



AMENDED 9.24.18
Truro Board of Selectmen Meeting
Tuesday, September 25, 2018
Regular Meeting – 5:00pm
Truro Town Hall - 24 Town Hall Road

1. PUBLIC COMMENT

- A. Open the Regular Meeting
- B. Public Comment Period - *The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda*

2. PUBLIC HEARINGS

- A. Public Hearing and Vote on Fiscal Year 2019 Tax Classification Hearing and Review and Approval of Signatory Authority to the Assistant Principal Assessor for the Classification Tax Allocation (LA-5)
Presenter: Jon Nahas, Assistant Principal Assessor

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

- A. Review and Appoint Susan Howe to the Truro Concert Committee
- B. Review and Appoint Bonnie Brown-Bonse to the Truro Concert Committee

4. TABLED ITEMS

- A. Intermunicipal Agreement with Outer Cape Towns (Eastham, Wellfleet, Provincetown and Truro)
MOVE FOR ACTION
Presenter: Rae Ann Palmer, Town Manager

5. BOARD OF SELECTMEN ACTION

- A. Review and Approval of Year-round Condo Conversion Process
Presenters: Rae Ann Palmer, Town Manager and Emily Beebe, Health and Conservation Agent
- B. Set Special Town Meeting Date
Presenter: Rae Ann Palmer, Town Manager
- C. Review and Approve Annual Municipal Calendar for 2019 ATM and Fiscal Year 2020 Budget Preparation

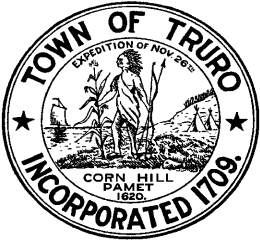
6. CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1.
- B. Review and Approve Reappointments to:
- C. Review and Approve Application for a Curb Cut for Chris and Courtney Warren-319 Shore Road
- D. Review and Approve Board of Selectmen Minutes: September 11, 2018

7. SELECTMEN REPORTS AND TOWN MANAGER REPORT

8. SELECTMEN COMMENTS

9. NEXT MEETING AGENDA: Tuesday, October 9 and Tuesday, October 16



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Assessors Department

REQUESTOR: Jon Nahas, Assistant Principal Assessor

REQUESTED MEETING DATE: September 25, 2018

ITEM: Tax Classification Hearing pursuant to MGL Ch. 40 S. 56

EXPLANATION:

Every year prior to setting the tax rate, the Board of Selectmen must conduct a classification hearing for the purpose of determining the percentages of the local tax levy for the Fiscal Year and to vote on the tax rate options available to the municipality under the property tax classification statute, MGL Chapter 40, Sec. 56. The hearing is held after the Assessors have determined final values, classified all properties and reported this information to the Department of Revenue for certification. On September 5, 2018, the Department of Revenue certified Truro’s Assessed Values for Fiscal Year 2019. The Assessors herein provide the Selectmen with the information necessary to make classification decisions.

Listed below are the FY2019 & 2018 levy totals by classification from the state report LA-5, allowing a visual of potential impact on the individual class. (The 2019 levy values are currently not certified as the recap process has not yet been completed.)

DOR Code	Municipality	Fiscal Year	Residential Levy	Open Space Levy	Commercial Levy	Industrial Levy	Personal Prop Levy	Total Tax Levy	Res/OS as a % of Total	CIP as a % of Total
300	Truro	2019	15,380,202	0	705,128	12,325	198,959	16,296,614	94.38	5.62
300	Truro	2018	14,751,462	0	689,428	12,229	195,772	15,648,890	94.26	5.74

1. Classifying the tax rate:

- Classifying the tax rate (Splitting the Tax Rate) means applying the same or different tax rates to different classes of property (residential, open space, commercial, industrial and personal property) according to procedures and formulas set by state

statutes. Truro does not have any property that is classified by DOR as Open Space.

- Voting a residential factor of “1” establishes that the same tax rate is applied to all classes of property at a single rate per thousand dollars of value.
- Voting a residential factor of “.9” would reallocate the tax from the residential and Open Space (by reducing their tax rate 10%) to the Commercial, Industrial & Personal Properties classes (by increasing their tax rate 10%).
- Though the tax rates would differ according to the property class, the total tax levy remains the same.
- At their meeting held on September 17, 2018, the Board of Assessors voted to recommend to vote a residential factor of “1”.

2. Open Space Discount:

- Truro does not have any properties classified (by the Department of Revenue) as Open Space so it would have no effect if the Board of Selectmen should vote on an open space discount.
- The Open Space properties are addressed through conservation restrictions or chapter land exemption.
- At their meeting held on September 17, 2018, the Board of Assessors voted to recommend to vote not to grant an Open Space discount.

3. Small Commercial Exemption:

- This exemption would reallocate the tax within the Commercial and Industrial classes from the small Commercial and Industrial properties (under \$1million valuation & less than 10 employees) to larger Commercial and Industrial properties in Town.
- As Truro has a minimal Commercial/Industrial class, the Small Commercial exemption could cause hardship on some local businesses.
- At their meeting held on September 17, 2018, the Board of Assessors voted to recommend to vote not to grant a small business exemption.

4. Residential Exemption:

- The residential exemption grants an exemption of up to 35% of the average assessed residential property value (\$639,190 for FY19) to residential parcels that are the principal residence of the taxpayer as of Jan 1.
- The intent of the exemption is to promote owner occupancy and is designed to provide a proportionately greater benefit to lower valued homes.
- The residential exemption is a dollar amount of value that is exempt from taxation. For example, in FY2018 a qualified homeowner received \$122,494 (20% of the average residential parcel value in FY2018) deducted from their property's assessed value for purposes of calculating the tax bill.
- The amount of the tax levy paid by the class remains the same, but because of the

exempted valuation, it is distributed over less assessed value resulting in the entire residential class paying a higher tax rate.

- At their meeting held on September 17, 2018, the Board of Assessors voted to recommend to vote to grant a residential exemption.

5. LA-5 Signature:

- As part of the annual Recapitulation Report (Recap) being certified by the Department of Revenue, the Assessor is required to inform the Board of Selectmen the amount of the current year excess levy capacity. The Board's signature on the LA-5 Gateway Report is required as proof of this notification at the conclusion of the Classification Hearing.
- To expedite this step and avoid the need for each Selectman to come to the Assessor's Office and individually sign onto the Department of Revenues' Gateway form, please vote to authorize Jon Nahas, Assistant Principal Assessor, authorization to sign the LA-5 on behalf of the Selectmen.

FINANCIAL SOURCE (IF APPLICABLE):

IMPACT IF NOT APPROVED: The Fiscal Year Tax Recapitulation Report cannot be completed and the new Tax Rate cannot be set in order to generate timely Real Estate Tax Bills.

SUGGESTED ACTIONS:

- On the matter of **classifying the tax rate**,
Motion to approve a residential factor of "1".
- On the matter of an **open space discount**,
Motion to not grant an Open Space discount.
- On the matter of a **small commercial exemption**,
Motion to not grant a small business exemption.
- On the matter of a **residential exemption**,
Motion to grant a residential exemption.
- On the matter of **signing the State Form LA-5**,

Motion to grant authorization to Jon Nahas, Assistant Principal Assessor, to sign the LA-5 on behalf of the Selectmen.

ATTACHMENTS:

1. Legal Notice
2. Recommendations from the Board of Assessors
3. State Tax Form LA-4 which indicates totals by class of the FY2019 certified parcel values
4. Authorization for the Assistant Principal Assessor's signature on LA-5 report
5. FY2018 Truro Truro Residential Exemption Statistics
6. Exemption Research Memo



TOWN OF TRURO

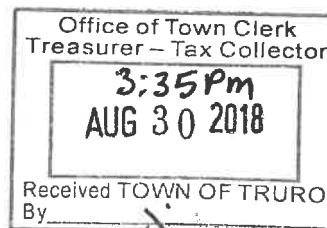
P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 110 or 124 Fax: 508-349-5505

**LEGAL NOTICE
TOWN OF TRURO
PUBLIC NOTICE
TAX CLASSIFICATION HEARING
SEPTEMBER 25TH, 2018**

Notice is hereby given that the Truro Board of Selectmen will hold a public hearing on Tuesday, September 25th, 2018 at 5:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro, pursuant to MGL Ch. 40, Section 56, for the purpose of determining the percentages of the local tax levy to be borne in Fiscal Year 2019 by each class of property: residential, open space, commercial, industrial, and personal property. The public is encouraged to submit comments in writing to the Office of the Town Manager/Board of Selectmen, PO Box 2030, Truro, MA 02666, or in person at the hearing.

Robert Weinstein, Chairman
Board of Selectmen





TRURO ASSESSORS OFFICE

P.O. Box 2012 Truro, MA 02666

Tel: (508)349-7004 Ext 16

Fax: (508)349-5506

September 17, 2018

The Town of Truro's Classification Hearing is planned for September 25, 2018.

The Board of Assessors make the following recommendations to the Board of Selectman,

To make a motion:

To Vote a Residential Factor of "1". This would maintain a 100% full value tax for all classes.

To Vote NOT to recommend the granting of a discount for Open Space.

To Vote NOT to recommend the granting of a Small Business Exemption.

