

**Truro Select Board Meeting
Tuesday, March 10, 2020
Truro Town Hall**

Select Board Members Present: Janet Worthington, Chair; Susan Areson, Kristen Reed, Stephanie Rein, Robert Weinstein

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

Chair Janet Worthington called the meeting to order at 5:00 p.m.

PUBLIC COMMENT

Janet Worthington, Town Manager Rae Ann Palmer and Fire Chief/Emergency Management Director Timothy Collins conveyed information on precautions already being taken and discussed mobilization against the spread of the coronavirus, COVID-19. Updates will be provided on the Town website.

COMMITTEE APPOINTMENTS

Open Space Committee

Susan Girard-Irwin said that her appreciation of conservation land, her background as a scientist and her willingness to serve the Town explain her interest in joining the Open Space Committee.

Robert Weinstein moved to appoint Susan Girard-Irwin to the Open Space Committee for a three-year term expiring on June 30, 2023. Kristen Reed seconded, and the motion carried 5-0.

Screening Committee for Next Town Manager

There were seven applicants for positions on the Screening Committee, but Ms. Palmer had received an e-mail from Ronald Fichtner, who had withdrawn his application. He suggested that the Select Board might have to name an interim Town Manager if the search could not go forward because of the coronavirus pandemic. Ms. Palmer said the first meeting of the Search Committee meeting would be held at a date later than the one originally set, but the April 9, 2020 all day interview session should be kept as planned. That allows time to suspend or postpone if necessary.

The Select Board proceeded with interviews of six applicants with decisions held until three other applicants are interviewed at the next meeting.

John Dundas said his business background gave him experience in hiring. He sought a Town Manager who would continue in the direction that Rae Ann Palmer had set, keeping what works and innovating with improvements. He responded to questions from the Board on determining a candidate's prudence and decision-making ability. He called business challenges, the aging population and advancement of technology key issues. Mr. Dundas said a special person is needed to handle management of Truro.

Clinton Kershaw said he was interested in the committee because of the importance of the Town Manager's role in Truro. He was concerned about the need for affordable housing and the impact of rising taxes, both key issues which he identified. He would seek a creative thinker to deal with the challenges of Truro. Mr. Kershaw discussed environmental concerns in response to a question on Truro's sustainability.

Nancy Medoff introduced herself as a new full-time resident. She is interested in getting involved in the selection of the next Town Manager. She has had experience in hiring people that are a good fit. She clarified a comment on her application about use of behavioral interviewing. She says a Town Manager serves the citizens, employees and works with the neighboring towns. Key issues Ms. Medoff identified are affordable housing, protection of land through conservation and budget practices. She would ask for proof of candidates' financial experience, she said.

Robert Panessiti highlighted his experience on the Finance Committee, the Charter Review Committee, a 2014-2015 Public Safety study, a public awareness campaign for the Police Department and his work on annual budgets for the Town. He provided his business and educational background. He said he has perspective from his long service to the Town, working with several Town Administrators/Managers and Selectmen/Select Boards. Mr. Panessiti discussed expanding budgets and the importance of a Town Manager that understands the budget process. He said a Town Manager must be able to provide good information to the Select Board. He considers economic development a key issue for dealing with housing and the year-round population decline. Mr. Panessiti expanded upon the annual budget process and fiscal challenges the Town faces. He discussed the challenge of finding a person who understands Truro.

Dan Schreiner offered information on his experience with the Council on Aging and substitute teaching at the Truro Elementary School. He identified challenges facing a Town Manager as the fiscal aspects, seasonal and aging population changes and dealing with constituents, press, committees and summer visitors. In his career in public health, Mr. Schreiner has had experience with search committees. A Town Manager must look at the budget, identify and communicate issues that arise quickly and manage changes, he said. Key issues he identified included the aging population, resources for them, businesses and housing for various incomes levels for those who work in Truro. He would look at candidates' history in budgeting to determine their qualifications. Mr. Schreiner recommended the choice of someone who could address Truro's unique needs. He discussed a Town Manager's role in working with Select Boards.

