



Truro Board of Selectmen Meeting

Tuesday, March 12, 2019

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 NONE

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

- A. Appointment of Truro Representative to the Cape Cod and Islands Water Protection Fund

4. TABLED ITEMS NONE

5. BOARD OF SELECTMEN ACTION

- A. Presentation on Storm Preparedness
Presenter: Sean O'Brien, Barnstable County Emergency Preparedness Coordinator
- B. Discussion of FY20 Budget and CIP
Presenter: Rae Ann Palmer, Town Manager
- C. Draft Warrant Presented to Board of Selectmen for Review
Presenter: Rae Ann Palmer, Town Manager
- D. Referral of Accessory Dwelling Unit Use Table Bylaw Petitioned Article to Warrant
Presenter: Rae Ann Palmer, Town Manager

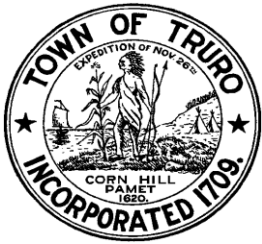
6. CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1. Application for Sunday Entertainment License for Truro Vineyards.
 - 2. Application for a Weekday Entertainment License (10 dates) for Truro Vineyards.
 - 3. Truro Water Service Application for expansion of existing water main service.
- B. Review and Approve Appointment of Stephen Parker to Barnstable County HOME Consortium
- C. Review and Approve Board of Selectmen Minutes: January 22, 2019 Budget Task Force and Regular Minutes, February 25, 2019 Joint Meeting, and February 26, 2019 Regular Meeting
- D. Review and Approve and Hold Board of Selectmen Executive Session Minutes: May 3, 2018 Executive Session; June 26, 2018 Executive Session; September 11, 2018 Executive Session; and October 2, 2018 Executive Session
- E. Review and Approve and Release Board of Selectmen Executive Session Minutes: May 9, 2018 Executive Session; July 20, 2018 Executive Session

7. SELECTMEN REPORTS AND TOWN MANAGER REPORT

8. SELECTMEN COMMENTS

9. NEXT MEETING AGENDA: March 19th, and March 26th



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Appointment of Truro Representative to the Cape Cod and Islands Water Protection Fund

EXPLANATION: The Cape Cod and Islands Water Protection Fund was created when Governor Baker signed the short-term rentals bill (Chapter 337 of the Acts of 2018) on December 28, 2018. The fund was created to help cover the cost to Cape residents of implementing Cape Cod's 208 Area Wide Water Quality Management Plan and to offer Dukes County and Nantucket County communities a financial tool to help with their wastewater abatement plans.

The Board of Selectmen must appoint one member to the management board. The legislation requires that the appointed member be either the Town Manager, a professional staff person or a member of the Board of Selectmen. I am told by my colleagues that the appointments have been either Selectmen or Managers/Administrators. The appointment is for a three-year term.

FINANCIAL SOURCE (IF APPLICABLE):

IMPACT IF NOT APPROVED: Truro will not have representation on the Cape Cod and Islands Water Protection Fund.

SUGGESTED ACTION: MOTION TO *appoint* _____ *to serve a three-year term as Truro's Representative on the Cape Cod and Islands Water Protection Fund.*

ATTACHMENTS:

1. Cape Cod Commission Letter to Chair 2.20.2019
2. FAQs on Water Protection Fund
3. Chapter 337 of the Acts 2018

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

February 20, 2019

Mr. Robert Weinstein
Select Board Chair
Town of Truro
24 Town Hall Rd, PO Box 2030
Truro, MA 02666

Dear Mr. Weinstein,

The Cape Cod and Islands Water Protection Fund (the Fund) was created when Governor Baker signed the short-term rentals bill (Chapter 337 of the Acts of 2018) on December 28, 2018. The Fund was created to help cover the cost to Cape residents of implementing Cape Cod's 208 Area Wide Water Quality Management Plan and to offer Dukes County and Nantucket County communities a financial tool to help with their wastewater abatement plans. The Cape Cod and Islands Water Protection Fund is a dedicated fund within the state's Clean Water Trust and is administered by the Clean Water Trust. To ensure there is local oversight of the Fund, the legislation established the Cape Cod and Islands Water Protection Fund Management Board.

Chapter 337 stipulates that the management board duties include 1) determining the method for subsidy allocation, including but not limited to, an equitable distribution among participating municipalities; and 2) ensuring that money from the Water Protection Fund is spent only for purposes identified in the Act.

The Board of Selectmen or Town Council in a town that is a member of the Fund (as of passage of the Act all 15 Barnstable County towns are members) shall appoint one member to the management board. In accordance with the requirements of the Act, each appointee shall be a member of the respective appointing authority, a town manager, town administrator or other municipally employed professional staff. Each member of the management board shall serve for a term of 3 years. All towns within Barnstable County, Dukes County and Nantucket County are invited to attend meetings of the Management Board, regardless of having determined if they'll join the Fund.

The Act calls for the Cape Cod Commission, in consultation with the Martha's Vineyard Commission, to provide administrative and technical support to the management board. Please appoint the Town of Truro representative to the management board and forward his/her contact information directly to me by April 5, 2019. Attached please find a copy of the signed legislation and a Cape Cod and Islands Water Protection Fund Frequently Asked Questions document prepared by Senator Julian Cyr's office.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Kristy Senatori
Executive Director

cc: Rae Ann Palmer, Town Administrator, Town of Truro
Senator Julian Cyr
Representative Sarah Peake
Susan Perez, Executive Director, Massachusetts Clean Water Trust
Commissioner Martin Suuberg, Massachusetts Department of Environmental Protection
Adam Turner, Executive Director, Martha's Vineyard Commission

Cape Cod and Islands Water Protection Fund FAQ

Updated 1/28/2019

The Cape Cod and Islands Water Protection Fund was signed into law as part of the short term rentals bill by the Governor on December 28th:

<https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter337>

For information on the short term rental legislation implementation here is a link to the Department of Revenue's FAQs: <https://www.mass.gov/info-details/short-term-rentals-frequently-asked-questions>

The creation of the fund was a priority for the entire Cape & Islands Legislative Delegation. The delegation is hopeful the fund will bring significant state support to all participating municipalities in the region to address wastewater needs and environmental stewardship.

This FAQ is our best attempt to provide information and answer questions relative to the intent of the law and its forthcoming implementation. Further guidance will be provided as it becomes available.

Does Cape Cod have a problem with its water quality?

Yes, there is a very serious problem.

Cape Cod's water quality is degrading and impaired due to excess nitrogen in embayments and water bodies. According to an October 2017 Cape Cod Times editorial, the peninsula's 125,000 septic systems cause 85 percent of the nitrogen pollution in the region's waters, followed by 10 percent caused by residential and commercial use of pesticides and storm runoff contributing 5 percent. The islands of Martha's Vineyard and Nantucket face similar levels of nitrogen pollution.

Available studies indicate that Cape Cod's embayments and estuaries need a 87 percent reduction of nitrogen to meet U.S. Environmental Protection Agency (EPA) clean water standards.

What is the effect of the current nitrogen pollution in our waters?

Nitrogen pollution is depleting oxygen for fish, smothering eel grass and shellfish beds, and creating noxious mats of algae on beaches. Algae and bacteria proliferate by feeding on the nitrogen, choking the waterways with green and brown sludge and killing aquatic life.

Excess nitrogen causes beach closures and marine habitat destruction, which threatens the shellfishing industry and tourist economy. Severe cases of nitrogen pollution have led to major fish kills in the Waquoit and Popponesset embayments on Cape Cod.

How did this happen?

Cape Cod is a victim of its popularity and geology. Currently there are 125,000 septic systems across Cape Cod – which is 20 percent of the septic systems in the Commonwealth. Due to Cape Cod's sandy and porous soil, nitrogen travels from septic systems and ends up in marine and fresh water ecosystems. Even when septic systems are removed, nitrogen remains in the soil and continues to impact Cape waters.

In 1978, the wastewater plan for Cape Cod concluded that Title 5 septic systems were an adequate form of wastewater disposal for the region's development. Therefore, towns chose not to install sewers when the federal government offered help to subsidize the cost.

Unfortunately, the septic systems were not able to properly handle Cape Cod's economic and development boom of the 1980s and 1990s, and, as a result, excessive loads of nitrogen in marine water have polluted the region's water ecosystems.

Due to the degraded water quality, there was a lawsuit filed by the Conservation Law Foundation in 2011 to enforce the Clean Water Act. What is the summary of the suit?

The Conservation Law Foundation sued the EPA alleging that since 1978 the agency had violated its mandatory duty to require regular annual updates to the Cape Cod Regional 208 Wastewater Plan. The lawsuit alleged that the failure of the EPA to enforce the Clean Water Act resulted in severe nitrogen pollution to Cape Cod's surface water, ponds and bays.

What was the result of the lawsuit?

In 2015, a settlement agreement was approved that, in part, had the Commonwealth of Massachusetts direct the Cape Cod Commission to work with the 15 Cape towns to create an updated 208 wastewater plan. The state also granted the Commission \$3.35 million to update the areawide plan.

In addition, the EPA approved the Commonwealth's designation of all 15 Cape Municipalities as Wastewater Management Agencies. This means that all ***Cape Cod towns are legally mandated to develop and build wastewater management systems to clean-up nitrogen pollution***, with the goal of ensuring the updated 208 Plan is effective on a regional basis. In effect, all towns are responsible for the Cape-wide clean-up.

What is the current status of the legal settlement?

The lawsuit was stayed as long as there was a proper update and implementation of an updated 208 Plan.

To meet the legal mandate, the Cape Cod Commission developed and drafted a comprehensive 208 Plan Update. It is a watershed-based approach to restore embayment water quality on Cape Cod. This plan was approved by Massachusetts Department of Environmental Protection (MassDEP), certified by Governor Charlie Baker in June 2015, and approved by the EPA in September 2015.

Under the settlement, the EPA committed in 2015 to assess the actions taken in the first six years of the updated 208 Plan implementation to see if further action is needed.

In addition, progress is being closely monitored by the Conservation Law Foundation, the plaintiff – ***insufficient action by Cape towns could lead to the plaintiff to petition the judge for court-ordered solutions.***

How much will the nitrogen pollution clean-up plan, also known as the “208 Plan Update” cost across Cape Cod?

There is a very steep price tag for eliminating or reducing nitrogen pollution in Cape Cod waters – the estimate by the Cape Cod Commission is \$4 billion over 50 years. Here is the breakdown of the \$4 billion under the 208 plan:

- Property taxpayers and businesses will pay for 50 percent of the clean-up, or \$2 billion.
- The State agreed to fund 25 percent, or \$1 billion of the clean-up
- The Federal Government is estimated to also pay 25 percent or \$1 billion.

What is the purpose of establishing the Cape Cod and Islands Water Protection Fund?

The Cape Cod and Islands Water Protection Fund (CCIWPF) was created to capture \$1 billion in state revenue to help Cape Cod towns pay for upgrading their wastewater plans. By assessing a 2.75% excise tax on traditional lodging and short term rentals, visitors to the region would help contribute toward the steep price of wastewater upgrades needed to accommodate the population surge during the summer season. Once realized, the fund will provide \$1 billion in property tax relief to property owners and businesses toward the \$4 billion price tag.

The CCIWPF will help cover the cost of implementing Cape Cod’s comprehensive 208 Plan as well as offer Martha’s Vineyard and Nantucket a financial tool to help with their wastewater abatement plans.

It is important to note that Martha’s Vineyard and Nantucket are not part of the EPA lawsuit settlement agreement. However, both islands have similar wastewater challenges,

so they were included in the CCIWPF to give them access to state revenue to help with their wastewater management plans.

The CCIWPF was created by a diverse set of stakeholders including local officials, environmental groups, business leaders, the Cape Cod Chamber of Commerce, the Martha's Vineyard Commission and the Cape and Islands Legislative Delegation. The CCIWPF will take significant steps to address a critical environmental problem, will help fulfill the legal agreement reached in the Conservation Law Foundation lawsuit vs. EPA, and will allow a billion dollars in property tax relief.

What is the CCIWPF?

The CCIWPF is a dedicated fund within the state's Clean Water Trust set up to solely benefit communities on Cape Cod, Martha's Vineyard, and Nantucket. The fund is administered by the existing Clean Water Trust and overseen by a management board comprised of representation from every member town from the region.