To Vote TO recommend the granting of a Residential Exemption

So Voted on 9/17/2018

R. Louis Kelly
[Signature]

Truro Board of Assessors

ASSESSMENT/CLASSIFICATION REPORT as of January 1, 2018

Fiscal Year 2019

Property Type	Parcel Count	Class1 Residential	Class2 Open Space	Class3 Commercial	Class4 Industrial	Class5 Pers Prop
101	2,097	1,674,904,280				
102	545	163,568,700				
MISC 103,109	138	134,150,900				
104	56	35,594,020				
105	4	2,441,700				
111-125	9	6,590,400				
130-32,106	463	108,305,100				
200-231	0		0			
300-393	84			83,934,900		
400-442	4				1,711,800	
450-452	0				0	
CH 61 LAND	0	0	0	0		
CH 61A LAND	6	7	0	30,480		
CH 61B LAND	0	0	0	0		
012-043	29	9,979,511	0	13,969,039	0	
501	2,143					13,718,740
502	51					3,354,310
503	0					0
504	1					8,694,190
505	2					1,244,300
506	0					0
508	4					621,670
550-552	0					0
TOTALS	5,643	2,135,534,611	0	97,934,419	1,711,800	27,633,210
Real and Personal Property Total Value						2,262,814,040
Exempt Parcel Count & Value					433	158,788,100

For CH 61, 61A and 61B Land: enter the mixed use parcel count in the left-hand box, and enter the 100% Chapter land parcel count in the right-hand box.

Signatures
Board of Assessors Jon C Nahas, Assistant Assessor , Truro , jnahas@truro-ma.gov 508-214-0917 9/5/2018 11:12 AM

Comments
No comments to display.

NOTE : The information was Approved on 9/5/2018



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 110 or 124
Fax: 508-349-5505

To: Bureau of Accounts
From: Board of Selectmen
Date: September 25, 2018
RE: Authorization to sign electronically

At the Classification Hearing held this evening, September 25, 2018, the Board of Selectmen voted to grant Assistant Principal Assessor, Jon Nahas signing authority on the LA-5 form on our behalf. The minutes will be forwarded to you when completed.

Thank you,

Truro Board of Selectmen

Robert Weinstein, Chairman

Maureen Burgess, Vice Chair

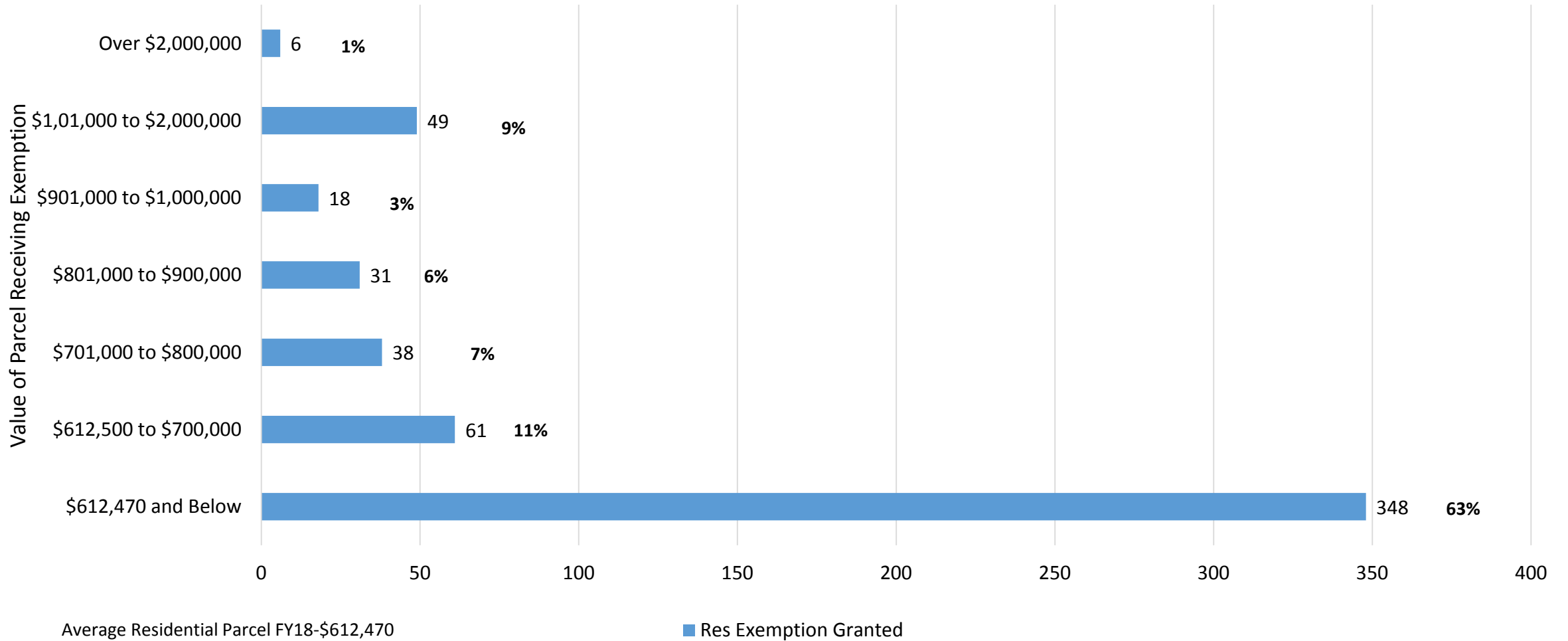
Janet Worthington, Clerk

Paul Wisotzky, Member

Kristen Reed, Member

FY18 Approved Residential Tax Exemptions

Total Number of Residential Exemptions Granted = 551





TRURO ASSESSORS OFFICE

P.O. Box 2012 Truro, MA 02666

Tel: (508)349-7004 Ext 16 Fax: (508)349-5506

E-mail: jnahas@truro-ma.gov

MEMO

TO: Rae Ann Palmer, Town Manager

FROM: Jon Nahas, Assistant Assessor

DATE: September 10, 2018

SUBJECT: Exemption Research on TPRTA Proposed Alternatives

I've reviewed the Proposed Alternatives of the Truro Part-Time Resident Taxpayers Association and my findings can be summarized as follows.

- The Town of Truro currently offers nearly all of the exemptions suggested by the TPRTA
- For those exemptions it does not offer, the changes don't seem broad enough to warrant the update.
- All of the exemptions proposed target two special populations-the Disabled and Elderly, and do not address the needs of the general population of Truro.
- In most instances, the Town of Truro has opted to increase the amount of the exemption or adjust the requirements in order to serve the greater population of seniors.
- Senior Exemptions have income and other requirements that would require the applicant to provide documentation of need.
- None of the Exemptions address the need to raise the tax levy, and would likely require an increase in the tax rate.
- The Town of Truro, through the Council on Aging, educates seniors about all the available exemptions but will look to increase awareness in other ways.

In reviewing the Proposed Alternatives to the Residential Tax Exemption by the Truro Part-Time Resident Taxpayers Association I wanted to speak about the Town of Truro's current Exemptions offered, as well as speak to what is proposed. Attached is our Fiscal Year 2019 document of all the Exemptions we offer.

Truro offers Exemptions primarily for Seniors and Disabled Veterans that are established by the Commonwealth of Massachusetts. Throughout the years the town has even added on to the Exemption categories where possible-in adopting "local options" to offer these exemptions to the widest network of its residents. All Exemptions must meet Massachusetts Domicile requirements in order to apply.

Senior Exemptions must meet income and asset requirements set by the state in order to be eligible and these values are recalculated annually in conjunction with the Consumer Price Index established by the DOR annually. Disabled Veterans must be certified by the Veterans Administration and provide documentation in order to be eligible. Having these guidelines established annually by the state is invaluable as it eliminates the subjective nature upon reviewing the applications and it ensures fair and equitable treatment for all.

The TPRTA mentions adopting the following additional local options:

- **Clause 41C 1/2.** Currently Truro implements Clause 41C to seniors who meet our most strict guidelines in regard to income and asset requirements (see attached sheet for qualification values). The Standard 41C is an exemption in the amount of \$500.00 however Truro has previously adopted the local option and grants 41C in the amount of \$1000.00. Truro could decide to implement 41C ½ rather than 41C, and could adopt a local option that could grant up to 20% of the average assessed value of residential property (like the Residential Exemption does currently) as the TPRTA mentions. Clause 41C ½ does not take into account Asset limits and only bases its qualification on annual income limits using the State Circuit Breaker Income Tax Limits as its basis for qualification. These limits in 2017 were \$57,000 (Single) and \$86,000 (Married Filing Jointly). If adopted, using Clause 41C ½ seemingly would open the exemption to a few more residents as the asset limit is removed in its entirety and the income limit is higher. However it also is only assisting the demographic that is 65 and older rather than the entire Truro home ownership population.
- **Clause 18.** The Town of Truro has the option to use Clause 18 as a way to forgive tax however it is something that is rarely used and is available as a last option for someone that is in dire straits due to extremely unforeseen circumstances. Prior to using Clause 18, the Assessors would offer to use Clause 18A which is a tax deferral program. An example of this maybe someone who is permanently injured, unable to work, has exhausted all other public and private loan options including mortgaging their home if applicable. Clause 18 would generally require a home inspection as well as significant documentation from doctors, unemployment, disability, family members, as well as complete asset and liability information. Clause 18 is not something to be used as a “mass method” to reduce property taxes, rather to only to give the assessors a potential last resort option to be used in specific extreme circumstances.
- **Clause 5C ½.** Massachusetts General Law does permit towns to adopt Clause 5C ½ which could in fact permit doubling the amount of our existing exemptions that we offer. While the Town can double the exemption amounts, the reimbursement amount from the state would remain the same and we would still need to raise the money via the Tax Levy which would ultimately result in a tax increase.
- **Clause 57-** via State Income Tax and not through the Towns exemption process. When processing taxes, more than likely tax preparers look to qualify their clients for the State Circuit Breaker Credit where applicable. The many versions of tax preparation software look to do this as well in order to receive the best tax return possible. Encouraging the use at the Town’s level is reasonable, by possibly including this information via the Council on Aging department as this is again only for residents 65 and older who make their primary domicile Truro.