Paul Wisotzky gave his background as a former Select Board member and chair and his experience in hiring as a Select Board member. He considers himself capable of finding the right candidates, and he is committed to group process in the selections. The screening committee should bring a diversified group of Town Manager candidates to the Select Board, he said. He considers it the Town Manager's role to provide leadership, direct staff, support the Select Board and help with policy. Experience in municipal government is essential, he said.

Key issues that Mr. Wisotzky identified were affordable housing, sustainability of the year-round community, strong schools, economic development opportunities, climate change and budgets. He would look for a candidate with strong experience in municipal finance and budgeting, someone with a creative approach to budget and finding grants. He added that the person chosen should have an awareness of what they know how to do well and the areas in which they need support.

SELECT BOARD ACTION

Review of Annual Town Meeting Warrant Articles

Rae Ann Palmer presented a draft version of the 2020 Annual Town Meeting Warrant and requested Select Board recommendations on the Articles that Town Counsel had reviewed. Most Articles, except the zoning bylaws ones, were ready for Select Board votes. Ms. Palmer acknowledged the work that Assistant Town Manager Kelly Clark had done preparing the Warrant.

Article 1 Authorization to Hear the Report of Multi-member Bodies

Susan Areson recommended Article 1 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 2 Authorization to Set the Salary of the Select Board

Kristen Reed recommended Article 2 as printed in the Warrant. Stephanie Rein seconded. The motion carried 5-0-0.

Article 3 Authorization to Set the Salary of the Moderator

Robert Weinstein recused himself.

Kristen Reed recommended Article 3 as printed in the Warrant. Stephanie Rein seconded. The motion carried 4-0-1.

Article 4 Amendments to the FY2020 Operating Budget Funded by Free Cash

Ms. Palmer explained that debt for Cape Cod Regional Technical High School and the Walsh Property had not been included in the FY 2020 Budget.

Robert Weinstein recommended Article 4 as printed in the Warrant. Susan Areson seconded. The motion carried 5-0-0.

Article 5 Amendments to the FY2020 Operating Budget Funded by Capital Stabilization

The amendments to the FY2020 Budget are for hydration station installations at the Library and Community Center. This is related to the ban of single use plastic water bottles in municipal buildings.

Susan Areson recommended Article 5 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 6 FY2021 Omnibus Budget Appropriation

The Fiscal Year 2021 Budget figures will be ready for the March 24, 2020 meeting.

Article 7 General Override

The override is to provide funding for four additional fire fighter/paramedics.

Kristen Reed recommended Article 7 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 8, Section 1 Transfer of Funds from Free Cash to Reduce of Stabilize the FY 2021 Tax Rate

This reduces the amount of money needed to be raised by taxation, Ms. Palmer said.

Susan Areson recommended Article 8, Section 1 as printed in the Warrant. Kristen Reed seconded. The motion carried 5-0-0.

Article 8, Section 2 Transfer of Funds from Free Cash to the OPEB Trust Fund

Transferring \$400,000 into Other Post-Employment Benefits (OPEB) improves the Town's bonding position, Ms. Palmer said.

Susan Areson recommended Article 8, Section 2 as printed in the Warrant. Kristen Reed seconded. The motion carried 5-0-0.

Article 8, Section 3 Transfer of Funds from Free Cash to the Capital Expenditure Stabilization Fund

This transfer makes funding for future large purchases available.

Susan Areson recommended Article 8, Section 3 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 8, Section 4 Transfer of Funds from Free Cash to the Stabilization Fund

A transfer of \$100,000 to the "Rainy Day Fund" will bring it to almost 5% for expenditures.

Susan Areson recommended Article 8, Section 4 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 9 Council on Aging Revolving Fund

This authorization to spend money from the COA Revolving Fund is required by General Law.