Who are members of the CCIWPF?

Under the law, each participating town appoints one member to the Cape Cod and Islands Water Protection Fund Management Board. Currently, all 15 Cape Cod towns are members of the CCIWPF Board due to the legal mandate to have an updated 208 Plan.

The towns on Martha's Vineyard and the town of Nantucket will become members once the towns have a wastewater management plan that is approved by MassDEP.

How can towns on Martha's Vineyard and the town of Nantucket join the CCIWPF?

The provisions in the law, relevant to the town of Nantucket and the towns in Dukes County, states that any of those seven municipalities can opt-in to membership in the fund and begin assessment of the 2.75% excise tax on room occupancy in their town, if they have an active 208 Plan, or an approved "208 Plan equivalent" by the MassDEP.

MassDEP will work with the six towns on Martha's Vineyard and the town of Nantucket to establish a criteria for those towns to receive approval of an "equivalent" plan. Once MassDEP has approved their plan, a town is eligible to become a member of the CCIWPF Board. MassDEP will approve a town's plan if the town makes the request to the agency and will work collaboratively with the municipality.

When a town becomes a member of the CCIWPF, the town should then check with Jennifer Desimone at desimonej@dor.state.ma.us, who is with the Massachusetts Department of Revenue, to confirm when to commence the assessment of the excise tax.

How are members appointed to the CCIWPF Board?

The law states that CCIWPF Board members are appointed by Board of Selectmen or Town Council and that an appointee can either be a town manager, town administrator or other municipally employed professional staff, or a member of that respective appointing authority,

The executive director of the Cape Cod Commission, the executive director of the Martha's Vineyard Commission and the town manager of the Nantucket shall serve as non-voting members of the board.

The members of the board each serve a three year term. The members of the management board are tasked with selecting a member to serve as chairperson and vice-chairperson for a term established by a vote of the management board.

How is the CCIWPF Board staffed?

The Cape Cod Commission, in consultation with the Martha's Vineyard Commission, is tasked with providing technical and administrative support to the board. The commissions may be compensated for its associated costs by a vote of the management board.

What are the duties of the CCIWPF Board?

The management board duties are limited to determining the method for subsidy allocation, including but not limited to, an equitable distribution among participating municipalities for projects and debt relief. The Board ensures that monies from the fund are spent only for the purposes listed in the law.

Is there a process to ensure that revenue for projects and debt relief is evenly distributed to participating towns across the Cape and Islands?

Yes, that responsibility will rest with the CCIWPF management board.

What will be the sources of revenue for the fund?

The initial source of revenue for the CCIWPF will come from a 2.75% excise tax that will be automatically imposed on rooms rented in a bed and breakfast establishment, hotel, lodging house, short term rental or motel located within a municipality that is a member of the CCIWPF.

The CCIWPF can also receive revenue from multiple sources, including the state and federal government via grants or appropriations, to improve water quality on Cape Cod, Martha's Vineyard and Nantucket.

How do I know when a 2.75% excise tax is assessed on my lodging establishment or short term rental?

All 15 Barnstable County towns are already automatically enrolled in the CCIWPF and the 2.75% excise tax will be assessed on all vacation lodging rentals.

The legislative intent was for the excise tax to automatically apply to a short-term rentals starting July 1, 2019 for which a rental contract was entered into on, or after, January 1, 2019. In addition, the excise would be applied to all traditional lodging establishment rentals for room rented starting July 1st.¹

For more information on tax collection, please see the DOR FAQs:

<https://www.mass.gov/info-details/short-term-rentals-frequently-asked-questions>

Currently, Martha's Vineyard and Nantucket are not members of the CCIWPF as they were not part of the 2011 Conservation Law Foundation lawsuit. Once these towns chose to opt-in to the CCIWPF, then the 2.75% excise tax will be assessed on all occupancy in the member towns.

Why implement the additional 2.75% excise tax?

With the steep price tag for the wastewater management plans, the Cape and Islands legislative delegation searched for a way to fund the Commonwealth's commitment to fund \$1 billion of the estimated \$4 billion cost for clean-up on Cape Cod. The 2.75% additional excise is the same surcharge that the state has used to finance convention centers in Boston, Worcester, and Springfield.

As an international tourist destination, towns on Cape Cod, Martha's Vineyard, and Nantucket see a seasonal population influx that doubles—and in some cases triples—the cost of wastewater management solutions.

The law draws on the reciprocal relationship between tourism and the environment to enable the region to address growing concerns around water quality by allowing municipalities on Cape Cod, Martha's Vineyard, and Nantucket to use the proceeds of the 2.75% excise tax to contribute to the CCIWPF, which will provide an appropriate avenue to fund crucial wastewater infrastructure projects in the region.

¹ The statute will be updated with specific language to ensure that July 1, 2019 is the date when all vacation lodging will start collecting the CCIWPF excise tax.

How will the revenue in the fund be disbursed?

The Clean Water Trust, after receiving project approvals and recommendations from the Management Board of the Cape and Islands Water Protection Fund, will apply or disburse the revenue to recommended wastewater abatement projects.

The revenue will provide subsidies and other assistance, which may include principal forgiveness, to local governmental units and other eligible borrowers in the payment of debt service costs on loans and other forms of financial assistance made by the trust for water pollution abatement projects in municipalities that are members of the fund.

Amounts credited to the fund will be expended or applied only with the approval of the CCIWPF Management Board and in a manner determined by the board.

Will the CCIWPF revenue replace or duplicate the Clean Water Trust revenue that towns or watersheds are already receiving or applying for their wastewater management plans?

No. CCIWPF is meant to supplement any revenue received from the Commonwealth’s State Revolving Fund (SRF) – this distinction is critically important. The statute was written to ensure that current funding levels for the Cape Cod, Martha’s Vineyard and Nantucket would not be jeopardized.

Proceeds of the fund cannot be used to offset or otherwise replace contract assistance funds or reserve funds used for pool financing.

What is the existing SRF criteria and will that criteria change with the addition of the CCIWPF?

The existing SRF selection criteria rate projects on the basis to which they resolve existing water quality problems and achieve regulatory compliance with water quality standards. Additional considerations are the extent to which a project is the result of an enforcement action, the degree to which the project reflects a regional or inter-municipal effort and the ability to the community to afford the rate impacts of the project.

The CCIWPF does not impact upon the project selection criteria and has no effect on projects funded by the SRF.

What sort of projects would qualify for funding? Is this only for pipes and pumps?

The 208 Plan projects or suitable equivalent plans eligible for CCIWPF revenue are not limited only to pipes and pumps. Water pollution abatement projects that are eligible for subsidies and other assistance may include the utilization of innovative strategies and

alternative Title V technologies that result in nutrient reduction for marine and fresh waters.

There is language in the law that specifically mentions projects can include innovative technologies and approaches such as aquaculture and dredging. With over 125,000 septic systems across the Cape and Islands, the legislation ensures that Title V upgrades and alternative septic technologies are also eligible for funding.

What about the towns on the Cape Cod, Martha’s Vineyard and Nantucket that have addressed wastewater issues?

A top priority for this proposal was to ensure that towns that implemented wastewater abatement projects before the Conservation Law Foundation lawsuit in 2011, or the passage of this statute, were not penalized for their advance planning.

Therefore, the law allows for debt service by the CCIWPF to provide subsidies and other assistance with respect to debt incurred prior to the establishment of the CCIWPF in Barnstable, Chatham, Edgartown, Falmouth, Nantucket, Oak Bluffs, Provincetown, and Tisbury for water pollution abatement projects.

What if a town does not want to participate?

According to the law, a municipality that is a member of the CCIWPF, “...shall not withdraw from the fund until 1 year after the effective date of this act.”

Once a year has passed, towns are allowed to opt-out by a two-thirds vote at a town meeting. However, if a town participates in the CCIWPF and receives financial assistance, it cannot leave until the financial arrangement is over.

What if a town opts-out of the CCIWPF – can it participate at a later date?

Any municipality that has withdrawn from the fund and votes, by majority vote of its legislative body, to return to the fund cannot receive money from the fund until at least two years from the date of its vote to do so.

Chapter 337
of the Acts of 2018

THE COMMONWEALTH OF MASSACHUSETTS

In the One Hundred and Ninetieth General Court

AN ACT REGULATING AND INSURING SHORT-TERM RENTALS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 23A of the General Laws is hereby amended by adding the following section:-

Section 68. (a) The executive office of housing and economic development, in consultation with the executive office of technology services and security and the department of revenue, shall establish and maintain a registry for all operators under chapter 64G who file an application and are issued a certificate of registration in accordance with section 67 of chapter 62C.

(b) The executive office of housing and economic development shall promulgate regulations, in accordance with section 2 of chapter 30A, that are necessary to: (i) develop and implement a registry that is accessible and available to the public; and (ii) support the competitive operation of the traditional lodging industry, short-term rental industry and hosting platforms to operate competitively in the commonwealth. The regulations shall require that a public hearing be held and that a small business impact statement be filed.

(c) The executive office of housing and economic development shall, in developing regulations to implement the registry, consider: (i) existing practices of peer states; (ii) data security practices, protocols and standards; (iii) technological feasibility of existing digital systems, including the feasibility of developing and maintaining a searchable online directory; (iv) information required to be collected and maintained for operators in the registry, which shall, at a minimum, include a list of accommodations offered for rent by operators who are registered in accordance with section 67 of chapter 62C, provided, however, that the location information for any accommodation offered for rent shall be limited to the name of the street and the city or town where the accommodation is located; (v) any forms or records necessary to implement this section and meet such requirements under this chapter and chapter 64G; (vi) practices utilized to disclose or report information to cities and towns by request; (vii) impacts on the traditional lodging industry, short-term rental industry and hosting platforms; (viii) the fiscal impact to the commonwealth; and (ix) any relevant federal or state laws and regulations.

The executive office of housing and economic development shall establish procedures and protocols to protect the confidentiality and security of an operator's personal information and tax information and prohibit the disclosure of such personal information and tax information maintained pursuant to this section.

SECTION 2. Chapter 29C of the General Laws is hereby amended by adding the following 2 sections:-

Section 19. There shall be a separate fund to be known as the Cape Cod and Islands Water Protection Fund. The fund shall be subject to this chapter, except as otherwise provided in this section. There shall be credited to the fund revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund including, but not limited to, revenues received under the excise imposed under section 3C of chapter 64G, any investment income earned on the fund's assets and all other sources, each source being tracked separately for accounting purposes as of June 30 of each year.

The trust shall hold the fund in an account separate from other funds of the trust. Proceeds of the fund shall not be used to offset or otherwise replace contract assistance funds or reserve funds used for pool financing. The trust shall apply and disburse amounts credited to the fund, without further appropriation, to provide subsidies and other assistance, which may include principal forgiveness, to local governmental units and other eligible borrowers in the payment of debt service costs on loans and other forms of financial assistance made by the trust for water pollution abatement projects in municipalities that are members of the fund. Each municipality within Barnstable or Nantucket counties or within the county of Dukes County shall be a member of the fund if it is subject to: (i) an area wide wastewater management plan under section 208 of the federal Clean Water Act, 33 U.S.C. 1288; or (ii) a suitable equivalent plan determined by the department of environmental protection. Water pollution abatement projects eligible for subsidies and other assistance under this section may include the utilization of innovative strategies and alternative septic system technologies that result in nutrient reduction for marine and fresh waters.

The fund may provide subsidies and other assistance as provided in this section with respect to debt incurred prior to the establishment of the fund in the towns of Nantucket, Edgartown, Tisbury, Oak Bluffs, Falmouth, Chatham and Provincetown and the city of Barnstable for water pollution abatement projects apart from the trust.

Amounts credited to the fund shall be expended or applied only with the approval of the Cape Cod and Islands Water Protection Fund Management Board established under section 20 and in a manner determined by the board, in addition to any approvals required under this chapter. The board, subject to a memorandum of understanding with the department of environmental protection,

may direct the comptroller to transfer a specified amount not to exceed 10 per cent of the annual revenue deposited into the fund to the department for the department to contract with a regional planning agency, institution of higher education or non-profit corporation to evaluate and report on the efficacy of adaptive management measures to reduce nitrogen pollution of coastal waterways undertaken pursuant to an area wide wastewater management plan or a suitable equivalent plan, to monitor the water quality and watersheds of areas subject to the study and to support further assessment and water quality modeling to further refine area wide wastewater management plans or suitable equivalent plans in Barnstable and Nantucket counties and the county of Dukes County. Any amounts remaining in the fund at the end of a fiscal year shall be carried forward into the following fiscal year and shall remain available for application and disbursement without further appropriation.