- **Recovering Tax Revenue.** The Town of Truro maintains a tax title process that the town engages in to recover unpaid property taxes.
- **Communication.** Making sure the residents are informed of all the Tax Relief options is a continuous focus of the Town. Our Council on Aging does a great job assisting our senior residents in preparing the applications that require documentation. We consistently run reminders in the Town Manager's weekly report and well as information on the Town website.

The Town of Truro offers the options that are available with regards to Statutory Exemptions. We have even accepted many of the local adoptions that enhance our Exemptions including age 65 rather than 70 as our age minimum. As the proposed alternatives loosen some of the limits and would appeal to more residents, these exemption amounts would still need to be factored into the Town's Levy Limit and would result in an increase in the Tax rate as well. The Town, as well as the Assessor, must make sure all residents are treated in a fair and equitable manner. It seems the proposed alternatives by the Truro Part Time Resident Taxpayers Association only focus on the Disabled Veterans and Senior low income residents of Truro rather than proposing alternatives that appeal to all the demographics of the residents of the Town.

FY18 Exemptions Granted:

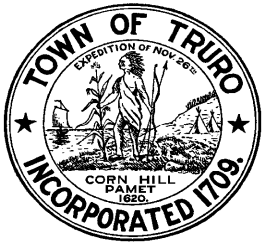
Exemption	Amount Granted	Total Exempted Amount
41C	9	\$9,000
17D	6	\$1,492.56
22E	3	\$3,000
22a	9	\$3,600
37A	3	\$1,500

TOWN OF TRURO
Assessing Department
SUMMARY OF TAX EXEMPTION PROGRAMS FY2019

A tax exemption is a release from the obligation to pay all or a portion of a tax. Applications should be filed annually with the Board of Assessors on or before **April 1st**, or three (3) months after the actual tax bills are mailed, whichever is later. Filing an application does not entitle the applicant to a delay in tax payment. If you have any questions, please call the Assessors Office at 508-349-7004 X117 or Outreach at the Council on Aging.

- Ownership:**
- Own and occupy the property as of July 1
 - Trustee with a beneficial interest OR Life Estate OR
 - Tenants by the Entirety, Joint Owner OR Tenants in Common

Eligible Age	Clause (MGL Ch. 59, Sec. 5)	Basic Assistance Type	Income Limit	Assets Limit (not including residence)	Assistance Amount
ELDERLY PROGRAM TAX RELIEF					
Must own & occupy the property for at least 5 years, be a Massachusetts resident for the preceding 10 years and be 65 or older as of July 1 st of tax year					
65 +	18	Financial Hardship (requirements – age, infirmity & poverty)			Exemption may be all or a portion.
65 +	41A	Defers payment of local property tax owed by senior until house sold or senior dies	\$40,000 Max	None	Can defer part or all of taxes annually up to 50% of assessed value. Annual interest applies.
65 +	41C	Reduces local property tax liability of senior	\$29,139 - Single * \$43,708 – Married *	\$58,276 - Single \$80,109 - Married	\$1,000 Elderly Exemption
65+	17D	Reduces local property tax liability of senior, surviving spouse or minor child of a deceased parent	No Income limit	\$58,276 - Single	Amount is subject to annual cost of living increase. FY2019- \$254.98
<i>* Can be increased by allowable Social Security Deduction. (FY2019 = \$4,628 for single or \$6,942 married)</i>					
SERVICE CONNECTED DISABLED VETERANS (or Surviving Spouse)					
1) Must own & occupy the property as of July 1 of the tax year, 2) be a Massachusetts resident for 5 consecutive years before the tax year begins (or been domiciled in Massachusetts for at least 6 consecutive months before entering the service) and 3) meet the service-connected disability or awards criteria					
	22a	10% Service Related Disability - Purple Heart	None	None	\$400 Veterans Exemption
	22A	Permanent loss of 1 foot OR hand OR eye	None	None	\$750 Veterans Exemption
	22B	Permanent loss of both feet, hands, OR 1 foot and 1 hand, OR loss of both eyes	None	None	\$1250 Veterans Exemption
	22C	Permanent & total disability. "special adapted housing"	None	None	\$1500 Veterans Exemption
	22D	Surviving Spouse of soldier or sailor killed in combat.	None	None	Full for 5 years then \$2500
	22E	100% disabled; incapable of working	None	None	\$1,000 Veterans Exemption
	PARA	Paraplegic	None	None	100% Veterans Exemption
OTHERS					
	37A	Legally Blind	None	None	\$500 Blind Exemption
	42	Surviving Spouse of Fire Fighter or Police Officer Killed in the Line of Duty	None	None	100% Surviving Spouse Fire/Police Exemption
	43	Surviving Minor Children of Fire Fighter or Police Officer Killed in the Line of Duty	None	None	100% Surviving Minor Children Fire/Police Exemption



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant, on behalf the Truro Concert Committee

REQUESTED MEETING DATE: September 25, 2018

ITEM: Approval of Susan Howe applying to serve on the Truro Concert Committee; Bonnie Brown-Bonse applying to serve on the Truro Concert Committee

EXPLANATION: Susan Howe has submitted her application to serve on the Truro Concert Committee. All paperwork is complete and an endorsement of the applicant from the Chair is enclosed on the application to serve.

Bonnie Brown-Bonse has submitted her application to serve on the Truro Concert Committee. All paperwork is complete and an endorsement of the applicant from the Chair is enclosed on the application to serve.

FINANCIAL SOURCE (IF APPLICABLE): n/a

IMPACT IF NOT APPROVED: The applicants will be unable to serve on the Truro Concert Committee.

SUGGESTED ACTION: *Motion to approve Susan Howe to serve on the Concert Committee for a three year term which will expire June 30, 2021.*

Motion to approve Bonnie Brown-Bonse to serve on the Concert Committee for a three year term which will expire June 30, 2021.

ATTACHMENTS:

1. Application to Serve-Susan Howe
2. Application to Serve-Bonnie Brown-Bonse



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Suzan Howe HOME TELEPHONE: [REDACTED]

ADDRESS: 12 Houser Way WORK PHONE: [REDACTED]

MAILING ADDRESS: Po Box 973, Truro E-MAIL: [REDACTED]

FAX: _____ MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: _____

Concert Committee

SPECIAL QUALIFICATIONS OR INTEREST: _____

RCUD 2018 JUL 13 PM 12:34

ADMINISTRATIVE OFFICE
TOWN OF TRURO

COMMENTS: Now that the concerts are taking place at an accessible location I am excited to support them

SIGNATURE: Susan Howe DATE: 7-13-18

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL) _____

Yes, the Committee looks forward to working with Susan - we feel lucky to have her join us!

SIGNATURE: Patricia Wheeler DATE: 7/13/18

INTERVIEW DATE: _____ APPOINTMENT DATE (IF APPLICABLE): _____



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Bonnie Brown-Bonse HOME TELEPHONE: [REDACTED]

ADDRESS: 3 Knowles Hts Rd WORK PHONE: [REDACTED]

MAILING ADDRESS: Box 386 E-MAIL: [REDACTED]

FAX: _____ MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: _____

Truro Concert Committee

SPECIAL QUALIFICATIONS OR INTEREST: DJ at Wellfleet Beachcomber 1981-91; Love of music, member of Outer Cape Chorale.

COMMENTS: Bonnie has a wealth of experience to share. The Concert Committee will be fortunate to have her in our group.

RCVD 2018 JUL 20 AM 3:56

ADMINISTRATIVE OFFICE

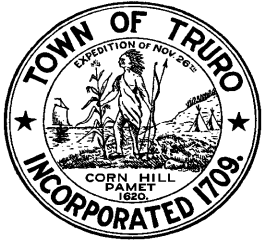
TOWN OF TRURO

SIGNATURE: Patricia A Wheeler DATE: 7/26/18

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL) _____

SIGNATURE: _____ DATE: _____

INTERVIEW DATE: _____ APPOINTMENT DATE (IF APPLICABLE): _____



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: September 25, 2018

ITEM: Review of Proposed Memorandum of Understanding with Eastham, Wellfleet, Truro and Provincetown

EXPLANATION: At the August 28, 2018 Regular Meeting a motion was made and approved to table this item due to a question about the enabling legislation as it relates to the Town Manger's ability to enter into short term agreements with other municipalities for service and equipment sharing. Town Counsel John Giorgio spoke with Chairman Weinstein and me to clarify the document that KP Law prepared in 2016 for the Towns of Truro and Provincetown. Attorney Giorgio advised us that the cited enabling Massachusetts General Law statute authorizes the Chief Executive Body, the Board of Selectmen, to sign the agreement for regional service provision and that the agreement also sets the terms for the day to day operations which fall to the Town Managers/Administrators. As with the Provincetown agreement, this agreement is intended to cover one time sharing of equipment and sharing of staff to cover short term absences. Should the Towns wish to initiate a permanent arrangement to share a staff person, a separate inter-municipal agreement would be negotiated and forwarded to the Board of Selectmen for approval and signature.