Robert Weinstein recommended Article 9 as printed in the Warrant. Kristen Reed seconded. The motion carried 5-0-0.

Article 10 Authorization to Expend Funds in Anticipation of Reimbursement for State Highway Assistance Aid

Kristen Reed recommended Article 10 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 11 Authorization to Lease Land for Cellular Towers

This Article allows for negotiations to lease land and manage the Town's two cellular towers.

Robert Weinstein recommended Article 11 as printed in the Warrant. Susan Areson seconded. The motion carried 5-0-0.

Article 12 Authorization to Transfer Town Property to the Conservation Trust

A vote on the strip of land on Pond Village Avenue was put on hold.

Article 13 Amend Personnel Bylaw, Article VIII, Section 8.1

The change from half-day to full-day vacation time for Christmas Eve and New Year's Eve is to help scheduling. It also will prevent lengthy closures at the Transfer Station at any holiday time. Kristen Reed recommended Article 13 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 14 Capital Exclusion Request for Heavy Duty Tractor Truck Replacement

The capital exclusion has a one-time impact to the tax rate.

Robert Weinstein recommended Article 14 as printed in the Warrant. Kristen Reed seconded. The motion carried 5-0-0.

Article 15 Borrowing Authorization for Ambulance

The debt exclusion is for short term borrowing to purchase a new ambulance. Robert Weinstein asked if 4-wheel drive vehicles are a possibility.

Ms. Palmer said the Article would be on hold until cost of a 4-wheel drive vehicle could be compared.

Article 16, Sections 1-8

All sections of Community Preservation Act Article 16 were held until the next meeting so that project advocates could be present to explain each request.

Article 17 Accept M.G.L. c. 142, § 12 Plumbing and Gas Fitting Inspectors

Town Counsel said this Article does not have to be accepted; therefore, it will be removed from the Warrant.

Article 18 Accept M.G.L. c. 143, § 3Z Part-time Building Inspectors

Articles 18 and 19 are about part-time inspectors. It authorizes them to do private work in Truro as long as they don't do the inspections for their work.

Susan Areson recommended Article 18 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 19 Accept M.G.L. c. 166, §32A Wiring Inspectors

Kristen Reed recommended Article 19 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 20 Amend General Bylaws Chapter 2, Section 2-1-1, Renting or Leasing Buildings

This change applies the rental registration bylaw to all buildings rented for fewer than 120 days. Susan Areson recommended Article 20 as printed in the Warrant. Kristen Reed seconded. The motion carried 5-0-0.

Article 21 Amend General Bylaws, Chapter 3 Prohibitions on the Use and Sale of Balloons

Susan Areson, Stephanie Rein and Ms. Palmer discussed air-filled balloons and helium balloons. The bylaw would apply only to helium ones. Kristen Reed asked about enforcement and about advertising the change of policy if the Article is approved at Town Meeting.

Robert Weinstein recommended Article 21 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 22 Amend General Bylaws, Chapter 3 Municipal Single-use Plastic Bottle Ban

Susan Areson recommended Article 22 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Articles 23-34

Votes on all the zoning bylaw Articles were postponed until Town Counsel reviews and comments on the Articles.

Article 35 Reduction of Truro's Net Greenhouse Gas Emissions to Zero by 2050

Chair of Climate Action Committee Carol Harris came forward to explain context for this advisory Article by the Climate Action Committee. This is an initial step, in synch with other towns and countries around the world, in the process to get Truro to zero gas emissions. Ms. Palmer commented on the importance of this effort.

Kristen Reed recommended Article 35 as printed in the Warrant. Robert Weinstein seconded. The motion carried 5-0-0.

Article 36 Advisory Vote on the Use of Automated Tabulator

The Article is staff initiated, but citizens have expressed strong opinions for keeping "the crank." Kristen Reed suggested a presentation about the tabulator at Town Meeting, but Ms. Palmer said that is not customary practice.

