through the Cape Cod Five Cents Savings Bank.

Jay Coburn moved to authorize the Chair to sign the ACH Positive Pay Agreement. Maureen Burgess seconded, and the motion carried 5-0.

Update on 2016 Board of Selectmen Goals and Objectives

Rae Ann Palmer, Town Administrator, had given the Board an update that included the second and third quarters. She mentioned areas that needed further time and attention: Strategic Planning and Business safety issues. She said that finalists for the Assistant Town Administrator positions would be interviewed on April 29, 2016. She will make a recommendation and have that person appear before the Board for an interview. Selectman Jay Coburn said many goals and objectives have been achieved and there will be fewer for next year. He advocated continuing with Emergency Management Training. Rae Ann Palmer said there is a three night class available, but the Selectmen need to take a one-night class. Paul Wisotzky said they could add new goals and objectives to the list.

Process to Develop 2017 Board of Selectmen Goals and Objectives

Jay Coburn presented a schedule and suggested process that would begin at the May 11, 2016 meeting. There would be input from boards and committees' chairs and staff before the public hearing was held, he said. The proposed date for the hearing is June 28, 2016.

Process and Timeline to Review Charges of Multi-Member Boards and Committees

Paul Wisotzky said the review of the charges of multi-member boards and committees was an objective that the Selectmen hadn't dealt with this year. The number of members, duties, relevancy and roles of boards, committees and commissions still need to be reviewed. Maureen Burgess had studied and compiled the charges, but Paul Wisotzky recommended meeting with the other bodies. Rae Ann Palmer suggested adding staff to the study. The number of boards and the need for the boards should be a part of the review, Jay Coburn suggested. Rae Ann Palmer suggested putting the issue on a July agenda. Robert Weinstein noted the three kinds of boards: regulatory, elected, and outliers. Maureen Burgess will add those categories to the compilation of board and committee charges.

Discussion of Meeting Date and Purpose for Part-time Residents Forum

Rae Ann Palmer gave possible dates for a summer forum for part-time residents of Truro. Paul Wisotzky suggested having department heads and committee chairs should attend also. Board members recommended having a social hour or half hour first. The agenda will be structured to meet Open Meeting regulations, but a question and answer format would foster discussion. Invitations will be sent to part-time residents.

Maureen Burgess moved to approve a meeting date of July 18, 2016 and time of 5 p.m. for forum for part-time Truro residents to be held at the Truro Community Center. Robert Weinstein seconded, and the motion carried 5-0.

Review Letter to Senator Warren and Potential Op Ed piece on National Parks

Maureen Burgess asked if the Board was interested in a request by John Romano to sign a letter to Senator Warren to speak out in favor of keeping public parks and National Parks solely for public recreation.

Jay Coburn moved to send a letter to Senators Warren and Markey as proposed in support of the parks system. Janet Worthington seconded, and the motion carried 5-0.

Mr. Romano had also requested signing an Op Ed piece to appear in the *Cape Cod Times* regarding the Centennial of the National Park.

Jay Coburn moved to have the Selectmen sign the Op Ed piece to appear in the *Cape Cod Times* as proposed. Janet Worthington seconded, and the motion carried 5-0.

Discussion of Town Administrator's Contract Renewal

Paul Wisotzky reported that the Selectmen and Rae Ann Palmer had come to an agreement on her contract as Town Administrator.

Jay Coburn moved that the Selectmen sign the proposed 3-year contract for Rae Ann Palmer to serve as Town Administrator beginning July 1, 2016. Janet Worthington seconded, and the motion carried 5-0.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

1. Town of Truro Agreement with MJT Enterprises Inc. dba Cape Cod Oil Company for supply and delivery of Diesel and Diesel Direct for supply and delivery of Diesel for Fiscal 2017;
2. United Site Services agreement with the Town of Truro for the leasing and maintenance of Portable Toilets for Fiscal Year 2017;
3. One Day Pouring License for the Truro Historical Society, for May 6, 2016 at the Cobb Library, 13 Truro Center Road; One Day Pouring and Entertainment Licenses for Truro Center for the Arts at Castle Hill, (10 Meeting House Rd, & 3 Edgewood Way) 5/20; 6/18; 7/3; 7/23; 8/6; 8/26; and 8/27. One Day Pouring Application and License for July 18th at the Pamet Harbor Yacht Club authorizing the Vice-Chair to sign;
4. Review and approve DRAFT DHCD Regulatory Agreement for Habitat's upcoming 143 Route;
- 6 Truro and authorize the Chair to sign the final draft so long as there are no substantive changes;
- B. Review and Approve the reappointment of Kevin Grunwald as a Truro representative to the Cape Cod Commission for a term of three years, effective April 25, 2016 through April 24, 2019;
- C. Review and Approve Renewal of Seasonal Licenses for: Days Market, Jules Besch Stationers and Hillside Farm Stand (Transient Vendor), Jams Inc. (Common Victualer and Transient Vendor), Blackfish Restaurant (Common Victualer), & Joey Rugo's Food Truck (Hawker Peddler);
- D. Declaration of Surplus Property from COA, Library, Town Hall and IT Department; and
- E. Review and Approve Regular Board of Selectmen Minutes of March 29, 2016.