FINANCIAL SOURCE (IF APPLICABLE): N/A at this time.

SUGGESTED ACTION: *Motion to approve the four town Inter-municipal agreement with Provincetown, Truro Wellfleet and Eastham with the condition that any expense expected to exceed \$100,000 must be approved in advance by the Board of Selectmen.*

ATTACHMENTS:

1. Proposed Inter-municipal Agreement

INTER-MUNICIPAL AGREEMENT

This Inter-Municipal Agreement (IMA) (hereinafter "Agreement"), dated _____ 2018, by and between the Town of Provincetown, acting through its Board of Selectmen (hereinafter "Provincetown"), the Town of Truro, acting through its Board of Selectmen (hereinafter "Truro"), the Town of Eastham, acting through its Board of Selectmen (hereinafter "Eastham"), and the Town of Wellfleet, acting by and through its Board of Selectmen (hereinafter "Wellfleet"), is entered into pursuant to G.L. c. 40 "A, upon the following terms and conditions:

WHEREAS, the Towns of Provincetown, Truro, Eastham and Wellfleet are all Outer Cape Cod municipalities;

WHEREAS, the Towns have determined that the sharing of personnel and equipment under certain circumstances will increase their ability to provide adequate and professional public services for their communities; and

WHEREAS, the Towns desire to enter into an agreement which sets forth mutually agreeable terms and conditions for the sharing of public employees and equipment.

NOW, THEREFORE, in consideration of these promises and the mutual covenants herein contained, Provincetown, Truro, Wellfleet & Eastham agree as follows:

I Scope of Coverage

Any Town may propose regionalizing services or make a request for assistance from another Town for any public purpose, including but not limited to services performed by or through the departments of health and conservation and/or inspectional services.

Each "Request" shall be initiated and approved by the Town Manager in Provincetown, the Town Manager in Truro, the Town Administrator in Eastham or by the Town Administrator in Wellfleet, or their designees, who shall hereinafter be referred to as the "Town Managers", who shall then inform their respective Boards of Selectmen within seven (7) days.

Each Request shall be reduced to writing and include all pertinent information such as the nature, location, and expected duration of the event or situation giving rise to the request; the number and type of employees requested; the type of equipment and logistical support needed; the financial terms and method of allocating costs, the location to which the employees are to report; and the name of supervisor, and any other pertinent information. Each Request shall take effect upon signature of the Town Managers.

The provisions of this Agreement shall not be construed as imposing an obligation on any Town to respond to a request for assistance by another Town or to provide services within the borders of the another Town. The extent of assistance to be furnished under this Agreement shall be determined

solely by the Town Managers, on a case-by-case basis, and it is understood and agreed that the assistance furnished under this Agreement may be recalled upon reasonable notice at the sole discretion of the Town Manager of the Town providing the employees or equipment.

II Command and Control

All public employees rendering services in the other Town pursuant to this Agreement, shall report to the identified supervisor, and carry out the assigned responsibilities; however, they shall remain subject to the command and control of their employer. The Town Managers will work together to coordinate the allocation of personnel to maximize efficiency and to avoid duplicate or conflicting commands.

Any equipment furnished shall, to the extent possible, be operated by the public employees of the Town providing the equipment.

All employment rights, compensation and benefits of public employees rendering services pursuant to this Agreement shall be the responsibility of the Town by which the public employee is regularly employed and such employees shall not be considered employees of the other Town for any purpose.

Each Town shall assume and be responsible for all of its own equipment costs, including but not limited to damage or loss of its own equipment and the use of fuel or other expendable supplies, provided, however, that the parties may agree to provide reimbursement under the circumstances of a particular request.

III Liability and Immunity

All immunities from liability enjoyed by the public employees of each Town within their own jurisdiction shall extend to their participation in rendering services under this Agreement outside its boundaries and such public employees shall maintain any rights of indemnification granted by law for any claims arising out of the actions taken within the scope of their employment.

Each Town agrees to assume its own liability for services provided under this Agreement and, to the extent permitted by law, each Town shall indemnify, defend and hold harmless the other Town from and against all claims, demands, liabilities, actions, causes of action, costs and expenses, including attorneys' fees, arising out of the actions of its public employees while performing services in the other Town.

Each Town shall provide and maintain throughout the term of this Agreement appropriate insurance coverage for liability for personal injury or property damage and all insurances for its employees and equipment, including health and workers' compensation.

IV. Term

This Agreement shall take effect on the date first written above and continue in effect for a period of twenty-five (25) years unless sooner terminated.

V. Miscellaneous

This Agreement is not intended to substitute or preclude any other agreements that may now or hereafter be in effect among the Towns with respect to the provision of mutual aid, nor does it supersede any other means of providing mutual aid.

This Agreement may only be amended or modified by written document signed by the Board of Selectmen in each Town.

This Agreement may be terminated by either party upon thirty (30) days written notice to the other party.

All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered or mailed, postage prepaid, certified mail, return receipt requested or by electronic mail to:

The Town of Eastham
Town Administrator
2500 State Highway
Eastham, MA 02642
jbeebe@eastham-ma.gov

The Town of Provincetown
Town Manager
260 Commercial Street
Provincetown, MA 02657
dpanagore@provincetown-ma.gov

The Town of Truro
Town Manager
24 Town Hall Road
Truro, MA 02666
rpalmer@truro-ma.gov

The Town of Wellfleet
Town Administrator
300 Main Street
Wellfleet, MA 02667
dan.hoort@wellfleet-ma.gov

This Agreement shall be governed in accordance with the laws of the Commonwealth of Massachusetts and any dispute hereunder shall be directed to the appropriate court within Barnstable County.

If any provision, section, phrase or word contained herein is determined by a court of competent jurisdiction to be unenforceable, for any reason, or beyond the scope of the statutory provisions of Chapter 40, Section 4A of the General Laws, as amended, then it is the intention of the parties that, for public purposes, the remaining provisions thereof shall continue in full force and effect.

Executed as a sealed instrument as of the day and year first written above.

Signature page to follow.

TOWN of EASTHAM

By its Board of Selectmen

Wallace F. Adams, II, Chair

Martin McDonald, Vice Chair

John F. Knight, Clerk

Aimee Eckman, Board Member

Jamie Rivers, Board Member

TOWN of TRURO

By its Board of Selectmen

Robert Weinstein, Chair

Maureen Burgess, Vice Chair

Janet W. Worthington, Clerk

Kristen Reed, Board Member

Paul Wisotzky, Board Member

TOWN of PROVINCETOWN

By Its Board of Selectmen

Louise A. Venden, Chair

Thomas N. Donegan, Vice Chair

Cheryl L. Andrews, Board Member

Robert Anthony, Board Member

Lise King, Board Member

TOWN of WELLFLEET

By Its Board of Selectmen

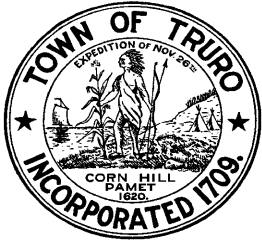
Janet Reinhart, Chair

Helen Miranda-Wilson, Vice Chair

Justina Carlson, Clerk

Kathleen Bacon, Board Member

Jerry Houk, Board Member



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: September 25, 2018

ITEM: Year Round Condo Use Proposed Conversion Process

EXPLANATION: Attached for your review, comments and approval is a process, application and proposed fees for the conversion of condominiums to year round use. Both have been reviewed by Town Counsel and approved. This process allows for a condominium association to convert from seasonal to year round use provided that the association approves the change and amends their documents accordingly. Not all units will need to convert; however, those that do must adhere to applicable health and building codes. If the process requires receiving or amending a special permit issued by the Zoning Board of Appeals or the Board of Health then the applicant must complete those steps as well. The process requires a vote of the Board of Selectmen to approve removing the seasonal covenant. Said vote should be held prior to required code improvements but not signed/filed until the work is completed and upon the units receiving certificates of occupancy.

SUGGESTED ACTION: *Motion to approve the year round condominium conversion process as prepared by staff and to approve the fees.*

ATTACHMENTS:

1. Year Round Condominium Conversion Process

Existing Condominium conversion to year-round use FAQ

❖ Who can apply?

Individual unit owners cannot apply to convert their unit to year-round use. In the case of an existing condominium the applicant would be the condominium entity (association). The association shall designate **no more** than two individuals who have authority to sign and submit the application, such as the president of the Board of trustees and an attorney. A legal vote of the association verifying, 1) that the association has agreed to pursue the change and 2) designation of the individuals given authority to make application must accompany the application.

❖ Why can't I just start to use or rent my property year-round?