Susan Areson recommended Article 36 as printed in the Warrant. Janet Worthington seconded. The motion carried 5-0-0.

Article 37 Non-binding Public Advisory Questions for Increased Security at Pilgrim Nuclear Power Station on Cape Cod Bay – Petitioned Article

Ms. Palmer asked the Select Board to decide whether the question should be placed in the Warrant or appear on the ballot. Michael Holt introduced Cape Downwinders' Executive Director Diane Turco, who explained that the Cape Downwinders are presenting the petition to all Cape Cod towns because of the continued danger of the closed Pilgrim Nuclear Plant. There are safety concerns about the storage of spent fuel and a need for heightened security. Robert Weinstein thanked Ms. Turco and the Downwinders for their vigilance for Cape Cod's safety. Kristen Reed recommended Article 37 as printed in the Warrant. Stephanie Rein seconded. The motion carried 5-0-0.

Article 38 Resolution in support of Changing the State Flag & Seal of Massachusetts – Petitioned Article

Support of a bill to create a commission to change flag and seal for the Commonwealth of Massachusetts was brought to the attention of Truro residents who submitted this petition. Kristen Reed recommended Article 38 as printed in the Warrant. Robert Weinstein seconded. The motion carried 3-2-0.

Article 39 Charter Amendment to Sections 3-1-1 and 6-4-2 – Petitioned Article

Town Counsel deemed this Petitioned Article legal. The proposal to move Planning Board from an elected to an appointed body generated much discussion. Janet Worthington expressed her strong opposition to the change. Kristen Reed said she is divided about this after listening to both sides. Robert Weinstein said he welcomes the debate at Town Meeting. Raphael Richter, representing himself as a member of the community, said he considers a Planning Board by appointment a good policy. He said there has not been a contested election for any of the current Planning Board members. He perceives more accountability when candidates are interviewed at a Select Board meeting for an appointment. Stephanie Rein said she is all for democratic process, but she sees the conflicting issues. She leans towards letting citizens decide. Susan Areson noted that the Select Board can vote against recommendation, but the Article still brings the decision to Town Meeting. She said she will not support the change to appointment of Planning Board members. Ms. Areson said she is distressed by the unwarranted public criticism that members of the Planning Board have received.

Colby Blem suggested that all Select Board members abstain from a decision. Robert Panessiti, Chair of the Charter Review Committee, said that the Charter Review Commission has been following guidelines from MMA, but people have been letting the issue get personal. He said that the Charter Review Commission will discuss the Article and craft a message to bring to Candidates Night/Pre-Town Meeting. He considers the Petitioned Article premature. Ann Greenbaum, Chair of the Planning Board, encouraged the Select Board to vote and express their opinions. She seeks to get more people interested in serving on boards and committees whether by appointment or election. She said that “interview and appoint” do not provide more screening than an uncontested election. Michael Holt, speaking as himself, addressed Kristen Reed and Stephanie Rein, who seemed to be undecided, and urged them to vote *no*. In his opinion, Planning Board by election offers more opportunity for representative democracy. Kristen Reed said she wants to hear all the voices at Town Meeting.

Robert Weinstein recommended Article 39 as printed in the Warrant. Kristen Reed seconded. The motion to recommend did not carry 2-3-0.

Article 40 Local Room Occupancy Tax Allocation – Petitioned Article

Town Counsel said that this Petitioned Article is not a legal article. He recommended tabling it indefinitely since it is not in legal form and cannot be voted on at Town Meeting. Percentage amounts up to 6% are allowed by law but, there are no provisions for allocations. Ms. Palmer said she will hold the Article until she checks again with Town Counsel.

Article 41 Charter Amendment to Section 2-2-4 – Petitioned Article

Robert Weinstein recused himself from deliberation on this Article.