A municipality that is a member of the fund under this section may withdraw from the fund by a $\frac{2}{3}$ vote of its legislative body; provided, however, that a municipality shall not withdraw from the fund during the term of any financial assistance award from the fund to the municipality. A municipality that has withdrawn from the fund shall not have representation on the Cape Cod and Islands Water Protection Fund Management Board established under section 20. A municipality that has withdrawn from the fund and votes, by majority vote of its legislative body, to return to the fund shall not receive money from the fund until not less than 2 years from the date of its vote to return.

Section 20. There shall be a Cape Cod and Islands Water Protection Fund Management Board that shall consist of 1 person to be appointed by each board of selectmen or town council in each municipality that is a member of the Cape Cod and Islands Water Protection Fund; provided, however, that an appointee of a board of selectmen or town council shall be a member of the respective appointing authority, a town manager, town administrator or other municipally employed professional staff. The executive director of the Cape Cod commission, the executive director of the Martha's Vineyard commission and the town manager of Nantucket shall serve as non-voting ex-officio members of the board.

Each member of the management board shall serve for a term of 3 years and until a successor is appointed and qualified and each member of the management board shall be eligible for reappointment. Each member of the management board appointed to fill a vacancy on the management board shall be appointed for the unexpired term of the vacant position. The members of the management board shall select a member to serve as chairperson and vice-chairperson for a term established by vote of the management board. The Cape Cod commission, in consultation with the Martha's Vineyard commission, shall provide administrative and technical support to the management board and may be compensated for its associated costs by vote of the management board. The management board's duties shall be limited to determining the method for

subsidy allocation, including, but not limited to, an equitable distribution among participating municipalities consistent with revenue deposited from each municipality into the fund, and to ensuring that money from the Cape Cod and Islands Water Protection Fund is spent only for the purposes in section 19.

SECTION 3. Section 1 of chapter 40U of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 5, the words "regulating the" and inserting in place thereof the following words:- related to the use of property for short-term rental use or regulating a.

SECTION 4. Section 16 of chapter 62C of the General Laws, as so appearing, is hereby further amended by inserting after subsection (g) the following subsection:-

(g½) Notwithstanding subsection (g), the department of revenue shall promulgate regulations to minimize the administrative burden relative to filing returns under said subsection (g) on operators who offer their accommodations to the public for not less than 1 day in 5 separate months, or fewer, in the taxable year. The regulations may authorize an operator to file a return only for a month that the operator's accommodation is offered to the public.

SECTION 5. Subsection (b) of section 21 of said chapter 62C, as amended by section 3 of chapter 90 of the acts of 2018, is hereby amended by adding the following 2 paragraphs:-

(29) the disclosure of information necessary for administration of the community impact fee imposed pursuant to section 3D of chapter 64G.

(30) the disclosure of information to the executive office of housing and economic development necessary for the establishment and maintenance of a registry pursuant to section 68 of chapter 23A.

SECTION 6. Chapter 64G of the General Laws is hereby amended by striking out sections 1 to 6, inclusive, as appearing in the 2016 Official Edition, and inserting in place thereof the following 11 sections:-

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

"Bed and breakfast establishment", a private owner-occupied house where not less than 4 rooms are let, a breakfast is included in the rent and all accommodations are reserved in advance.

"Bed and breakfast home", a private owner-occupied house where not more than 3 rooms are let, a breakfast is included in the rent and all accommodations are reserved in advance.

"Commissioner", the commissioner of revenue.

"Hosting platform", a service through a digital platform, third-party website, software, online-enabled application, mobile phone application or some other, similar electronic process that allows: (i) an operator to advertise, list or offer the use of an accommodation subject to the excise under this chapter in exchange for rent; (ii) an operator to collect the

payment of rent on an accommodation; and (iii) a person to arrange, book, reserve or rent an accommodation.

"Hotel", a building used for the feeding and lodging of guests licensed or required to be licensed under section 6 of chapter 140.

"Intermediary", a person or entity, other than an operator, that facilitates the sale, use or possession of an occupancy and charges a room charge to the general public; provided, however, that the term "facilitates" shall include a person or entity that brokers, coordinates or in any other way arranges for the purchase, sale, use or possession of occupancies by the general public; provided further, that the term "intermediary" shall include a hosting platform and operator's agent.

"Lodging house", a house licensed or required to be licensed under section 23 of chapter 140 and where lodgings are rented to not less than 4 people who shall not be within the second degree of kindred to the owner or operator of such lodging house.

"Motel", a building or portion of a building in which a person is lodged for hire with or without meals and that is licensed or required to be licensed under section 32B of chapter 140; provided, however, that a "motel" shall not include a hotel or lodging house.

"Occupancy", the use or possession or the right to the use or possession of a room in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes for a period of not more than 90 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee, or the use or possession or the right to the use or possession of a room in a short term rental normally used for sleeping and living purposes for a period of not more than 31 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee; provided, however, that "occupancy" shall include the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment, accompanying the use and possession of such a room.

"Occupant", a person who uses, possesses or has a right to use or possess a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel for rent under a lease, concession, permit, right of access, license or agreement.

"Operator", a person operating a bed and breakfast establishment, hotel, lodging house, short-term rental or motel in the commonwealth including, but not limited to, the owner or proprietor of such premises, the lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such bed and breakfast establishment, hotel, lodging house, short-term rental or motel.

"Operator's agent", a person who on behalf of an operator of a bed and breakfast establishment, hotel, motel, short-term rental or lodging house: (i)

manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent; provided, however, that an "operator's agent" shall include, but not be limited to, a property manager, property management company or real estate agent.

"Person", an individual, partnership, trust or association, with or without transferable shares, joint-stock company, corporation, society, club, organization, institution, estate, receiver, trustee, assignee or referee and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of individuals acting as a unit.

"Professionally-managed unit", 1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family or three-family dwelling that includes the operator's primary residence.

"Rent", the total consideration paid by or on behalf of an occupant, including any service, cleaning or other charge, to an operator or an intermediary collecting and remitting the excise on behalf of an operator under section 13 for occupancy, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature.

"Short-term rental", an owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where: (i) at least 1 room or unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

Section 2. This chapter shall not include: (i) lodging accommodations at a federal, state or municipal institution; (ii) lodging accommodations, including dormitories, at religious, charitable, educational and philanthropic institutions; provided, however, that the exemption allowed shall not apply to accommodations provided by any such institution at a hotel or motel generally open to the public and operated by the institution; (iii) privately-owned and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill; (iv) religious or charitable homes for the aged, infirm, indigent or chronically ill; (v) summer camps for children up to 18 years of age or developmentally disabled individuals; provided, however, that a summer camp that offers its facilities off season to individuals 60 years of age or older for a period of not more than 30 days in a calendar year shall not lose its exemption under this section; (vi) bed and breakfast homes; (vii) lodging accommodations provided to seasonal employees by employers; (viii) alcohol and drug free housing that is certified pursuant to section 18A of chapter 17;

(ix) tenancies at will or month-to-month leases; and (x) time-shares, as defined in section 2 of chapter 183B.

For the purposes of this section, "developmentally disabled individual" shall mean an individual who has a severe chronic disability that: (i) is attributable to a mental or physical impairment or combination of mental and physical impairments; (ii) is likely to continue indefinitely; (iii) results in substantial functional limitations in not less than 3 of the following areas of major life activity: (A) self-care; (B) receptive and expressive language; (C) learning; (D) mobility; (E) self-direction; (F) capacity for independent living; and (G) economic self-sufficiency; and (iv) reflects the individual's need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services that are of lifelong or extended duration and are individually planned and coordinated.

Section 3. An excise shall be imposed upon the transfer of occupancy of a room or unit in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel by an operator at the rate of 5 per cent of the total amount of rent for each such occupancy. An excise shall not be imposed if the total amount of rent is less than \$15 per day or its equivalent.

The operator shall pay the excise to the commissioner at the time provided for filing the return required under section 16 of chapter 62C.

No excises or fees established under this chapter shall be imposed upon the transfer of occupancy of a short-term rental if the operator transfers such short-term rental for not more than 14 days in a calendar year, provided, that the operator has first: (i) registered with the commissioner in accordance with section 67 of chapter 62C; and (ii) filed a declaration with the commissioner, signed by the operator and subject to section 5 of chapter 62C, setting forth the intention to transfer the short-term rental for not more than 14 days in a calendar year. Such a declaration, if applicable, shall be required annually in a manner determined by the commissioner. If the operator transfers the short-term rental for 15 days or more in the same calendar year, or fails to register and file a declaration as required by this section, then the operator shall be liable for the payment of required excises and fees under this chapter, including payment of required taxes and fees on the first 14 days the short-term rental was transferred in the calendar year.

Section 3A. A city or town that accepts this section may impose a local excise upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel located within that city or town by an operator at a rate of not more than 6 per cent of the total amount of rent for each such occupancy; provided, however, that the city of Boston may impose such local excise upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel located within the city by an operator at the rate of not more than 6.5 per cent of the total amount of rent of each such occupancy. No

excise shall be imposed if the total amount of rent is less than \$15 per day or its equivalent or if the accommodation is exempt under section 2. An operator shall pay the local excise imposed under this section to the commissioner at the same time and in the same manner as the excise due to the commonwealth. All sums received by the commissioner under this section as excise, penalties or forfeitures, interest, costs of suit and fines shall at least quarterly be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has adopted this section in proportion to the amount of such sums received from the transfer of occupancy in each such city or town. Acceptance of this section shall be: (i) by a majority vote of the city council with the approval of the mayor in the case of a city with a mayor elected to serve as the chief executive officer of the city; (ii) by a majority vote of the city council in every other city; (iii) by a majority vote of the annual town meeting or a special meeting called for that purpose in the case of a municipality with a town meeting form of government; or (iv) by a majority vote of the town council in the case of a municipality with a town council form of government. This section shall take effect on the first day of the calendar quarter following 30 days after its acceptance or on the first day of a later calendar quarter as the city or town may designate. The city or town, in accepting this section, shall not revoke or otherwise amend the applicable local tax rate more often than once in a 12-month period.

The commissioner shall make available to a city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal year in the city or town requesting the information.

Section 3B. Notwithstanding sections 9 and 10 of chapter 152 of the acts of 1997, the convention center financing fee imposed upon the transfer of occupancy of a short-term rental in the cities of Boston, Cambridge, Springfield, Worcester, West Springfield and Chicopee shall revert half to the General Fund and half to the city in which the short-term rental was transferred.

Section 3C. In addition to the excise imposed under section 3 and any excise imposed under section 3A, an excise shall be imposed on the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel located within a municipality that is a member of the Cape Cod and Islands Water Protection Fund established under section 19 of chapter 29C at a rate of 2.75 per cent of the total amount of rent for each such occupancy; provided, however, that all revenues received from the excise under this section shall be credited to the Cape Cod and Islands Water Protection Fund. An excise shall not be imposed if the total amount of rent is less than \$15 per day or its equivalent. An operator shall pay the excise due to the Cape Cod and Islands Water Protection Fund to the

commissioner at the same time and in the same manner as the excise due to the commonwealth.

Section 3D. (a) A city or town that accepts section 3A may, by a separate vote and in the same manner of acceptance as set forth in section 3A, impose upon an operator a community impact fee of not more than 3 per cent of the total amount of rent for each transfer of occupancy of a professionally managed unit that is located within that city or town.

(b) A city or town that votes to impose a community impact fee under subsection (a) may, by a separate additional vote and in the same manner of acceptance as set forth in section 3A, also impose the community impact fee upon each transfer of occupancy of a short-term rental unit that is located within a two-family or three-family dwelling that includes the operator's primary residence.

(c) All community impact fees under this section shall be paid monthly by the operator to the municipality. A city or town shall dedicate not less than 35 per cent of the community impact fees collected under this section to affordable housing or local infrastructure projects.

Section 4. Except as provided in section 13, reimbursement for the excise imposed under this chapter shall be paid by the occupant of any such room to the operator and each operator shall add to the rent and collect from the occupant the full amount of the excise imposed by this chapter or an amount equal as nearly as possible or practical to the average equivalent thereof and such excise shall be a debt from the occupant to the operator when so added to the rent and shall be recoverable at law in the same manner as other debts.