In short: zoning. Section 40.3.A of the zoning bylaw creates condominiums as a change of use. Aspects of this change of use are also recognized and regulated under the Massachusetts State Building Code, and the process of conversion must be followed to allow modification to your certificate of occupancy. It is the goal of the Town through policy and applicable regulation to foster safe and resilient accommodations for our transient guests and permanent residents. Please note that as a part of this conversion process memorialization/documentation of the change of use must be completed through the application for and issuance of proper building permits. When those permits are finalized, new certificates of occupancy will be issued which memorializes the change of use granted by this process.

❖ What does it cost?

The total actual cost for conversion will depend on the location, size and age of Condominium property; we anticipate that there will be legal fees and in some instances construction costs, however, the following application costs will apply as the Condominium association completes its process with the Town of Truro: **Application Fees** (non-refundable)

Step 1 (pre-application process) - \$250 + \$50 per unit

Step 2 (application and site visit) - \$150

❖ Where do I start?

Step 1: The applicant files a “step 1 pre-application” form and schedules a pre-application meeting with the Building Commissioner and Health & Conservation Agent for a case-specific overview of the project and an outline of the permitting process. Note: *it is important that the designated individuals identified in the application form shall remain the points of contact through the process.*

(This meeting will be based on information gathered from the property files. The compliance checklist will be completed after the site visit described in step 2.)

Step 2: Applicant submits the “step 2 condominium conversion application form” along with required votes noted above (if needed) and site drawings showing the extent of the property and an indication, in the case of year-round use, which units are to be converted. The vote shall indicate the percentage of unit owners that have agreed to the conversion application. The applicant will attach to the vote a copy of the page from the condominium documents that specifies the percentage of unit owners required to pass an amendment. Staff will schedule a site visit upon receipt of a completed application; site visits will be scheduled on a first-come, first-served basis. Representatives from all relevant town departments will be invited to

participate in the inspection(s). Applicant shall make available for inspection all spaces subject to the conversion request. Depending on the scope, this site visit might take considerable time.

Step 3: Within 30 days of the site visit staff will refine the property compliance checklist to reflect the final regulatory requirements for conversion and will forward this to the applicant. The purpose of this checklist is to outline potential safety/energy improvements that will be necessary for the property to be adequate for the intended use. The checklist is part of the application signed by the applicant.

Step 4: Submit the completed application, covenant, and a copy of the property deed to the Select Board. The Select Board will vote to approve/disapprove the application pending the satisfaction of all requirements of regulatory departments and regulatory Boards/Commissions.

Step 6: If a modification of the existing special permit allowing the present condominium is required, that applicant shall follow standard procedures and apply to the Truro Zoning Board of Appeals (ZBA) for a special permit under Section 40.3.A of the zoning bylaw. With this petition, the applicant shall attach a true and attested copy of the above-referenced recorded documents as well as any of the pertinent documentation and the Conversion Application and draft Covenant. Should the ZBA vote to grant the special permit, the applicant shall:

- a. Record the ZBA decision at the Barnstable County Registry of Deeds (Registry), and
- b. Apply for all necessary site and building related permits.

Step 7: Complete permitted construction work as required. Obtain final approvals and certificate(s) of occupancy.

Step 8: Submit: “step 2 condominium conversion application form”; final building and site approvals; and certificates of occupancy to the Select Board with a request to execute the Covenant.

Step 9: Select Board will review and sign Covenant at the next regularly scheduled meeting.

Step 10: Record Covenant at the Registry and return date/stamped copy to the Town.

Step 1- Pre Application
Condominium Conversion Application

Date: _____
Establishment _____
Name: _____
Property Address: _____
Mailing Address: _____
Designated representatives: _____
Telephone: _____
Email: _____



TOWN OF TRURO

24 Town Hall Road
PO Box 2030
Truro, MA 02666
508-349-7004

Tel (508)-349-7004
Fax (508)-349-5508

Property Compliance Checklist- preliminary file research

Health

- Current Title V inspection report
- 105 CMR 410 – Minimum Standards for Human Habitation – general compliance

Conservation

- If any required site work is in a resource area or buffer zone make proper filings with Truro Conservation Commission
- If any dwelling units are in a flood hazard zone provide elevation certificates

Site and Utilities

- Water - If on town water provide sign-off from Provincetown Water Department regarding suitability of on-site distribution system for year-round use.
- Gas – individually metered units if source is common tank
- Electric – units are individually metered

Building (based on 780 CMR – 9th edition)

- Egress, light and ventilation – compliant with R102.6.4
- Bedroom and basement emergency escape and rescue openings – compliant with R310
- Energy – compliant with Ch. 11 and 2015 IECC 505 w/ appendix AA (stretch code)
Fire protection – compliant with R313 and R314. For multifamily units (3 or more per building) compliance with 2015 IBC, Ch. 9, with MA amendments.

Notes

Step 2:
Condominium Conversion Application

Date: _____

Establishment Name: _____

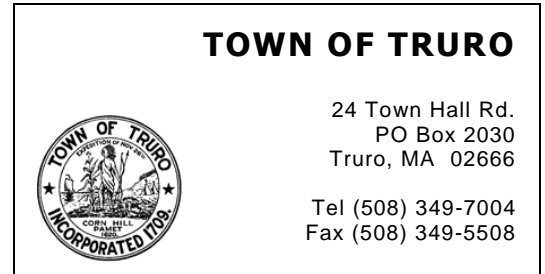
Property Address: _____

Mailing Address: _____

Designated representatives: _____

Telephone: _____

Email: _____



Please identify the type of conversion being sought:

- Existing Cottage Colony/Motel to seasonally restricted use (year-round manager's unit allowed)
- Existing Cottage Colony/Motel to year-round use (full property or individual units)
- Existing Condominium to year-round use (full property or individual units)

Current number of: Units Bedrooms

Proposed number of: Units Bedrooms

Submit the following documents in support of this application:

- Completed Declaration of Covenant (for newly created condominiums –seasonal or year-round use)
- Completed Modification/Removal of Covenant (existing condominiums)
- Parking plan (newly created condominiums)
approved: _____
Building Commissioner date
- Septic Plan (if required by Health Dept.)
approved: _____
Health Agent date
- Current Septic System Inspection Report
_____ date year of installation
- Property Compliance Checklist from Step 1 – Pre Application

Comments of the Health Agent

Health Agent

date

Comments of the Building Commissioner

Building Commissioner

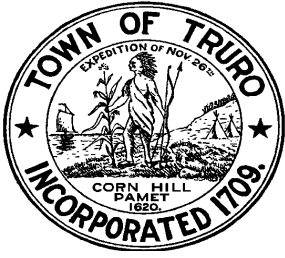
date

The Town of Truro, as represented by its Select Board shall execute the attached Covenant subject to the successful completion of the required actions outline in the Condominium Conversion Process.

This application has been approved by the undersigned:

Select Board

date



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: 508-349-7004 Fax: 508-349-5505

CONDOMINIUM DECLARATION OF COVENANT

WHEREAS, _____

hereinafter referred to as "OWNER," is the owner of certain real estate currently being operated

as _____ situated on

_____ in _____, Massachusetts, which said real estate is fully and completely

described in the deed marked Exhibit "A," annexed hereto and made a part hereof; and

WHEREAS, the Owner is desirous of holding the above-described property as a condominium; and

WHEREAS, the use of the above-described property as a Condominium without the restrictions set forth hereinafter would constitute a use which is prohibited by the Truro Zoning Bylaw and further that such a use could expand the use of the above-described property beyond its current seasonal occupancy thereby causing greater use of available water resources, increased sewerage disposal, increases to the school population and other increases in municipal services which would be provided by the Inhabitants of the Town of Truro, and

WHEREAS, it is the intention of the Owner that the property continue in part to be used and operated as public accommodations, as defined in said Section 10.4 of Truro Zoning Bylaws; and

WHEREAS, the Owner is desirous of continuing to be licensed in the Town of Truro pursuant to General Laws Chapter 140, Sections 32A, 32B, 32C, 32D and 32E;

NOW, THEREFORE, the Owner hereby imposes the following restrictions on said premises for the benefit of (a) the owner or owners of said property, and the shareholders of said Condominium corporation, and (b) the Inhabitants of the Town of Truro:

1. The property, consisting of _____ units, is intended for and is to be used only for seasonal use, and, except as otherwise provided herein, all units owned by the Owner and the Condominium shall not be occupied between November 30 of each year and March 1 of the succeeding year. Provided that, nothing contained herein shall restrict or limit the year-round use of one (1) unit, that being unit # _____, which is designated as the resident manager's unit.

2. No agreement between the Owner or Condominium and any of its members to modify or amend the Occupancy Agreement of any unit with respect to the seasonal use restrictions of each unit shall be of any force or effect unless the same has been approved and assented to in a written instrument signed by the Board of Selectmen of the Town of Truro.

3. The attempted amendment or modification of any such Occupancy Agreement to provide for use of a unit beyond the season of March 1 to November 30, shall constitute the extension of a pre-existing, non-conforming use as well as a violation of Section 40.3 of the Zoning Bylaws of the Town of Truro as amended on May 19, 1981.

4. This Covenant and the restrictions herein contained shall remain in effect so long as the property is established as a Condominium, including any successor Condominium.