Town Counsel advised that Petitioned Articles are to be placed exactly as submitted; however, the second sentence should be stricken. It is not possible for a single individual to follow the same rules as a board. Janet Worthington said that the intent was to add transparency to the process. At Town Meeting the petitioner would have to make the amendment to strike the second sentence. The Select Board voted on the Article as it is.

Susan Areson recommended Article 41 as printed in the Warrant. Janet Worthington seconded. The motion carried 3-2-1.

Additional Petitioned Article

The last Article was displayed on the screen and did not appear in the draft Warrant because it had been submitted after deadline for financial Articles. Ms. Palmer said it would be up to the Select Board to decide whether to include it in the Warrant. It had been improperly constructed as a Proposition 2 ½ % debt exclusion and would need to be presented as an override and placed on the ballot. Ms. Palmer said she wants to consult with Town Counsel to see if the Article can be changed to an override since debt exclusion is inaccurate.

Raphael Richter explained his petitioned Article to offer childcare vouchers for 3-year old children. It is intended as an incentive for young families to stay in Truro. The voucher program is open to everyone, rather than need based, he said. He considered other means of amending the Article through budget adjustments made at Town Meeting and a means of getting it on the ballot.

Ms. Palmer said she will need to clarify the process with Town Counsel. Select Board members agreed that should take place before they make a decision. They will consider the Article at the next meeting.

Liaison Assignments

Chair Janet Worthington said that liaison assignments for Stephanie Rein had not yet been determined. Susan Areson asked if the liaison assignments would need to be redone after the election in May. The Charter calls for a reorganization every year after elections, and that includes the liaison assignments, Ms. Palmer said. Stephanie Rein accepted liaison assignments for the Water Resources Oversight Committee, the Commission on Disabilities, Conservation Commission and the Climate Action Committee.

CONSENT AGENDA

Review/Approve and Authorize Signature:

- 1. Event Notification Form for Harbor to the Bay Bike Ride*
- 2. Event Notification Form for SOS Cape Cod Triathlon-New England Endurance Events*
- 3. Event Notification Form for American Lung Association Autumn Escape Bike Trek*

B. Review and Approve Renewal of the Aquaculture Development License for John Burns
C. Review and Approve Select Board Minutes-February 6th and February 11th, 2020 (Budget), February 11th and February 25th (Regular) and February 13th, 2020 (Work session)

Kristen Reed recused herself from voting on the minutes of February 25, 2020, and Susan Areson recused herself from voting on the Budget Task Force meeting minutes of February 6, 2020. Susan Areson made corrections to the minutes of the meetings of February 6, February 11 and February 25, 2020.

Susan Areson moved to approve the Consent Agenda with the amendments and recusals as discussed. Kristen Reed seconded, and the motion carried 5-0.

SELECT BOARD REPORTS/COMMENTS

Robert Weinstein reported on his office hours at the Council on Aging. He said he was unable to answer questions on the status of the Truro Motor Inn regarding the large sum of money in tax arrears that the owners of the property had accumulated, nor could he explain what prevents reconfiguration of rooms inside the building. Another person demonstrated the use of electric bicycles suitable for elders, he said.

Susan Areson had attended the Charter Review Commission meeting. They are planning a public hearing at the April 14, 2020 Pre-Town Meeting. Ms. Areson had gone to Cloverleaf Oversight Committee meeting. They will be holding a public hearing on changes to the plan this Thursday, March 12, 2020. The Peer Review report, which addresses nitrate and septic issues, is now on the Town website. CDP's Lower Cape Housing Institute Peer Group met recently, and she and Stephanie Rein had participated. Representatives from Eastham to Provincetown discussed housing issues, Town Meeting Articles being prepared on housing and the privately financed dorms for Provincetown. Training continues on April 2, 2020 with a presentation at the Eastham Public Library on housing and preservation. Ms. Areson had attended the last Board of Health meeting with the expectation that they would discuss the Truro Motor Inn, but the Town is waiting for a court ruling on receivership.