Section 5. The amount of the excise collected by the operator from the occupant pursuant to this chapter shall be stated and charged separately from the rent and shown separately on any record of the excise at the time the transfer of occupancy is made or on any evidence of such transfer issued or used by the operator.

Section 6. A person shall not operate a bed and breakfast establishment, hotel, lodging house, short-term rental or motel unless a certificate of registration has been issued to the person in accordance with section 67 of chapter 62C.

Section 6A. No person subject to this chapter shall engage in an unlawful practice under section 4 of chapter 151B.

SECTION 7. Said chapter 64G is hereby further amended by striking out sections 7A and 7B, as so appearing, and inserting in place thereof the following 2 sections:-

Section 7A. An operator who has paid to the commissioner an excise pursuant to section 3 upon an account later determined to be worthless shall be entitled to an abatement of the excise paid on the worthless account. A claim for abatement shall be filed not later than April 15 annually and shall

cover the amount of the excise on accounts determined to be worthless in the prior calendar year.

An operator who recovers an excise on an account determined to be worthless and for which an application for abatement has been filed shall report and include the same in a monthly return at the time of recovery.

Section 7B. An operator who fails to pay to the commissioner money required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. As used in this section, the term "operator" shall include an officer or employee of a corporation or a member or employee of a partnership or a limited liability company who, as such officer, employee or member, is under a duty to pay the excises imposed by this chapter.

An operator who misrepresents to an intermediary that the transfer of occupancy of the operator's property is exempt from the excise imposed by sections 3, 3A and 3C and the community impact fee imposed by section 3D shall be liable for any unpaid excise under said sections 3, 3A and 3C and the community impact fee imposed by said section 3D and shall be deemed to have committed an unfair trade practice under chapter 93A in making such a misrepresentation to the intermediary.

SECTION 8. Said chapter 64G is hereby further amended by striking out section 12, as so appearing, and inserting in place thereof the following 7 sections:-

Section 12. No excise shall be imposed under this chapter upon the transfer of occupancy of a room in a hotel, lodging house, short-term rental or motel if the occupant is an employee of the United States military traveling on official United States military orders that encompass the date of such occupancy. Each operator shall maintain such records as the commissioner shall require to substantiate exemptions claimed under this section.

Section 13. (a) An operator may elect to allow an intermediary to collect rent or facilitate the collection or payment of rent on its behalf through a written agreement on an accommodation subject to the excise under this chapter. An intermediary that enters into a written agreement with the operator to collect rent or facilitate the collection or payment of rent on behalf of the operator of an accommodation subject to the excise under this chapter shall: (i) apply for and obtain a certificate of registration from the commissioner in accordance with section 67 of chapter 62C on behalf of the operator; (ii) assess, collect, report and remit the excise to the commissioner as described for operators in sections 3, 3A, 3B, 3C, 5, 7A, 7B and 12; (iii) assess, collect and remit the community impact fee to the municipality as described for operators in section 3D; (iv) maintain records of any excises collected that have been remitted to the commissioner and shall make these records available to the department upon request; (v) ensure that the operator is registered pursuant to said section 67 of said chapter 62C

prior to permitting such operator to list or offer an accommodation for rent through the use of the intermediary; and (vi) notify the operator that the operator must comply with all applicable municipal, state and federal laws including, but not limited to, the collection and remittance of required excises. The certificate of registration obtained from the commissioner pursuant to this subsection shall identify and be in the name of the individual operator, not the intermediary.

(b) An intermediary collecting and remitting the excise on behalf of an operator shall provide notification within a reasonable time to the operator that the excise has been collected and remitted to the commissioner pursuant to section 3. The notification may be delivered in hand or by mail or conveyed by electronic message, mobile or smart phone application or another similar electronic process, digital media or communication portal. An operator shall not be responsible for collecting and remitting the excise on a transaction for which the operator has received notification from an intermediary that the excise has been collected and remitted to the commissioner on their behalf.

(c) The intermediary shall not be liable for faults in collecting or remitting the excise proximately caused by the intermediary's reasonable reliance on representations made to it by the operator about the nature of the property being rented, the duration of the occupancy or other similar misrepresentations made by the operator to the intermediary. The operator shall be liable for any unpaid excise resulting from any such misrepresentation. An intermediary shall not be liable for any over collection of the excise if the excise collected was remitted to the commissioner and the over collection resulted from the intermediary's reasonable reliance on the operator's representations about the nature of the property being rented or the nature of the occupancy or whether such property was exempt from the excise. The operator shall be liable for monetary damages to the occupant resulting from any such misrepresentations.

Section 14. A city or town, by ordinance or by-law, may regulate operators registered pursuant to section 67 of chapter 62C and impose penalties for the violation of such an ordinance or by-law. A city or town, by ordinance or by-law, may:

(i) regulate the existence or location of operators under this section within the city or town, including regulating the class of operators and number of local licenses or permits issued to operators under this section and the number of days a person may operate and rent out an accommodation in a calendar year;

(ii) require the licensing or registration of operators within the city or town; provided, however, that a city or town may: (A) accept a certificate of registration issued to an operator in accordance with section 67 of chapter 62C in lieu of requiring an operator to obtain a local license or registration

under this section; or (B) issue a provisional license or registration to permit an operator to offer accommodations on temporary or seasonal basis;

(iii) require operators to demonstrate that any properties or premises controlled, occupied, operated, managed or used as accommodations subject to the excise under this chapter are not subject to any outstanding building, electrical, plumbing, mechanical, fire, health, housing or zoning code enforcement, including any notices of violation, notices to cure, orders of abatement, cease and desist orders or correction notices;

(iv) require properties or premises controlled, occupied, operated, managed or used by operators as an accommodation subject to the excise under this chapter to undergo health and safety inspections; provided, however, that the cost of any inspection conducted under this section shall be charged to and solely paid by the operator under this section; provided further, that after any initial health and safety inspection, the city or town may determine the frequency of any subsequent inspections;

(v) establish a civil penalty for violation of an ordinance or by-law enacted pursuant to this section; provided, however, that a city or town that suspends or terminates an operator's right to operate an accommodation for a violation of any ordinance or bylaw shall notify the commissioner of revenue of the suspension or termination; and

(vi) establish a reasonable fee to cover the costs associated with the local administration and enforcement of regulating operators and accommodations.

Notwithstanding any ordinance or by-law adopted by a city or town pursuant to this section, an operator of a short-term rental shall post inside the short-term rental unit information regarding the location of any fire extinguishers, gas shut off valves, fire exits and fire alarms in the unit and building.

Nothing in this section shall preclude a city or town from publishing a public registry of all short-term rental accommodations located within that city or town offered for rent by operators who are registered in accordance with section 67 of chapter 62C. A city or town may determine what relevant information shall be listed, including where the accommodation is located.

Section 15. Nothing in this chapter shall confer a right to lease, sublease or otherwise offer a residential unit as a short-term rental where such use is prohibited by a homeowner's association agreement or requirements, a rental agreement or any other restriction, covenant, requirement or enforceable agreement.

Section 16. For residential units subject to rent control provisions, operators of short-term rentals shall charge not more than the prorated maximum amount allowed.

Section 17. The commissioner shall annually publish a report on the economic activity of short-term rentals in the commonwealth rented for

occupancy through a hosting platform or intermediary. The commissioner may require a hosting platform, intermediary or operator of a short-term rental to submit to the department of revenue, in a form approved by the commissioner, information necessary to compile the report including, but not limited to: (i) the aggregate rent paid by all occupants during the reporting period; (ii) the total amount of revenue collected from the excise on the transfer of occupancy of the short-term rentals; and (iii) the total amount of revenue collected from the local excise on the transfer of occupancy of the short-term rentals.

The department shall make available any data set used pursuant to this section to a regional planning agency, municipality or other public agency requesting such information; provided, however, that the department shall utilize the practices that are necessary to prevent the public disclosure of personal information regarding operators and occupants. The department shall annually publish local summary statistics on its website. The department shall take all measures necessary to protect the confidentiality and security of an operator's personal tax information from any disclosure pursuant to this section.

Section 18. The commissioner shall promulgate rules and regulations for assessing, reporting, collecting, remitting and enforcing the room occupancy excise pursuant to this chapter.

SECTION 9. Chapter 175 of the General Laws is hereby amended by inserting after section 4E the following section:-

Section 4F. (a) As used in this section, the terms "hosting platform", "operator" and "short-term rental" shall have the same meanings as under section 1 of chapter 64G unless the context clearly requires otherwise.

(b) An operator shall maintain liability insurance of not less than \$1,000,000 to cover each short-term rental, unless such short-term rental is offered through a hosting platform that maintains equal or greater coverage. Such coverage shall defend and indemnify the operator and any tenants or owners in the building for bodily injury and property damage arising from the short-term rental.

(c) Prior to an operator offering a short-term rental through the use of a hosting platform, the hosting platform shall provide notice to the operator that standard homeowners or renters insurance may not cover property damage or bodily injury to a third-party arising from the short-term rental.

(d) Insurers that write homeowners and renters insurance may exclude any and all coverage afforded under the policy issued to a homeowner or lessee for any claim resulting from the rental of any accommodation under chapter 64G. Insurers that exclude the coverage described in this section shall not have a duty to defend or indemnify any claim expressly excluded by a policy. Nothing under this section shall preclude an insurer from providing coverage for short-term rentals.

(e) Any policy or policy form intended to cover operators of short-term rentals from liabilities, whether the policy or policy form is provided by a hosting platform or an operator itself, shall be filed according to instructions provided by the division of insurance.

(f) An operator who intends to operate a short-term rental shall provide notice to any insurer that writes a homeowners or renters insurance policy for the property where such short-term rental is to be located of the operator's intent to operate such short-term rental.

SECTION 10. There shall be a commission to study the feasibility and potential for use of lodging units within the hospitality industry, including hotel, motel, bed and breakfast and short-term rentals, as resources to increase the availability of emergency shelter for individuals and families displaced during extreme weather events or other states of emergency declared by the governor. The commission shall study and make recommendations relating to: (i) ways to maintain up-to-date inventories of units available for shelter during emergencies; (ii) networks to alert local officials about the availability of hospitality industry units as emergency shelter; (iii) platforms and protocol for communication and coordination between the hospitality industry and state and local officials during emergencies; and (iv) any other factors deemed relevant by the chair of the commission.

The commission shall consist of: the director of the Massachusetts emergency management agency or a designee, who shall serve as chair; 2 members appointed by the Massachusetts Lodging Association, Inc.; 3 members appointed by the Massachusetts Municipal Association, Inc., 2 of whom shall have experience in local emergency planning and management and 1 of whom shall have experience in municipal licensure processes; and 3 members appointed by the governor, 1 of whom shall be a representative of the department of revenue, 1 of whom shall be a representative of a hosting platform, as defined in section 1 of chapter 64G of the General Laws, and 1 of whom shall be a representative of a non-profit entity with experience in national-level emergency management and relief.

The commission shall report the results of its study, together with drafts of recommended legislation, if any, by filing the report with the clerks of the house of representatives and senate not later than January 1, 2020.

SECTION 11. The transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel in a municipality that becomes a member of the Cape Cod and Islands Water Protection Fund under section 19 of chapter 29C of the General Laws after June 1, 2019 shall be subject to the excise under section 3C of chapter 64G of the General Laws on the first day of a calendar quarter after it has joined the fund, as the municipality may designate.

SECTION 12. Notwithstanding section 19 of chapter 29C of the General Laws, a municipality included in the Cape Cod and Islands Water Protection Fund shall not withdraw from the fund for 1 year after the effective date of this act.

SECTION 13. The executive office of housing and economic development shall promulgate regulations necessary to implement a registry pursuant to section 68 of chapter 23A of the General Laws not later than September 30, 2019.

SECTION 14. Sections 3, 3A, 3C and 3D of chapter 64G of the General Laws shall take effect for transfers of occupancies of short-term rentals that commence on or after July 1, 2019 and for which contracts with occupants were entered into on or after January 1, 2019.

SECTION 14A. Section 3B of chapter 64G of the General Laws shall take effect for transfers of occupancies on short-term rentals that commence 90 days after the commonwealth has discharged its obligations on the payment of special obligation bonds of the commonwealth issued pursuant to sections 11 and 12 of chapter 152 of the acts of 1997, as amended, as certified by the secretary of administration and finance.