5. The Inhabitants of the Town of Truro, through its Board of Selectmen and/or Building Inspector, shall have the right to enforce the provisions of this Covenant, and to obtain from a Court of competent jurisdiction the appropriate orders and injunctive relief prohibiting any violations of the conditions and covenants herein contained. In the event that the said Town

of Truro shall commence an action to enforce compliance for the provisions of this covenant, the costs incurred by the said Town of Truro in that action, including its reasonable attorney's fees, shall be assessed to and paid by the owner of the property.

6. No amendment, revision, termination or substitution of this Declaration of Covenant shall be effective unless the same is assented to in writing by the Inhabitants of the Town of Truro through its Board of Selectmen.

7. The original of this Covenant shall be recorded with the Barnstable County Registry of Deeds and shall be marginally referenced to the deed of the owner and shall run with the land.

8. The invalidity of any provision of this Agreement shall not be deemed to impair or affect in any manner the validity, enforceability, or effect of the remainder of this Agreement and, in such event, all of the other provisions of this Agreement shall continue to full force and effect as if such invalid provisions had never been included herein.

9. The property will continue to be licensed under the authority of the Board of Health pursuant to MGL Ch. 140, Sections 32A, B, C, D and E.

EXECUTED AS A SEALED INSTRUMENT this _____ day of _____, 20____ By: _____
Owner

IN WITNESS WHEREOF, _____ has caused its name to be signed and its corporate seal to be hereto affixed by _____ its President on the day and year above written.

By: _____
President

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss. _____, 20_____

Then personally appeared the above named _____ and

acknowledged the foregoing instrument to be a free act and deed; before me.

Notary Public

My commission expires: _____

TRURO BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss _____, 20 _____

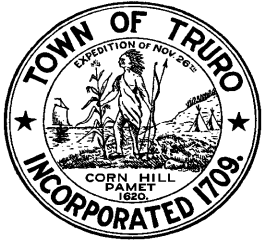
Then personally appeared the above- named _____

_____, as they are the Truro Board of Selectmen,

and acknowledged the foregoing instrument to be their free act and deed; before me,

Notary Public

My commission expires _____.



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTED MEETING DATE: September 25, 2018

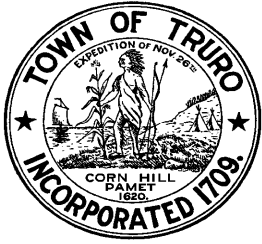
REQUESTOR: Rae Ann Palmer, Town Manager

ITEM: Special Fall Town Meeting Date

EXPLANATION: At your August 28, 2018 meeting, the Board voted to postpone the September 26, 2018 Special Town Meeting to later in the fall. The Planning Board has completed work on the two Zoning Bylaws under consideration and will present them to the Board of Selectmen at your next meeting. Therefore, after speaking to the Town Moderator and allowing for posting time, I recommend that the Board vote to hold the Special Town Meeting on Tuesday, November 13, 2018 at 6 PM at Truro Central School. As a reminder, according to the Town Charter, the Warrant must be open for at least seven (7) days and posted fourteen (14) days prior to the meeting. I further recommend that the Board vote to open the Special Town Meeting warrant on October 1, 2018 and to close it on October 10, 2018. This will allow the Board to vote on warrant articles at the October 16 (work session changed to regular meeting) or the October 23 regular meeting.

SUGGESTED ACTION: MOTION TO *hold a Special Town Meeting on November 13, 2018 at 6pm at the Truro Central School and to open the warrant for articles on October 1, 2018 at 8 AM and to close the warrant on October 10, 2018 at 4 PM.*

ATTACHMENTS: None



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: September 25, 2018

ITEM: Review, approve and comment on the Municipal Calendar for Annual Town Meeting 2019 and Fiscal Year 2020 Budget Preparation.

EXPLANATION: Attached for your review and consideration is the FY 2019 Municipal Calendar. The schedule has been shared with the Town Accountant, Town Clerk, Finance Committee Chair and Town Moderator. This schedule is before the Board of Selectmen for formal approval.

SUGGESTED ACTION: *Motion to approve the Board of Selectmen Municipal Calendar meeting dates for Annual Town Meeting 2019 and fiscal year 2020 budget preparation.*

ATTACHMENTS:

1. Proposed Municipal Calendar



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004 Fax: (508) 349-5505

September 25, 2018

To: Board of Selectmen
Department Heads
Chairs of Boards, Committees and Commissions
Town Moderator
Finance Committee

From: Rae Ann Palmer, Town Manager

Re: Annual Municipal Calendar for 2019 ATM and Fiscal Year 2020 Budget Preparation

The Board of Selectmen has consented to the following Municipal Calendar for the 2019 Annual Town Meeting and the Fiscal 2020 Budget Preparation. The calendar provides you with the upcoming deadlines for meetings, budget and CIP requirements, Annual Town Report requirements, Town Meeting and Elections. The 2019 Annual Town Meeting will be held on Tuesday, April 23, 2019.

- Oct. 9, 2018** Board of Selectmen and Finance Committee preliminary discussion on FY2020 budget and fiscal planning parameters
- Oct.16, 2018** Finalize Board of Selectmen Budget Message
- Oct. 24, 2018** Department Heads meeting to discuss the FY2020 Operating Budget and Capital Improvement Plan. 10:00AM - **Truro Town Hall**
- Nov. 1, 2018** CPC deadline for application for possible funding at the 2019 ATM
- Nov. 16, 2018** **All budgets and CIP requests must be turned into the Town Manager and the Town Accountant by noon.**
- Dec. 17, 2018** Budget Task Force Meetings Begin
- Jan. 8, 2019** Board of Selectmen review of budget and CIP and submit to Finance Committee (*Per Truro Charter – on or before January 15*)
- Jan. 22, 2019** Board of Selectmen vote to open the Warrant for the 2019 Annual Town Meeting, effective January 22, 2019

Jan. 30, 2019 Annual Town Meeting Warrant Opens

Jan. 31, 2019 All Annual Town Reports must be submitted electronically to Noelle Scoullar (nscoullar@truro-ma.gov), Liz Sturdy (esturdy@truro-ma.gov) and/or Nicole Tudor (ntudor@truro-ma.gov)

Feb. 8, 2019 Deadline for Money Articles

Feb. 12, 2019 Draft FY2019 Town and School Budgets, CIP presented to the Board of Selectmen and Finance Committee

Mar. 1, 2019 Annual Town Meeting Warrant Closes/Last day for Petitioned Articles at 4:00pm

Mar. 12, 2019 FY2019 “final” Budget and CIP and draft Warrant presented to Board of Selectmen for review and approval

Mar.26, 2019 Last day to file nomination papers with the Registrar

Mar. 26, 2019 Last day for Finance Committee to submit letter to voters on FY2020 Budget/CIP for including in the Town Meeting Warrant

Mar. 26, 2019 Final Board of Selectmen review and approval of warrant and last day for Board of Selectmen letter to voters on FY2020 Budget/CIP, etc., for inclusion in the Town Meeting Warrant

Mar. 29, 2019 Warrant to the Printer

Apr. 11, 2019 Last day to object or withdraw nomination papers

Apr. 16, 2019 Post Warrant

Apr. 16, 2019 Budget Public Hearing, Pre-Town Meeting and Candidates Night

Apr. 30, 2019 Annual Town Meeting, 6:00 pm Truro Central School

May 14, 2019 Annual Town Election, 7:00 am – 8:00 pm Truro Community Center



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 110 or 124 Fax: 508-349-5505

6. CONSENT AGENDA

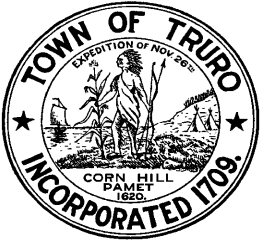
A. Review/Approve and Authorize Signature:

1.

B. Review and Approve Reappointments to:

C. Review and Approve Application for a Curb Cut for Chris and Courtney Warren-319 Shore Road

D. Review and Approve Board of Selectmen Minutes: September 11, 2018



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: September 25, 2018

ITEM: Application for a Curb Cut Permit

EXPLANATION: Chris and Courtney Warren have submitted an application for a curb cut permit for 319 Shore Road to add a parking space. While selling their home, the Warrens discovered an open Order of Conditions dating back to 2010. While attempting to obtain a Certificate of Compliance, they were made aware that a portion of their driveway and fence are encroaching on the Noon's Landing beach parking lot property. The application for a curb cut permit is to rectify this issue.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Warrens will be unable to close their Order of Conditions, and a portion of their driveway and fence will remain on the Noon's Landing beach parking lot property.

SUGGESTED ACTION: *MOTION TO approve the application for a curb cut permit for 319 Shore Road.*

ATTACHMENTS:

1. Application for a curb cut permit

EXHIBIT 1

TOWN OF TRURO
APPLICATION FOR A CURB CUT PERMIT

Note: This permit application must be accompanied by a plan. If this permit is being applied for by someone other than the Owner of the property, the owner's signature must appear at the bottom of the application.