Kristen Reed commented on respectful disagreement by Select Board members. No one had showed up for her office hours, she said. The hours hadn't been listed on the website. She said that the 2020 Census still has temporary positions available. The Census 2020 website has more information on the positions and timeframes.

Stephanie Rein had attended the Lower Cape Housing Institute's Peer Group meeting. She said this was a good way to share what is going on in other towns.

Janet Worthington acknowledged Senior Communications Director Heid Dyer's retirement after 35 years of service to Truro in Communications/Dispatch. She thanked her for the many dispatchers she had trained and wished her well. Ms. Worthington had attended the COA Board meeting earlier in the day. There will be movies offered at the COA now that they have received licensing. She reported that the lunches are increasing in popularity and that the COA is looking for part-time drivers.

TOWN MANAGER'S REPORT

Rae Ann Palmer reported on several topics. She continues conversations with federal and state partners for funding little Pamet and Pamet environmental projects. She reminded people that board members can attend any public meeting. If a quorum occurs, members should not sit together or converse during the meeting because it calls into question violation of open meeting law. She said that the Peer Review for the Cloverleaf suggests that even though there is public water, an Innovative/Alternative (I/A) septic system is to be engineered for nitrate reduction on the site. The Town will apply to MassWorks for the funding. The rest of the Peer Review comments are related to site plan and stormwater, she said. Ms. Palmer said she will include more details in her weekly report. The main message is that the project is moving forward with a septic system that will not add nitrates. Current taxes for the Truro Motor Inn have been paid, and delinquent taxes have been moved to collection. The Delgizzi's attorney and Town are working together on the case. An engineered septic plan for the Truro Motor Inn is to go before Board of Health. It had been delayed because Truro's attorney could not attend the last meeting. The Town now has a better plan of the building and information on who lives in each room. The Health Agent and Rae Ann Palmer continue to work on the situation with Town Counsel. Ms. Palmer announced that the Town assistant tax collector to sign necessary actions related to delinquent taxes. There are "owner unknown" properties that make collection difficult, she said.

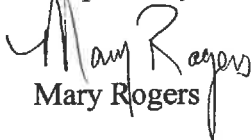
NEXT MEETING

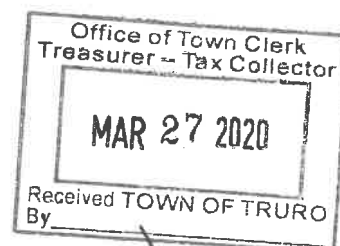
Ms. Palmer reviewed agenda items for the March 24, 2020 meeting: interviews for three more applicants for the Town Manager Screening Committee, remaining Warrant Articles, appointment of an Assistant Tax Collector, a curb cut, seasonal licenses and a seasonal alcohol renewal application.

ADJOURNMENT

Robert Weinstein moved to adjourn. Kristen Reed seconded, and the motion carried 5-0. The meeting was adjourned at 8:22 p.m.

Respectfully submitted,


Mary Rogers



Janet Worthington, Chair

Susan Areson

Kristen Reed, Clerk

Stephanie Rein

Robert Weinstein, Vice-chair

Public Records material of 3/10/2020

1. Application papers of Susan Girard-Irwin for Open Space Committee
2. Applications of John Dundas, Clinton Kershaw, Nancy Medoff, Robert Panessiti, Ronald Fichtner, Dan Schreiner and Paul Wisotzky for Town Manager Screening Committee
3. Draft 2020 Annual Town Meeting Warrant
4. Select Board liaison assignment list
5. Event Notification Form for Harbor to the Bay Bike Ride
6. Event Notification Form for SOS Cape Cod Triathlon-New England Endurance Events
7. Event Notification Form for American Lung Association Autumn Escape Bike Trek
8. Renewal of the Aquaculture Development License for John Burns