SECTION 15. A city or town that accepted section 3A of chapter 64G of the General Laws before July 1, 2019 shall be deemed to have accepted said section 3A of said chapter 64G for the purposes of this act.

SECTION 16. Section 9 shall take effect on July 1, 2019.

House of Representatives, December 20 , 2018.

Passed to be re-enacted,

Paul J. Donato , Speaker.

In Senate, December 20 , 2018.

Passed to be re-enacted,

Richard J. Rodriguez , President.

December 18, 2018.

Approved,

Charles D. Baker
Governor.



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

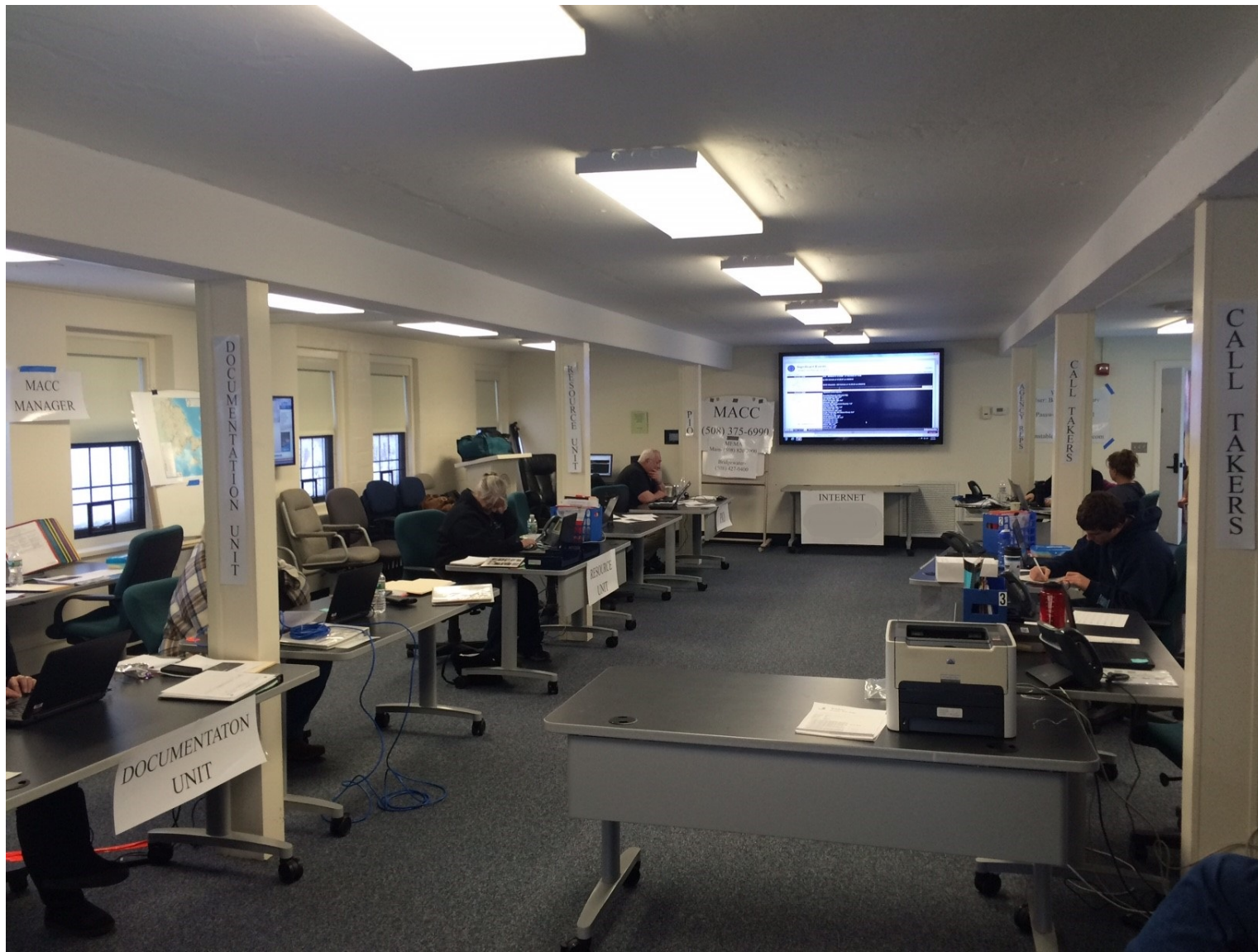
ITEM: Presentation on Storm Preparedness by Sean O'Brien, Barnstable County Emergency Preparedness Coordinator

EXPLANATION: Sean O'Brien, Barnstable County Emergency Preparedness Coordinator will speak on storm preparedness and answer questions that the Board may have for him. Fire Chief Tim Collins will do a brief presentation on the "Stop the Bleed" program.

SUGGESTED ACTION: Discussion Only

ATTACHMENTS:

1. Power Point File



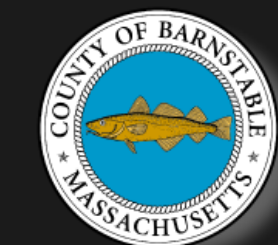
BCREPC
BARNSTABLE COUNTY
REGIONAL EMERGENCY PLANNING COMMITTEE



- **OVERVIEW OF THE REPC**
- **REGIONAL RESPONSE AND THE MULTI-AGENCY COORDINATION CENTER**
- **MANAGING THE EVENT**

THE REPC

- ▶ **FORMED IN 2001**
- ▶ **OPERATED THROUGH THE COUNTY HEALTH DEPARTMENT**
- ▶ **2ND COUNTY REGIONAL EMERGENCY PLANNING COMMITTEE IN THE STATE**
- ▶ **SARA III / EPCRA**
- ▶ **PUBLIC SAFETY, UTILITIES, HEALTH AGENTS, PUBLIC WORKS, VOLUNTEER ORGANIZATIONS, HEALTHCARE FACILITIES, SHERIFF, LOCAL GOVERNMENT, MEDIA**
- ▶ **SUPPORTS THE 15 COMMUNITIES ON CAPE COD DURING SEVERE WEATHER EVENTS**

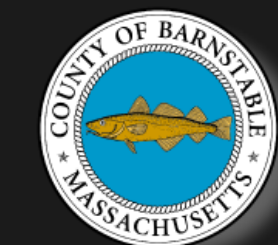


WEATHER PREPAREDNESS

- ▶ **BCREPC ASSISTS THE 15 COMMUNITIES ON CAPE COD WITH A REGIONAL APPROACH TO PLANNING FOR WEATHER RELATED EMERGENCIES.**
- ▶ **THE TOWNS PROVIDE THE RESPONSE TO THEIR CITIZENS DURING THE EMERGENCY EVENT, BCREPC SUPPORTS THEIR EFFORTS THROUGH PROVIDING THEM WITH THE FOLLOWING SERVICES:**
 - ▶ **REGIONAL SHELTERING**
 - ▶ **SINGLE REGIONAL POINT FOR RESOURCE REQUESTS**
 - ▶ **REGIONAL SITUATIONAL AWARENESS**
 - ▶ **POWER RESTORATION**
- ▶ **WE HAVE NOT HAD A HURRICANE AFFECT THE REGION IN OVER 25 YEARS BUT WE HAVE HAD QUITE A BIT OF EXPERIENCE WITH RESPONSE TO WINTER STORMS.**



OPERATIONS TIMELINE FOR THE REPC DURING LARGE SCALE EVENT



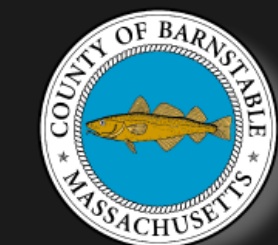
MULTI-AGENCY COORDINATION CENTER

OPERATED AND MANAGED BY THE BC IMT

COORDINATES REGIONAL RESOURCE ACQUISITION AND SHARES INFORMATION

WORKS WITH THE FOLLOWING ENTITIES DIRECTLY AND INDIRECTLY:

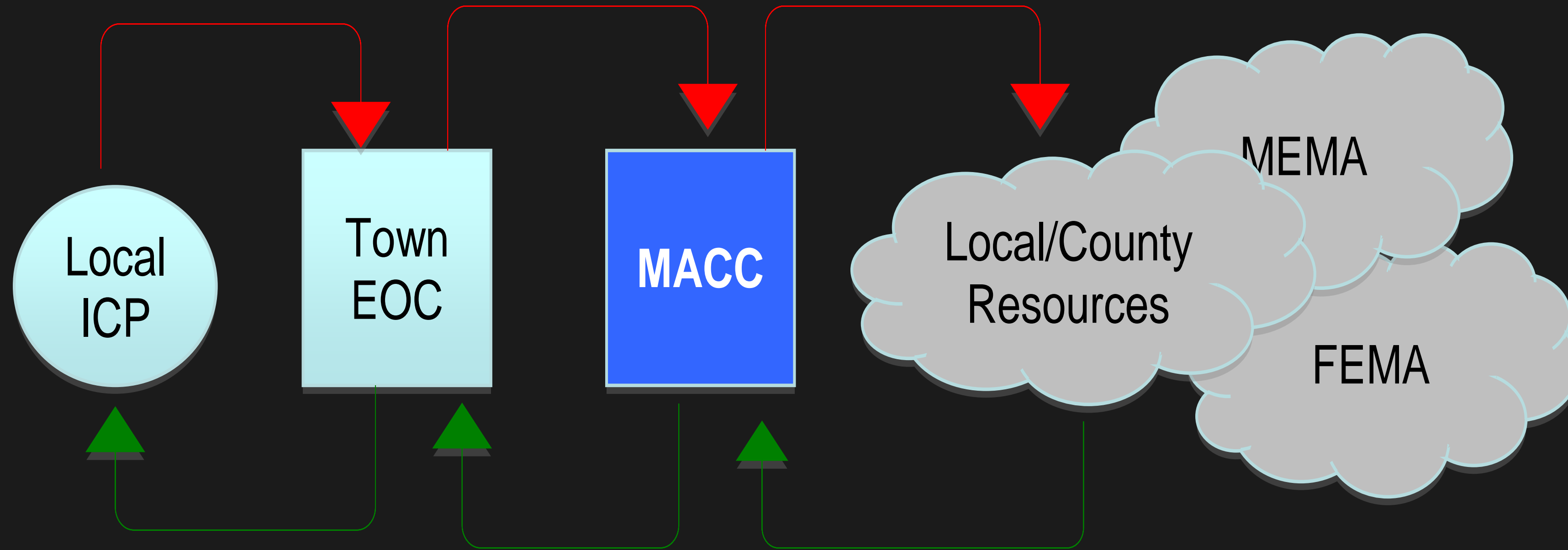
- ▶ **TOWN EOCS**
- ▶ **NEIGHBORING COUNTY EOCS – PLYMOUTH, DUKES AND NANTUCKET**
- ▶ **PRIVATE ORGANIZATIONS AND AGENCIES**
- ▶ **UTILITIES, HEALTHCARE FACILITIES, REGIONAL TRANSIT AUTHORITY, RED CROSS, AND OTHER NGOS**
- ▶ **MEMA / FEMA**
- ▶ **FIRST REGIONAL RESPONSE IN MA.**



BARNSTABLE COUNTY REPC

Local ICP requests resource.