Date: 9/11/18

To the Board of Selectmen
24 Town Hall Road
P. O. Box 2030
Truro, MA 02666

Re: APPLICATION FOR A CURB CUT

Dear Board Members:

The applicant(s) hereby make application for a curb cut as follows:

Name(s): Chris & Courtney Warren



Address: 495 Dry Brook Rd, Waverly NY 14892

Curb Cut Street Location: 319 Shore Rd - parking spot

Affected Town or State road: 6A/Shore Rd

Truro Assessor's Map Number: 13 Parcel Number: 4

Name of contractor: David Milliken

Reason/explanation: Add parking space

I/we hereby agree to the terms and conditions as outlined in this policy and attached Exhibits:

Applicant's Signature: Courtney Warren

Owner's Signature (if different): _____ Date: 9/11/18

Owner's Address (if different): _____

Application for a Curb Cut Permit
Page 2

Director, Department of Public Works Preliminary Approval:
 Approved Disapproved Not Applicable

[Signature]
Director, Department of Public Works

11 Sep 2018
Date

Chief of Police Approval:
 Approved Disapproved Not applicable

[Signature]
Chief of Police

12 Sep 18
Date

Board of Selectmen Approval:
 Approved Disapproved

Chairman, Board of Selectmen

Date

Planning Board Approval (if required):
 Approved Disapproved Not Applicable

Chairman, Planning Board

Date

Building Commissioner Approval:
 Approved Disapproved Building Permit Number _____

Building Commissioner

Date

Mass Highway Referral (if required):
Date Forwarded _____

Signature

Director, Department of Public Works Declaration of Compliance:

I have inspected the property located at _____ and found the work requested on the Application for a Curb Cut dated _____ to be in compliance with the Board of Selectmen Policy #28 - Curb Cut Policy.

Director, Department of Public Works

Date

Building Commissioner Final Approval:
 Approved Disapproved Certificate of Occupancy _____

Building Commissioner

Date

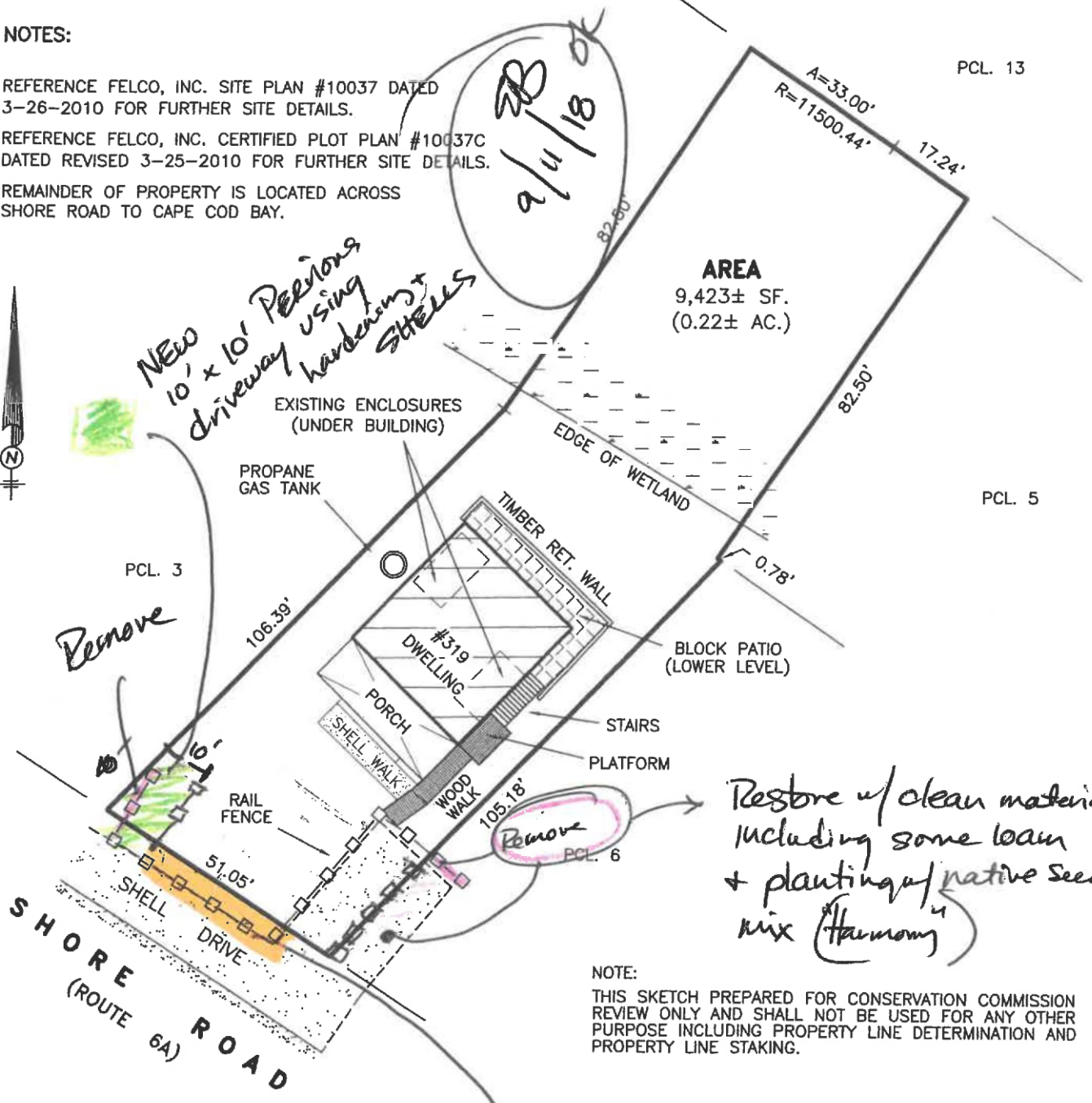
NOTES:

REFERENCE FELCO, INC. SITE PLAN #10037 DATED 3-26-2010 FOR FURTHER SITE DETAILS.

REFERENCE FELCO, INC. CERTIFIED PLOT PLAN #10037C DATED REVISED 3-25-2010 FOR FURTHER SITE DETAILS.

REMAINDER OF PROPERTY IS LOCATED ACROSS SHORE ROAD TO CAPE COD BAY.

PCL. 13



NOTE:
THIS SKETCH PREPARED FOR CONSERVATION COMMISSION REVIEW ONLY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE INCLUDING PROPERTY LINE DETERMINATION AND PROPERTY LINE STAKING.

AS-BUILT LANDSCAPE SKETCH

LOCUS : **319 SHORE ROAD**
TRURO, MA

REF : DEED BOOK 24268 PAGE 204

PLAN PREPARED FOR :
CHRISTOPHER & COURTNEY WARREN

SCALE : 1" = 30' DATE : 8/28/2018

ASSESSORS MAP: 13 PARCEL : 4

REMOVE OR RELOCATE ONTO OWNERS PROPERTY ALL FENCING FROM ROAD LAYOUT

TOWN OF TRURO
AUG 31 2018

FELCO, INC.

ENGINEERING / LAND SURVEYING
P.O. BOX 1366
ORLEANS, MA 02653
(508) 255-8141
(FAX) 255-2954

495 Dry Brook Rd
Waverly, NY 1489
September 7, 2018

Truro Conservation Commission
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

as agreed
w/ CW + CW
(EP)

9/11/18

Dear Commission Members:

In the process of selling our home at 319 Shore Rd, we discovered that an open Order of Conditions was outstanding from our initial renovations in 2010. While attempting to obtain a Certificate of Compliance in order to close the open Order of Conditions, we were made aware that a portion of our driveway and fence are encroaching on Parcel 6, the Noon's Landing beach parking lot property. In order to rectify this situation, we propose to do the following:

1. Remove the portion of the fence that extends onto the adjacent property
2. Scrape back the shells
3. Replant with beach grass or other suitable vegetation
4. ~~Adjust existing fence in front of the house to make up for the loss of driveway space~~

If the above is acceptable, Felco Engineering will provide a final as-built drawing once the work is approved and completed.

Thank you for your consideration.

Respectfully,

 CSW

Chris and Courtney Warren

- * Contractor will have Felco Stake the lines S, W, S
- * contractor will remove shell + hardening + add clean fill w/ some loam to support native grass
- * Use Colonial Seed "Harmony" Blend - native seed mix on disturbed area of Town of Truro property
- * Relocate fence on line w/ fence toward W or #319
- * New driveway requires Curb-cut permit

* Remove west fence
~~* fence @ street to~~
~~relocate fence @ Shore Rd~~
~~10' inside PL~~

* Create 1 space @ West side of property using only harden and crushed shells

PERMIT # _____



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

\$ PAID
cash 7/11/18

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

Applicant Name: Chris Warren Telephone [REDACTED]

Email address: [REDACTED]

Owner Name: Chris + Courtney Warren Telephone see above
(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)

Address of subject property: 319 Shore Rd Map: 13 Parcel: 4

Description of proposed work: Relocate driveway per conservation commission

Proximity to Resource Areas: Ø ; LSCSF ; BARRIER ; COASTAL DUNE

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS:

PERMIT FEE \$20

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:

- No construction *within* any wetland resource except for minimal projects with the consent of the Conservation Agent.
- Any proposed new construction is more than 50' from the edge of resource area.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete blocks, sono tubes, diamond piers
- Repairs or replacement of existing structures remain within the same footprint.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, sand nourishment, beach grass and planting of native species shall be allowed under this permit

Procedure:

- ✓ The fee shall be submitted with the Administrative Review Application.
- ✓ The Agent shall conduct a site visit, at which time the proposed project must be clearly defined in the field with stakes. Trees shall be flagged.