Jay Coburn moved to approve the Consent Agenda. Maureen Burgess seconded, and the motion carried 5-0.

SELECTMEN AND LIAISON AND TOWN ADMINISTRATOR REPORTS

Most of the Selectmen reported on their Selectmen's Hours, but had met few people. Paul Wisotzky had received a suggestions that the Flex bus stop at the Library on a regular basis, and Janet Worthington had heard several questions about the proposed Fire Department staff increase.

Town Administrator Rae Ann Palmer said she had done an interview with a radio station regarding Fire Department, has been interviewing finalists for the Assistant Town Administrator's position and had talked to the Planning Board Chair about updating of Local Comprehensive Plan.

AGENDAS FOR NEXT MEETINGS

Rae Ann Palmer and the Board planned an agenda for the May 11, 2016: Election of BOS officers, liaisons, goals and new objectives.

There will be a hearing for Days Cottages at 5 p.m. on April 26, 2016 at the meeting before Annual Town Meeting at the School. At that meeting, Selectmen will have the motions for the Town Meeting, and they also need to make a decision on the Petitioned Article on Streets.

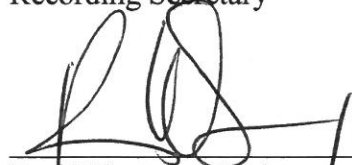
ADJOURNMENT

Jay Coburn moved to adjourn. Janet Worthington seconded, and the motion carried 5-0. The meeting was adjourned at 7:38 p.m.

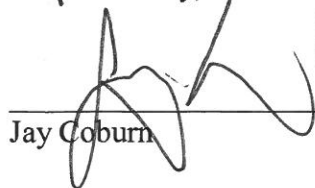
Respectfully submitted,



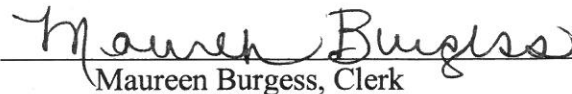
Mary Rogers
Recording Secretary



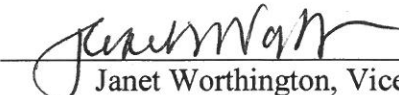
Paul Wisotzky, Chair



Jay Coburn



Maureen Burgess, Clerk



Janet Worthington, Vice-chair



Robert Weinstein

Public Records Material for 4/12/16

1. Memos and letters for Public Hearing on 402-408 Shore Rd.
2. Common Victualer application for Box Lunch
3. Rex McKinsey's appointment papers to the Recreation Commission
4. FY17 Cape Cod Regional Tech High School Budget
5. ACH Positive Pay Agreement with Cape Cod Five Cents Savings Bank
6. Town of Truro Agreement with MJT Enterprises Inc. dba Cape Cod Oil Company
7. Selectmen's Goals and Objectives for 2016
8. United Site Services agreement with the Town of Truro for the leasing and maintenance of Portable Toilets for Fiscal Year 2017
9. One Day Pouring License for the Truro Historical Society, for May 6, 2016 at the Cobb Library, 13 Truro Center Road; One Day Pouring and Entertainment Licenses for Truro Center for the Arts at Castle Hill, (10 Meeting House Rd, & 3 Edgewood Way) 5/20; 6/18; 7/3; 7/23; 8/6; 8/26; and 8/27. One Day Pouring Application and License for July 18th at the Pamet Harbor Yacht Club
10. Draft DHCD Regulatory Agreement for Habitat's upcoming 143 Route; 6 Truro
11. Reappointment papers of Kevin Grunwald as a Truro representative to the Cape Cod Commission for a term of three years, effective April 25, 2016 through April 24, 2019;
12. Seasonal Licenses for: Days Market, Jules Besch Stationers and Hillside Farm Stand (Transient Vendor), Jams Inc. (Common Victualer and Transient Vendor), Blackfish Restaurant (Common Victualer), & Joey Rugo's Food Truck (Hawker Peddler)
13. Declaration of Surplus Property from COA, Library, Town Hall and IT Department