The MACC tries to fill all incoming requests locally before seeking state or Federal assistance



If town can't fill request it goes to the MACC



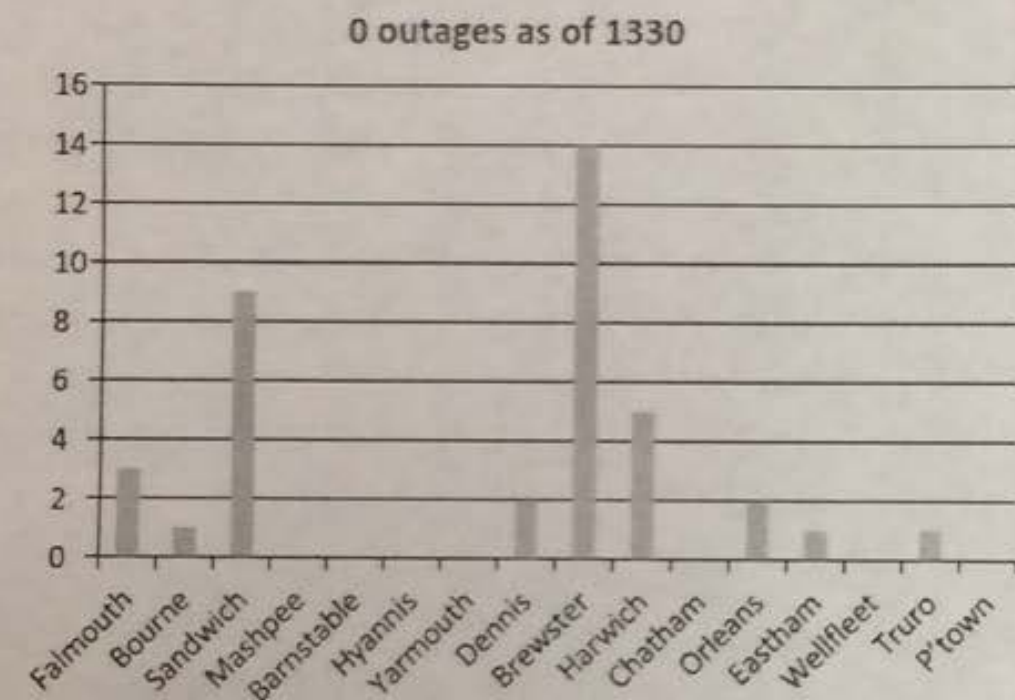
SITUATIONAL AWARENESS STATEMENTS

**Situation Summary #1
February 8 Winter Storm**

Monday 2.8.15 as of 1330
Barnstable County MACC
Operational Period 1: 020816 1000 to 020816 2000

High Tide (Height Ft.) February 8/9, 2016
Sandwich: 11:15p (9.33)
Provincetown: 11:32p (9.74)
Chatham: February 9 ~ 12:24a (4.92)
Hyannis Port: February 9 ~ 1:04a (2.97)
Falmouth Hts: 11:00p (1.43)

Weather Advisories	Blizzard Warning 2/8 until 1900 - Coastal Flood Warning N/A			
Weather: HYA	Temp: 29°F/WC 14°F	Wind: N 26 G 43 mph	Barometer: 29.60 in (1002.5 mb)	Visibility: 0.25 mi



Regional Shelters		
Shelter	Human/Pet	Pop.
Sandwich	Closed	
Falmouth	Closed	
Barnstable	Closed	
DY	Closed	
Harwich	Closed	
Nauset	Closed	
Total		
Satellite Shelters		

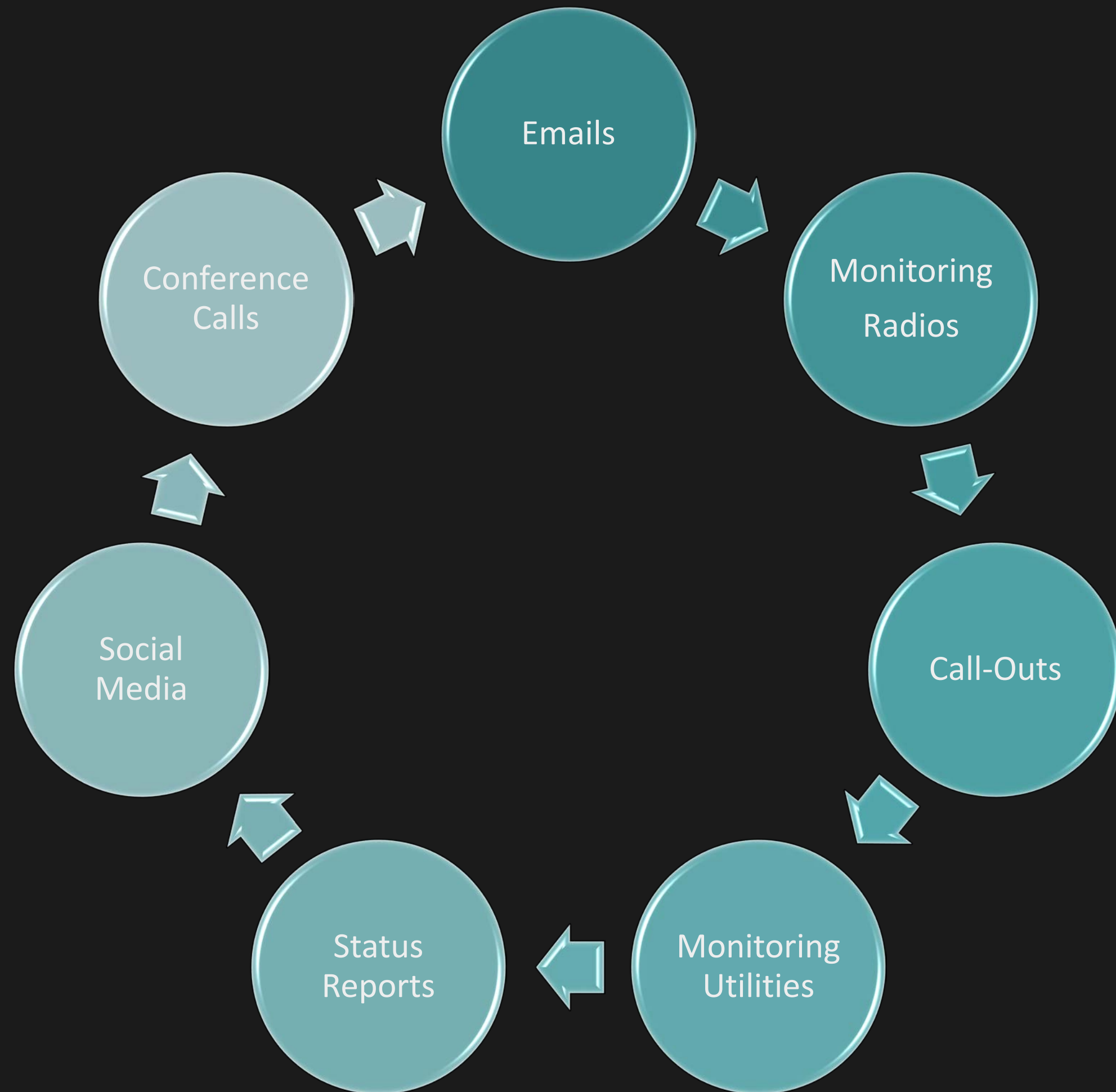
Hazards
High winds, blowing and drifting snow, low/no visibility.

Key Actions Next OP

Transportation Status	Resource Requests
<ul style="list-style-type: none"> • CCRTA: suspended with the exception of routes for HMI and dialysis • HyLine ferry: OOS Mon. • SA Ferries: OOS Mon. • P&B bus: no service 	0 requests in current operational period

- **MAY BE ISSUED EVERY 3, 6 OR 12 HOURS. OR ON AS NEEDED BASIS**
- **PROVIDES A SIMPLE CAPE-WIDE OVERVIEW**
- **SUPPLEMENTS MEMA STATEMENTS**
- **ANOTHER TOOL FOR VERIFICATION POST-EVENT**
- **NOW ELECTRONICALLY ACCESSIBLE**

OPERATIONS:

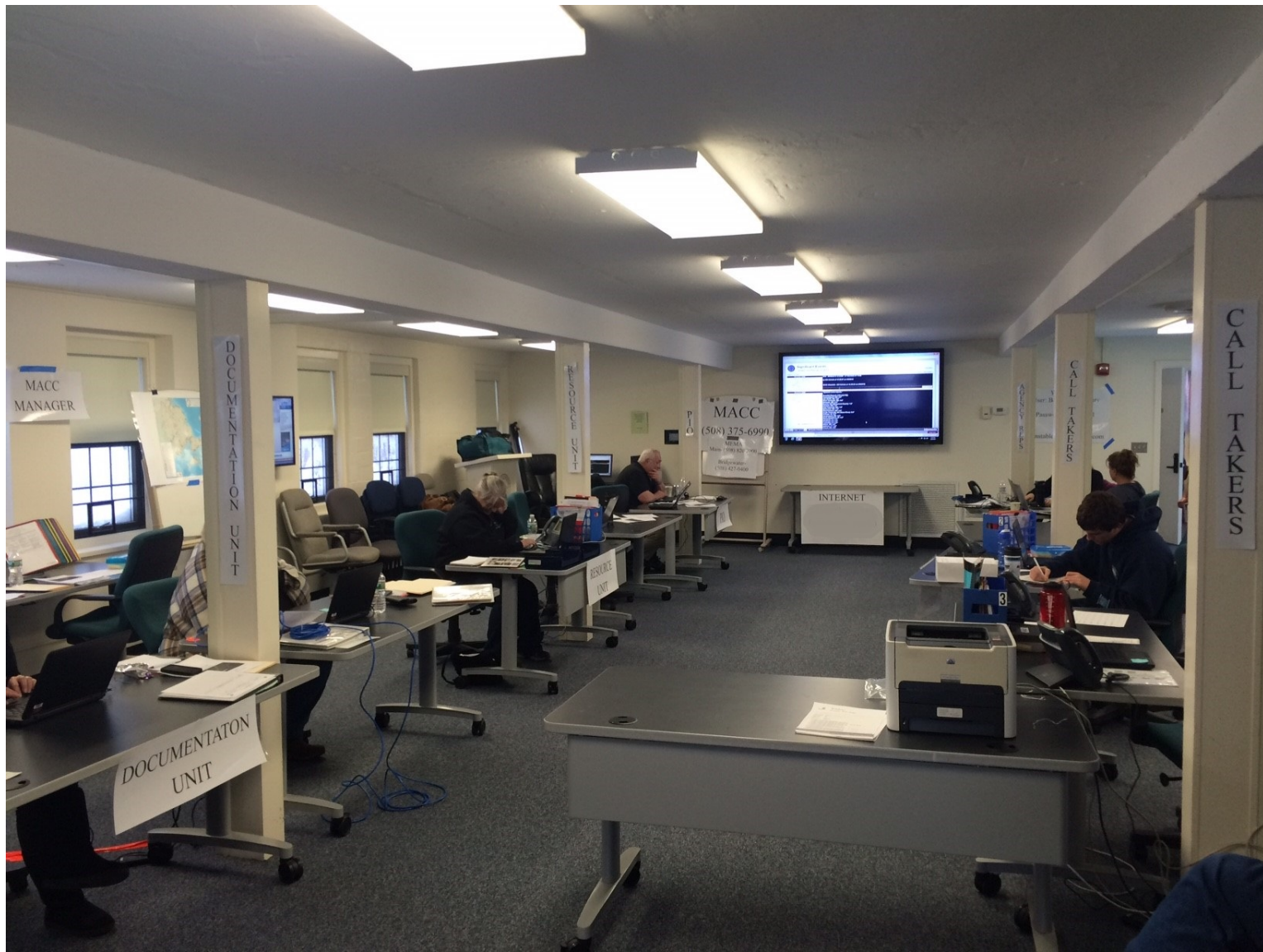


- **CONFERENCE CALLS EVERY 6 TO 8 HOURS**
- **CONSTANT COMMUNICATION WITH LOCAL PUBLIC SAFETY AGENCIES**
- **CHECK-INS WITH CAPE COD HEALTHCARE**
- **MONITORING WEBCAM**
- **PLANNING AHEAD FOR THE NEXT OPERATIONAL PERIOD**

REGIONAL SHELTERING

- **PROGRAM STARTED MID-2000s**
- **CONSOLIDATE RESOURCES**
- **CENTRALLY LOCATED FACILITIES**
- **EASILY ACCESSED**
- **WELL-KNOWN FACILITIES**
- **HOLD A LARGE NUMBER OF PEOPLE**
- **ACCOMMODATE PETS**





BCREPC
BARNSTABLE COUNTY
REGIONAL EMERGENCY PLANNING COMMITTEE



QUESTIONS?

Sean O'Brien

SOBRIEN@BARNSTABLECOUNTY.ORG



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Presentation of the FY2020 Proposed Budget

EXPLANATION: At the February 25, 2019 Work Session the Board provided policy direction to staff for the proposed fiscal year 2020 budget. Based on the discussion, staff modified the draft budget and presents the attached reduction list, budget summary and simple recap for your review. The Superintendent and School Committee are reviewing the school budget and will make recommendations later in the week. Working with the Department Heads, Town Accountant Trudi Brazil, and Assistant Town Manager Kelly Clark, the Proposed FY 2020 Budget, as presented at the work session, was reduced by approximately \$310,000. During our review of the budget, a miscalculation was found requiring a correction and increase of approximately \$12,000.