PAID

- ✓ If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied. If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.
- ✓ Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- ✓ Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- ✓ The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- ✓ The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- ✓ Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- ✓ NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

[Signature] 9/11/18
 (Signature of Applicant) (Date)

FOR OFFICE USE ONLY:

Agent's Comments: As per Concern order 9/10/18 to correct encroachment on Town Property

Site Inspection Date: 7/27/18 Application Approved: Yes No

Conservation Commission Review: Meeting Date: 9/10/18 Permit Approved: Yes No
 Conditions: as described in narrative and sketch dated 9-11-18.

Signature of Commission Chair or Agent: [Signature] Date: 9/11/18

DRAFT

**Truro Select Board Meeting
Wednesday, September 11, 2018
Truro Public Safety Facility**

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 5:03 p.m. There was a need to go into Executive Session for consideration of the purchase, exchange, lease or value of real estate.

Robert Weinstein moved to go into Executive Session under MGL, Chapter 30, Section 21a, paragraph 6 to consider the purchase, exchange, lease or value of real estate. Robert Weinstein, Maureen Burgess, Kristen Reed, Paul Wisotzky and Janet Worthington each said *yes*, the Board entered into Executive Session.

REGULAR MEETING

The regular meeting reconvened at 5:37 p.m.

Representation with Wellfleet on Herring River Restoration Project

Chair Weinstein reviewed the history of the MOU with Wellfleet concerning the Herring River Restoration project. Both Towns are represented by KP Law, but Truro has considered using a different attorney for the Herring River Restoration project, still continuing with KP Law for all other matters, he said. KP Law said that if one Town sought another attorney, the other Town would need to do the same. KP Law suggested attorneys who could serve as counsel for Truro at the same rate as KP Law. Truro had notified Wellfleet that the MOU should not include Truro. Chair Weinstein said that Wellfleet had misinterpreted Truro's intent in withdrawing from the MOU and in seeking independent counsel. Rae Ann Palmer mentioned particular Herring River Restoration plans that have been prepared for property in Truro. Janet Worthington said she would like to hear from an attorney who could put the whole project into perspective. Rae Ann Palmer gave the Board the names of attorneys that KP Law's John Giorgio had suggested. An attorney with an environmental background would be optimal. All the Board of Selectmen favored hiring a separate counsel to represent Truro.

Paul Wisotzky moved to terminate joint legal counsel representation by KP Law for the Town of Truro and the Town of Wellfleet on the Herring River Restoration Project and seek separate counsel and to inform KP Law that Truro requests that KP Law not represent either Town on this project. Maureen Burgess seconded, and the motion carried 5-0.

Paul Wisotzky moved that the Town of Truro pause participation in the Herring River Restoration Project until a separate attorney is hired to represent Truro. Janet Worthington seconded, and carried 5-0.

Public Comment

Kevin Grunwald, Chair of the Truro Housing Authority, announced that this year's Cape Housing Institute will begin in October. The workshop is offered to Town Board and Committee members. He distributed information which will be posted on the Town website.

Consent Agenda

1. Review/Approve and Authorize Signature:
 - A. One Day Entertainment License for Vinegrass Music Festival September 30th at Truro Vineyards
 - B. Application for New or Expansion of Existing Water Service – Shea, 408 Shore Rd.
2. Review and Approve Reappointments to: Brian Boyle – Charter Review Committee; Eric Morea – Pamet Harbor Commission
3. Review and Authorize Rae Ann Palmer, Town Manager, to sign Cape Light Compact RFP for Municipal Power Supply
4. Review and Approve Board of Selectmen Minutes: August 28, 2018

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

Paul Wisotzky moved to adjourn the regular meeting and open the work session. Maureen seconded, and the motion carried 5-0

WORK SESSION

Maureen Burgess moved to open the Work Session. Paul Wisotzky seconded, and the motion carried 5-0.

Chair Weinstein opened the work session at 6:07 p.m.

Part-Time Taxpayers' Questions

The discussion of the Resident Tax Exemption (RTE) began with the exemption research that had been prepared by the Assistant Assessor John Nahas. This contained a number of additional options for tax exemptions. Any additional exemptions that the Town might offer would have to be approved at a Town Meeting, Ms. Palmer said.

The Part-Time Residents Taxpayers Advisory Committee had submitted six questions to the Board of Selectmen. The first question called for the rationale behind offering the Resident Tax Exemption. Chair Robert Weinstein reviewed statistics on taxable properties and per capita taxable revenue, which does not take into consideration seasonal occupation of homes. Truro appears to be a very wealthy community as a result. The RTE is a real estate tax exemption, not a personal tax exemption, Mr. Weinstein said. It is a progressive form that addresses inequality; it is meant to be a tool to promote sustainability, he said. Paul Wisotzky said that sustainability has been a Selectmen's Goal for several years. He maintained that the RTE helps support year-round community sustainability along with a number of other programs. It is the real estate imbalance that affects sustainability. Stabilizing or halting the imbalance is desirable, he said.

Janet Worthington discussed how the evaluation of land affects estate taxes at death. She said that establishing the Residential Tax Exemption was “doing the right thing morally.” She regrets the creation of bad feeling between part-time and year-round residents. Town’s responsibility to do what it can in its little way, she said. Kristen Reed asked if consideration could be given to situations inside some of the more valuable properties. She spoke about the value of year-round residents who participate in Town boards and other efforts.

Chair Weinstein said Western Mass, the Cape and the Boston area are the three areas in the Commonwealth that utilize RTE’s. He said that part-time residents provide about 70% of taxes, but they also use 70% of Town services. Mr. Weinstein said Truro is headed to an even larger percentage of second home owners. He said that Truro would be remiss if they did not use the state-allowed Resident Tax Exemption.

Rae Ann Palmer said Town employees have difficulty finding housing in Truro and have to cope with Route 6 traffic in summer. She said this leads to difficulties providing services when the Town is short-handed. Paul Wisotzky said he considers RTE’s a way to do something for Truro. He said the Selectmen are not in a position to decide who is or is not “worthy” since they do not offer RTE’s on a personal needs basis.

The second question from the Part-Time Residents Taxpayers’ Advisory Committee asked about the use of other tax exemptions, including state categories. Chair Weinstein said that the Town already does offer the other possible exemptions. Janet Worthington said that the COA helps citizens. The third question was about raising the tax exemption. This is addressed each year at the annual tax classification hearing. The Commonwealth allows for a tax exemption up to 35%, he said. Janet Worthington observed that the program was still new here. Kristen Reed said increases could not be predicted because of changes in the Board of Selectmen.

The fourth question dealt with an expansion of RTE’s on rental properties. Paul Wisotzky said an RTE would grant the exemption to the homeowner who rents his/her property. He said it could provide an incentive to part-time homeowners to rent. An expanded offering would have to be approved at Town Meeting.

The fifth question concerned communications with part-time residents throughout the year. The Board and the Town Manager considered a number of options including: following meetings on the website, more direct sharing of information, inserts in tax bills, developing a data base of up-to-date contact information, signing up with Alert Truro, more communications between the Part-Time Residents Advisory Committee and Part-Time Residents Taxpayers Association, and listing all the means of communication. Kelly Clark explained work on improving user friendliness for the Town website. P-Townie is a web developer who is studying present use of the website.

The last question asked what metrics would be used to measure improvements by use of RTE’s and when would that evaluation be made. Paul Wisotzky said halting the trend in an increase of part-time residences was a way to measure. Seeing more young people, an increase in school

population would also be an indicator. More ADU’s, more affordable housing, making condos available year-round, and studying housing stress are other indicators of change. Mr. Wisotzky suggested looking at where Town employees are living as another means of studying sustainability. The 2020 census will be a source of information, he said. Paul Wisotzky suggested that the responses to the questions should be a part of the tax classification hearing. Robert Weinstein said the RTE is simply one mechanism for sustainability. He said it should be viewed optimistically. Chair Weinstein said the Board of Selectmen have the responsibility of serving the entire community.

Next Meeting

Rae Ann Palmer reviewed items for the next meetings, and the Selectmen decided that the September 18, 2018 meeting could be eliminated. Members of the Board had ideas about meetings with the two part-time residents’ boards. Kristen Reed suggested developing questions to ask PTRTA and PTRAC at meetings with them. The meeting of September 25, 2018 will include: the tax classification hearing, the MOA between the Towns, appointments, and condo conversions. The meeting will take place at the Community Center to accommodate the public hearing audience.

Adjournment

Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Mary Rogers, Secretary

Robert Weinstein, Chair

Maureen Burgess, Vice-chair

Kristen Reed

Paul Wisotzky

Janet Worthington, Clerk

Public Records Material of 9/11/18

1. Agreement with Wellfleet for Herring River Restoration Project
2. One Day Entertainment License for Vinegrass Music Festival September 30th at Truro Vineyards
3. Application for New or Expansion of Existing Water Service – Shea, 408 Shore Rd.
4. Reappointment papers for Brian Boyle – Charter Review Committee; Eric Morea – Pamet Harbor Commission
5. Authorization for Rae Ann Palmer, Town Manager, to sign Cape Light Compact RFP for Municipal Power Supply
6. Questions from Part-Time Residents
7. Memo from Truro Assessor's Office dated 9/10/11
8. Chart of 2018 Approved Residential Tax Exemptions
9. Act Increasing Exemption for Residential Property