

**Truro Select Board Meeting
Wednesday, May 28, 2019
Truro Town Hall Selectmen's Chambers**

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

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

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

PUBLIC COMMENT

Eric Varty expressed his concerns about aquacultural development at Cold Storage Beach and recommended future creation of a comprehensive plan for all beaches.

PUBLIC HEARINGS

Shellfish Aquaculture Tidal Grant off Cold Storage Beach for Jeffrey and William Souza

Chair Worthington opened the public hearing for the Souza Aquaculture grant.

Jeffrey Souza explained the request he and William Souza had made for a 1.5 acre grant off Cold Storage Beach. The proposal is conditioned on a Department of Marine Fisheries (DMF) survey, followed by a Notice of Intent to be filed with the Truro Conservation Commission and the Massachusetts Wildlife's Natural Heritage & Endangered Species Program. Mr. Souza explained why he had chosen the Cold Storage Beach area for shellfish aquaculture and described the proposed grant. He said the maximum number of cages would be 660, all placed within Town-owned property. As a part of his application, he also requested access to the beach via a small amphibious vehicle with minimum impact on the environment. He discussed what marking could be done in addition to the four corners of the plot. He reported on the historic fish weirs, once located at Cold Storage Beach.

Select Board members asked several questions. He explained the times that he would access the beach to avoid disturbing beach goers. He described the way the shellfish cages would be marked and affixed by helix anchors, taking into consideration boater, whale and turtle safety. He said the cages would be set up with room for small boats or kayaks to come in between the cages.

The public addressed the Board. Ron Boyles had questions on distances between the shore and the cages and the depth. Attorney William Henchy, representing Naida Wharton, who has deeds for flats at Cold Storage Beach Landing, objected to the Souza proposal. He said those flats are privately owned, and Ms. Wharton will challenge the grant because only fishing, fowling and boating are allowed. He said the grants needed to be confined to areas that are entirely sub-tidal. He said that whether or not the Town has title to the 30 feet in question, because of limited access to the water, the Town should not devote the resources to one or a few persons. He suggested a policy of land access for the amphibious vehicle.

Jeffrey Souza responded that, according to his title research, Ms. Wharton does not own the flats to the north of Cold Storage Beach. At present he could drive on the beach with a truck, but he was planning to use something more environmentally friendly.

Janet Worthington suggested continuing the hearing until the title can be further researched. The Town Manager said the hearing could be tabled but left open without taking any action now if the applicant agreed to do so.

There was further discussion about locating the grant in the sub-tidal zone further west by the lowest moon tide; the problems in the Aquaculture Development Area (ADA) that the Souzas were trying to avoid; reorientation of the grant; clear definition of Ms. Wharton's property boundaries on the flats; yearly changes in the beach; and starting over on the application process.

Naida Wharton discussed her memories of Cold Storage Beach. She said use of the Cold Storage Landing has changed over the years. Her concerns are for the safety of the beach, she said. She stated that the beach should be for the benefit of all. She wanted to know about the vehicle that would be used to access the grant.

Jeff Souza agreed to table the hearing and continue it at the July 9, 2019 Select Board meeting.

Maureen Burgess moved to continue, until the meeting of July 9, 2019, the hearing for the Souza shellfish aquaculture grant, located off Cold Storage Beach. Kirsten Reed seconded, and the motion carried 5-0.

Transient Vendor License for 14 Truro Center Rd., Unit A

Chair Worthington opened the public hearing for 14 Truro Center Rd. at 6 p.m.

Amy Rolnick explained her request for a new Transient Vendor (seasonal retail) license for Accent on Design to be located at 14 Truro Center Road, Unit A. She plans to open a gallery/shop that would have hours from 11 a.m. to 7 p.m.

Chair Worthington closed the public hearing.

Maureen Burgess moved to approve the 2019 Transient Vendor License (retail) for Accent on Design, located at 14 Truro Center Road, Unit A, upon compliance with all regulations and receipt of the necessary documents and fees. Robert Weinstein seconded, and the motion carried 5-0.

SELECT BOARD ACTION

FY2020 Cost of Living Adjustment for Non-Union Employees

Town Manager Rae Ann Palmer presented a plan that incorporates a 2% cost of living adjustment (COLA) for non-union employees that was approved at the 2019 Annual Town Meeting. The adjustment is equivalent to the COLA granted to union members through recent contract negotiations.

Robert Weinstein moved to approve a 2% cost of living adjustment for non-union employees.

Kristen Reed seconded, and the motion carried 5-0.

Other Post Employment Benefits (OPEB) Trust

Town Accountant Trudi Brazil explained the OPEB liability trust document, the investment policy statement and the funding policy. She had also submitted the agreement between Truro and the Rockland Trust, which had been previously chosen to manage the account. Susan Areson asked about unfunded liability after the money goes into an account, but Ms. Brazil said that would depend upon structure of the investment. Ms. Palmer said the discount rate also influences the unfunded liability. Susan Areson asked about the relationship between OPEB and Barnstable County Pension liability. Trudi Brazil said the Town's goal was to invest equally in OPEB and Barnstable's pension.