FINANCIAL SOURCE (IF APPLICABLE): FY 2020 Budget

SUGGESTED ACTION: None required.

ATTACHMENTS:

1. 2020 Reduction List
2. 2020 Summary Proposed Budget
3. 2020 Draft Summary Recap

Reductions, Deferrals, Alternative Funding Sources - FY2020 Proposed Budget

Category:	Purpose:	Amount:	Budget Total:	Category Total:
Department:				
General Fund (0100)				
Board of Selectmen	E-Newsletter support	5,000		
	State Grant Match Funds	10,000		
	Consulting Services	10,000	25,000	
Town Manager	Tuition Assistance Program		5,000	
Accounting	Additional Audit Services	2,500		
	Conference/Training	700		
	Lodging	1,600	4,800	
Clerk/Treas/Coll	Tax Title Fees		10,000	
Reserve for Contract Settlement	New TM Contract negotiations		10,000	54,800
Public Safety (200)				
Police Department	Student Officer Supplies/Support	6,000		
	Vehicle maintenance supplies (tires, lubes)	2,000		
	Vehicle repairs	2,000		
	Academy Tuition	3,000		
	Instate Travel	500		
	Out of town officers detail pay	500		
	Investigations	1,000		
	Training	5,000		
	Special Event Coverage	5,000	25,000	
Fire Department	Turn-out Gear	9,450		
	Decrease Academy by 1 individual	18,000		
	Conference Attendance	2,750		
	Vehicle Fuel	2,000		
	Seasonal Wages	6,315	38,515	

Reductions, Deferrals, Alternative Funding Sources - FY2020 Proposed Budget

TEMA	Emergency Kits		10,000	<u>73,515</u>
<u>DPW (400)</u>				
DPW	Vehicle Fuel		5,000	
Transfer Station	Vehicle Fuel/Diesel		5,000	<u>10,000</u>
<u>Public Services (500)</u>				
Health/Conservation	"Winter Wednesdays" Program (Provincetown)		2,000	
Council on Aging	Replace Chairs		3,200	
	COA Luncheon Support		3,500	
	Grant Funded Salary		5,000	
	Vehicle Fuel		1,250	
			12,950	<u>14,950</u>
<u>Recreation (600)</u>				
Truro Public Library	Replacement Shelving		3,000	
	Fuel/Heating Oil		3,000	
	Staff Development		2,000	<u>8,000</u>
Recreation	Inclusion Specialist for After School		11,375	
Maintenance Dredging	FY 2020 Dredge Program		10,000	
Harbor	Outside Vendor Boat Winterization		2,000	<u>31,375</u>
	Total Reductions:			<u>192,640</u>
<u>Potential Deferrals:</u>				
General Fund (0100)	Op Cap: Fire Department Pick Up Truck		65,000	
	Op Cap: Water Buffalo		20,000	
	Op Cap: Replace TPL Door		10,000	
	Op Cap: Library Space Assessment		15,000	
	Total Deferrals:			<u>110,000</u>

Reductions, Deferrals, Alternative Funding Sources - FY2020 Proposed Budget

Potential Alternate Funding Source:

General Fund (0100) Op Cap: HVAC Mini Splits (Capital Stabilization Fund) 21,000

Total Alternative Funding Source: 21,000

Total Decreases to 2020 Proposed Budget: \$323,640

DEPARTMENT

#	NAME	Original '19 Budget	REVISED '19 BUDGET	REQUESTED '20 BUDGET	Y-o-Y \$ CHANGE	Y-o-Y % CHANGE
0114	Moderator	295	295	295	0	0.00%
0122	Board of Selectmen	131,223	131,663	101,566	(30,097)	-22.86%
0129	Town Manager	573,632	586,584	563,257	(23,327)	-3.98%
0131	Finance Committee	1,000	1,000	1,000	0	0.00%
0132	Reserve Fund	100,000	74,639	100,000	25,361	33.98%
0133	Operating Capital Account (CIP)	606,300	607,266	450,500	(156,766)	-25.82%
0135	Accounting	168,852	172,026	171,221	(805)	-0.47%
0141	Assessing	194,442	197,832	196,813	(1,019)	-0.52%
0145	Clerk/Treasurer/Collector	257,223	261,505	285,923	24,418	9.34%
0151	Legal Counsel	162,000	162,000	175,000	13,000	8.02%
0152	Vaca/Sick Leave/Buy-Out Contingency Reserve	65,000	65,000	90,000	25,000	38.46%
0153	Pending Salary/Wage Adjustments	48,351	0	35,000	35,000	72.39%
0154	COLA	106,882	0	55,708	55,708	52.12%
0155	IT	308,920	310,662	371,621	60,959	19.62%
0162	Elections / Registrars	11,784	11,912	7,306	(4,606)	-38.67%
0168	Cable TV and Internet Advisory Committee	128,450	128,450	128,954	504	0.39%
0171	Conservation Department	5,621	5,621		(5,621)	
0175	Planning Board	5,582	5,660	5,582	(78)	-1.38%
0176	Zoning Board of Appeals	5,232	5,360	5,232	(128)	-2.39%
0192	Town Hall Operations	86,850	86,850	66,950	(19,900)	-22.91%
0195	Annual Town Report/ATM Warrant printing	9,000	9,000	9,000	0	0.00%
0196	Town Energy Committee	1,000	1,000		(1,000)	-100.00%
0198	Unallocated Energy Account	0	0	148,500	148,500	100.00%
0199	Municipal Postage	12,152	12,152	13,292	1,140	9.38%
0210	Police	2,032,120	2,087,207	2,170,897	83,691	4.01%
0219	Parking Magistrate	6,000	6,102	6,400	298	4.88%
0220	Fire / Rescue / EMS	936,056	966,718	947,011	(19,707)	-2.04%
0231	Lower Cape Ambulance Assoc	373,828	373,828	429,594	55,766	14.92%
0232	Cape & Islands EMS System	1,700	1,700	1,750	50	2.94%
0241	Building / Inspections Department	180,397	185,686	186,971	1,285	0.69%
0291	TEMA	8,750	8,750	8,750	0	0.00%
0300	Public Education Budgets	5,699,005	5,699,005	6,004,196	305,191	5.36%
0316	CCRTHS Assessment	124,697	124,697	127,568	2,871	2.30%

Town Manager's Proposed FY 2020 Budget

#	NAME	Original '19 Budget	REVISED '19 BUDGET	REQUESTED '20 BUDGET	Y-o-Y \$ CHANGE	Y-o-Y % CHANGE
0400	Public Works Highway Operations	689,244	698,466	702,175	3,709	0.53%
0423	Snow Removal	25,000	25,000	25,000	0	0.00%
0424	Street Lights	2,200	2,200	200	(2,000)	-90.91%
0430	Transfer Station	428,575	449,945	456,151	6,206	1.38%
0470	Public Building Maintenance	476,588	481,768	415,904	(65,864)	-13.67%
	DPW Total	1,621,607	1,657,379	1,599,430	(57,949)	-3.50%
0491	Town Cemeteries	30,300	30,300	30,300	0	0.00%
0492	Soldiers & Sailors Lots	2,400	2,400	2,500	100	4.17%
0499	CC Greenhead Fly Control District	1,500	1,500	1,500	0	0.00%
0510	Human Service Providers	44,200	44,200	46,200	2,000	4.52%
0511	Health & Conservation Department	216,431	219,503	225,270	5,767	2.63%
0512	WROC	7,300	7,300	7,300	0	0.00%
0541	COA / Community & Senior Services	286,003	291,805	305,103	13,298	4.56%
0543	Veteran's Services	30,754	30,754	31,773	1,019	3.31%
0545	Commission on Disabilities	200	200	200	0	0.00%
0610	Library	412,306	419,966	416,872	(3,094)	-0.74%
0630	Recreation Program Operations	276,314	280,724	267,606	(13,118)	-4.67%
0635	Bicycle & Walkways Committee	2,000	2,000	2,000	0	0.00%
0640	Beach Program Operations	197,868	201,166	200,324	(842)	-0.42%
0660	Pamet Harbor Commission	375	375	325	(50)	-13.33%
0661	Pamet Harbor/Shellfish Warden Operations	138,694	140,854	136,389	(4,465)	-3.17%
0662	Pamet Harbor Dredge	104,400	104,400	94,400	(10,000)	-9.58%
0691	Historical Commission	175	175	175	0	0.00%
0710	Principal on Long Term Debt	725,400	535,000	655,400	120,400	22.50%
0751	Interest on Long Term Debt	107,445	93,235	86,615	(6,620)	-7.10%
0752	Short Term Borrowing Interst	15,510	15,510	66,343	50,833	327.74%
	Debt Total	848,355	643,745	808,358	164,613	19.40%
0911	County Retirement Assessment	1,129,757	1,129,757	1,166,488	36,731	3.25%
0912	Workers Compensation	65,000	65,000	78,500	13,500	20.77%
0913	Unemployment Insurance	73,500	73,500	73,500	0	0.00%
0914	Group Health Insurance: Town Share	1,476,830	1,476,830	1,463,925	(12,905)	-0.87%
0915	Group Life Insurance: Town Share	2,119	2,119	2,071	(48)	-2.27%
0916	FICA: Town Share	123,000	123,000	135,572	12,572	10.22%
0945	Municipal Liability Insurances	225,000	225,000	235,500	10,500	4.67%
	Grand Totals:	19,668,732.00	19,464,122.16	20,197,438.00	733,316	3.77%

DRAFT 2020 Budget Summary Recap

Expenditures

Projected Appropriation at ATM	
Operating Budget	20,197,438
Expenditures Subject to Exclusion	0
Total Appropriation - at ATM	20,197,438

Not Appropriated at ATM	
Overlay for Tax Abatements	100,000
Cherry Sheet Offsets	158,546
State & County Charges	758,973
Total Other Charges	1,017,519

Expenditures using Other Financing Sources	
Free Cash Transfers	1,078,010

Total Expenditures	22,292,967
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Revenues

Other Funds (Not taxes)	
CPC Funds & Betterment Funds	192,490
Free Cash	1,078,010
Local Revenues	2,000,000
Receipts Reserved	441,480
Other Local	173,028
State Aid	554,577
Free Cash to Mitigate Tax Rate	1,000,000
Total Other Revenues	5,439,585

Total Levy Limit	16,672,225
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Total Funding Available	22,111,810
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Difference Revenue to Expenditures	(181,157)
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(181,157)



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Preliminary Annual Town Meeting Warrant

EXPLANATION: Attached for review and discussion by the Board is the draft Annual Town Meeting Warrant for the April 30, 2019 Annual Town Meeting. Assistant Town Manager Clark is continuing to prepare the warrant preparation with some articles pending information from Town Counsel and the monetary articles pending agreement on the final budget. Please advise if something is missing or if you have questions about any of the items.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: None required—for discussion.

ATTACHMENTS:

1. Draft 2019 Annual Town Meeting Warrant

WARRANT

Truro Annual Town Meeting

Tuesday April 30, 2019

6:00 PM

Truro Central School

AND

Annual Election Ballot

7:00 AM to 8:00 PM

Tuesday, May 14, 2019

Truro Community Center

Free drop-in child care available for ages 3 and up during Annual Town Meeting.
Pre-registration is not required.

Transportation will be available for our senior citizens by the Council on Aging.
Reservations must be made in advance by calling 508-413-9059.

Please note: Accommodations for individuals with disabilities including assistive listening devices (ALD) and material in alternative formats may be arranged by contacting Town Hall four business days prior to Annual Town Meeting at 508-349-7004 ext. 110 or ext. 124

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Message from the Board of Selectmen

DRAFT 3/12/19

Message from the Finance Committee

DRAFT 3/12/19

Message from State Senator Cyr

DRAFT 3/12/19

Message from State Representative Sarah Peake

DRAFT 3/12/19

Terms Used in Municipal Finance

Appropriation – An amount of money which has been authorized by vote of Town Meeting to be spent for a designated purpose.

Available Funds – Available funds refer to the Stabilization Fund, Beach Receipts Reserved for Appropriation, Pamet Harbor Receipts Reserved for Appropriation, Recreation Receipts Reserved for Appropriation, Conservation Commission Receipts Reserved for Appropriation, and continued appropriations left in Articles voted at previous Town Meetings.