Kristen Reed moved to approve establishment of the Truro OPEB Liability Trust and the OPEB Liability Trust Investment Policy Statement, including Addendum 1, OPEB Trust Funding Policy; to approve and authorize the Chair to sign the Rockland Trust Investment Management Account agreement and finally, to place an item on a subsequent Select Board meeting agenda to appoint one member of this Board and two additional individuals to the OPEB Trust's Board of Trustees. Susan Areson seconded, and the motion carried 5-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1. Application for an Entertainment License: Sustainable Cape – Truro's Farmers Market
 - 2. Application for a Sunday One-day Entertainment License: Truro Vineyards of Cape Cod
- B. Reappoint Diane Messinger to the Conservation Commission, Chris Lucy to the Zoning Board of Appeals (alternate to full member)
- C. Review and Approve Seasonal Licenses: Days Market and Deli (Common Victualer)
- D. Review and Approve the April 2019 updated Truro Police Department's Rules and Regulations Manual
- E. Review and Approve Select Board Minutes: May 7, 2019

Robert Weinstein asked to remove the Truro Police Department's *Rules and Regulations Manual* for further discussion at another meeting. The Police Chief was unable to attend this meeting. Janet Worthington asked to remove the Truro Vineyards Item since it involves new licensing.

Susan Areson moved to approve the Consent Agenda with Item D Police Department *Rules and Regulations* and Item A-2 for Truro Vineyards removed. Kristen Reed seconded, and the motion carried 5-0 with Maureen Burgess abstaining on the minutes of May 7, 2019.

SELECT BOARD REPORTS/COMMENTS

Robert Weinstein had attended the School Committee meeting, where discussion included Rural Funding, the Pre-School Program, and Capital funding for boiler replacement and other

maintenance. He said the School Committee would like to have a representative appointed to the committee for planning uses of the Walsh Property.

Susan Areson mentioned the *Globe* article on schools. She had attended an event sponsored by the Chamber of Commerce, where participants tried to form a common message to summer visitors regarding beach safety, not just shark safety.

Kristen Reed thanked Assistant Town Manager Kelly Clark for the redesigned Town website, and she thanked the Town Manager, Assistant Town Manager and staff for beach preparation with satellite communications for the summer season. She reported on a business conference with the Chamber of Commerce, educating the public on cannabis and host community agreements. Finally, she thanked Jeff Souza and the Public Safety staff for help in a recent medical emergency at Blackfish Restaurant.

Janet Worthington reported on the Truro Police Promotion and Awards ceremony where Police promotions, new officers and achievements were acknowledged. Bob Montano, Amy Rogers and Bronwyn Bresnahan received certificates of appreciation at the event.

TOWN MANAGER'S REPORT

Rae Ann Palmer said she's been receiving many inquiries for the committee on the Walsh Property. She has been seeking an available facilitator for the meeting planned for June. Senator Cyr secured \$25,000 for planning for Walsh Property, she said. The Environmental Review Phase 1 for the Walsh Property is scheduled with BSC engineering. She said there is continued work on website, call boxes are in for the beaches, radios are on the way, and the in-vehicle repeater is due by this summer.

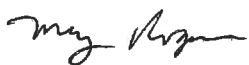
NEXT MEETING AGENDA

The Town Manager reviewed agenda items for the June meetings. She is scheduling the postponed items for Police Rules & Regulations and a new license for Truro Vineyards; a shark presentation; and Select Board Goals & Objectives. Kristen Reed suggested an agenda item for consolidation of committees and liaison assignments. Ms. Palmer will add this to one of the meetings.

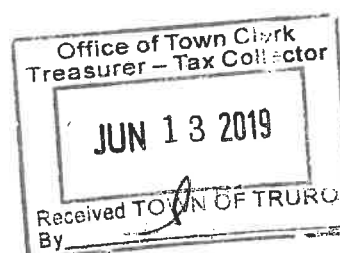
ADJOURNMENT

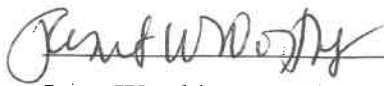
Maureen Burgess moved to adjourn. Robert Weinstein seconded, and the motion carried 5-0. The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

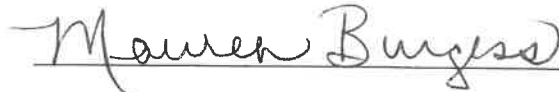


Mary Rogers, Secretary





Janet Worthington, Chair



Maureen Burgess, Vice-chair



Susan Areson



Kristen Reed, Clerk



Robert Weinstein

Public Records Material of 5/28/19

1. Application and materials for Aquaculture Grant off Cold Storage Beach
2. Application for Seasonal Retail License for 14 Town Hall Rd., Unit A
3. Cost of Living Adjustment papers for Non-Union Employees
4. OPEB papers and Rockland Trust
5. Application for Entertainment License: Sustainable Cape – Truro's Farmers Market
6. Appointment papers for Diane Messinger to the Conservation Commission, and Chris Lucy to the Zoning Board of Appeals (alternate to full member)
7. Seasonal Licenses: Days Market and Deli (Common Victualer)