Bond and Interest Record (Bond Register) – The permanent and complete record maintained by the treasurer for each bond issue. It shows the amount of interest and principal coming due each date and all other pertinent information concerning the bond issue.

Bond Anticipation Note (BAN) – Short-term debt instrument used to generate cash for initial project costs and with the expectation that the debt will be replaced later by permanent bonding. Typically issued for a term of less than one year, BANs may be re-issued for up to five years, provided principal repayment begins after two years (MGL Ch. 44 §17). Principal payments on school-related BANs may be deferred up to seven years (increased in 2002 from five years) if the community has an approved project on the Massachusetts School Building Authority (MSBA) priority list. BANs are full faith and credit obligations.

Capital Outlay Expenditure Exclusion – A temporary increase in the tax levy to fund a capital project or make a capital acquisition. Exclusions require two-thirds vote of the selectmen or city council (sometimes with the mayor's approval) and a majority vote in a community-wide referendum. The exclusion is added to the tax levy only during the year in which the project is being funded and may increase the tax levy above the levy ceiling.

Cherry Sheet – A form showing all State and County charges and reimbursements to the Town as certified by the Massachusetts Department of Revenue.

Classification of Real Property – Assessors are required to classify all real property according to use into one of four classes: Residential, Open Space, Commercial, and Industrial. Having classified its real property, local officials are permitted to determine locally, within limits established by statute and the Commissioner of Revenue, what percentage of the tax burden is to be borne by each class of real property and by personal property owners.

Classification of the Tax Rate – Each year, the selectmen or city council vote whether to exercise certain tax rate options. Those options include choosing a residential factor (MGL Ch. 40 §56), and determining whether to offer an open space discount, a residential exemption (Ch. 59, §5C), and/or a small commercial exemption (Ch. 59, §5I) to property owners.

CMR – Code of Massachusetts Regulations.

Code of Ethics – The provisions and requirements of MGL Ch. 286A pertaining to the standards of behavior and conduct to which all public officials and employees are held.

COLA – Cost of Living Adjustment

Collective Bargaining – The process of negotiating workers' wages, hours, benefits, working conditions, etc., between an employer and some or all of its employees, who are represented by a recognized labor unit.

Commitment – Establishes the liability for individual taxpayers. The assessors' commitment of real estate taxes fixes the amount that the collector will bill and collect from property owners.

Community Preservation Act (CPA) – Enacted as MGL Ch. 44B in 2000, CPA permits cities and towns accepting its provisions to establish a restricted fund from which monies can be appropriated only for: a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation, and restoration of historic resources; and c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the

rehabilitation and restoration of open space, land for recreational use and community housing that is acquired or created using monies from the fund. Acceptance requires town meeting or city council approval or a citizen petition.

Free Cash – This is the amount certified annually by the State Bureau of Accounts. Town Meeting may appropriate from Free Cash for any lawful purpose. Sometimes referred to as Excess and Deficiency.

Overlay (Also called Allowance for Abatements and Exemptions) – The amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's Overlay Account no longer required to cover the property abatements.

Reserve Fund – This fund is established by the voters at an Annual Town Meeting through the Omnibus Budget. Transfers from the Reserve Fund are within the exclusive control of the Finance Committee and are for extraordinary or unforeseen expenditures.

Stabilization Fund – This is a special reserve account. Without an authorizing two-thirds (2/3) vote at a Town Meeting, funds cannot be deposited into or withdrawn from this account.

Transfer – The authorization to use an appropriation for a different purpose; in most cases only Town Meeting may authorize a transfer. However, in Truro, with certain restrictions, transfers may be authorized if the transfer is \$2,500.00 or less, the transfer is within the same Department, and is approved by the Department Head, Town Manager and the Finance Committee.

PROPOSITION 2½ TERMS

Community Preservation Fund – A special revenue fund established pursuant to MGL Ch. 44B to receive all monies collected to support a Community Preservation Program, including but not limited to, tax surcharge receipts, proceeds from borrowings, funds received from the Commonwealth, and proceeds from the sale of certain real estate.

Contingent Votes – Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (Override). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen, it must take place within ninety days of the Town Meeting vote.

Debt Exclusion and Capital Outlay Expenditure Exclusion – These two override ballot questions can be placed on a referendum by a two-thirds (2/3) vote of the Board of Selectmen. If a majority of the voters approve the ballot question, the Town's levy limit is temporarily increased for the amount voted at the referendum. The increase may exceed the Town's levy limit.

General Override – A general override ballot question can be placed on a referendum if a majority of the Board of Selectmen votes to do so. If the ballot question is approved by a majority of the voters, the Town's levy limit is permanently increased by the amount voted at the referendum. The levy limit increases may not exceed the Town's levy ceiling.

Levy – The property tax levy is the revenue the Town can raise through real and personal property taxes. The levy is the largest source of revenue for the Town.

Levy Ceiling – This is the maximum amount of the levy limit. The ceiling equals 2½% of the Town's full and fair cash value.

Levy Limit – The limit is based on the previous year's levy plus certain allowable increases.

Levy Limit Increase – The levy limit automatically increases each year by 2½% of the previous year's levy limit.

New Growth – The increase in the levy limit attributable to new construction and new parcel subdivisions.

Override – A community can increase its levy limit by voting at a referendum to exceed the limit. There are three (3) types of overrides: general, debt exclusion and capital outlay expenditure exclusion

Fiscal Year 2020 Five Year Capital Improvement Overview

DRAFT 3/12/19

Five Year Debt Schedule: FY2020- FY2024

DRAFT 3/12/19

GREETINGS:

In the name of the Commonwealth, you are hereby required to warn the inhabitants of the Town of Truro qualified to vote in town affairs, to meet at the Truro Central School, 317 Route 6, Truro, MA 02666, on Tuesday, April 30, 2019 at 6:00 pm, then and there, to vote on the following articles:

CUSTOMARY & FINANCIAL ARTICLES

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

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2018 Annual Town Report, or take any other action relative thereto.

Requested by the Board of Selectmen

Board of Selectmen Recommendation			
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Article 2: Authorization to Set the Salary of the Board of Selectmen

To see if the Town will vote to determine and set the salary for the Board of Selectmen for Fiscal Year 2020 at \$3,000.00 per member for a total of \$15,000.00, or take any other action relative thereto.

Requested by the Finance Committee

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article 3: Authorization to set the Salary of the Moderator

To see if the Town will vote to determine and set the salary for the Town Moderator for Fiscal Year 2020 at \$150.00, or take any other action relative thereto.

Requested by the Board of Selectmen

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article 4: Amendments to the FY2019 Operating Budget

To see if the Town will vote to appropriate from available funds (Free Cash) such sums of money necessary to supplement the operating budgets of the various Town departments for the current fiscal year 2018-2019 (FY2019), or take any other action relative thereto.

FROM	TO	AMOUNT
Free Cash	Snow Removal	\$
<i>To balance FY 2019 budget for emergency snow and ice removal operations.</i>		
Free Cash	XXXXX	\$
XXXXX		
Free Cash	XXXX	\$
XXXXXX		
Free Cash	XXXX	\$
XXXXX		
TOTAL		\$

Requested by the Board of Selectmen

Explanation: This is a customary article included in each Annual Town Meeting warrant to address any legal overdrafts (Snow Removal) and supplemental adjustments to current year appropriations.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article 5: FY2020 Omnibus Budget Appropriation

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of XXXXX dollars and no cents (XXXX) to defray the expenses and charges of the Town of Truro in Fiscal Year 2020 (the period from July 1, 2019 through June 30, 2020), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

Source	Amount
Raise through taxation	.00
Transfer from Beach Receipts Reserved for Appropriation	.00
Transfer from Pamet Harbor Receipts Reserved for Appropriation	.00
Transfer from Recreation Receipts Reserved for Appropriation	.00
Transfer from Conservation Commission Receipts Reserved for Appropriation	.00
Transfer from Educational/Governmental Programming Access Fund	.00
Free Cash	.00
To appropriate within the Septic Betterment Program Fund	.00
To appropriate within the Community Preservation Act Fund	.00

Or take any other action relative thereto.

Requested by the Board of Selectmen

Explanation: The proposed Fiscal Year 2020 Operating Budget can be found as Appendix A in the Annual Town Meeting Warrant. The Budget format contains the expenditure figures for the Fiscal Year 2018, appropriation figures for Fiscal Year 2019 (as amended), and requests for Fiscal Year 2020 from Town Departments, as well as the Finance Committee’s recommendations and the Board of Selectmen’s recommendations. Please refer to the Selectmen’s Letter to the voters on page XX and the Finance Committee’s Letter on page XX. Please note that the format for the budget is new this year, which more closely matches the actual accounting format used upon approval and allows for the budget to be uploaded to the Town’s new financial transparency software, which is available to the public on the Town of Truro website.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article 6: Transfer of Funds from Free Cash

SECTION 1: TO REDUCE OR STABILIZE THE FY 2020 TAX RATE

To see if the Town will vote to transfer One Million dollars (\$1,000,000.00) from Free Cash to reduce or stabilize the 2019 Tax Rate, or to take any other action relative thereto.

Requested by the Board of Selectmen

Explanation: This is a customary article that transfers funds to offset the tax rate for the upcoming fiscal year.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

SECTION 2:

DRAFT 3/12/19

Article X: Transfer of Funds from Capital Stabilization Fund

SECTION 1: FOR REPLACEMENT OF HEATING AND COOLING MINI-SPLITS

To see if the Town will vote to transfer the sum of Twenty One Thousand dollars (\$21,000) from the Capital Stabilization Fund to replace the heating and cooling mini-splits; or to take any other action relative thereto.

Requested by the Public Works Director

Explanation: The Town currently has a total of 25 mini-splits throughout Town facilities that provide heating and cooling. The vast majority of these units are past their commercial service life, and in some cases, parts are now unavailable. Some of these units have failed. To avoid a costly unforeseen operation failure during a heating or cooling season, the Town proposes to routinely replace the HVAC mini-splits on a scheduled basis starting with the oldest units located at the Public Library.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

SECTION 2: FOR REPLACEMENT OF TRURO CENTRAL SCHOOL BOILER SYSTEM

To see if the Town will vote to transfer the sum of One Hundred Seventy Thousand dollars (\$170,000) from the Capital Stabilization Fund to replace the existing Truro Central School boiler system with a high-efficiency boiler system; or to take any other action relative thereto.

Requested by the Public Works Director and School Superintendent

Explanation: The Truro Central School oil boiler system is beyond its years of service, and replacement of the system and associated components is highly recommended. This request proposes to install a new high-efficiency condensing boiler system and the accompanying required engineering. As a qualified Green Community (as designated by the Massachusetts Department of Energy Resources), the Truro Central School has partnered with Cape Light Compact to offset some of the engineering costs to assist in funding this project.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article X: Council on Aging Revolving Fund

To see if the Town will vote pursuant to Section 1.1.8 of the General Bylaws to set the spending limit for the COA Revolving Fund for Fiscal Year 2020 at \$40,000.00; or to take any other action relative thereto.

Requested by the Town Accountant

Explanation: This is a customary article that sets expenditure limits for the Council on Aging Revolving Fund as required by Massachusetts General Law.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

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

To see if the Town will vote to appropriate all sums provided to the Town pursuant to the Chapter 90 Highway Assistance Program of the Massachusetts Department of Transportation for purposes consistent with said program, or to take any other action relative thereto.

Requested by the Town Accountant

Explanation: The amount of the Chapter 90 funds to be awarded to Truro by the State for FY 2020 is \$170,312.00.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

CAPITAL IMPROVEMENT/ DEBT EXCLUSION ARTICLES

Article X: Capital Improvement Program Appropriation: Capital Exclusion Requests

To see if the Town will vote to raise and appropriate the following described sums of money and to make each of these appropriations contingent upon so-called Proposition 2 ½ capital outlay exclusion votes as allowed under the general provisions of MGL, Chapter 59, Section 21C (I ½):

DRAFT 3/12/19

Article X: Borrowing Authorization for Eagle Neck Creek Repair/ Improvement

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of One Million dollars (\$1,000,000) more or less, to pay the costs associated with engineering services, construction, and remediation related to tidal restoration and drainage improvements at Eagle Neck Creek, and for the payment of all other costs incidental and related thereto; provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by Chapter 59, Section 21C of the General Laws (Proposition 2 1/2), or take any other action relative thereto.

Requested by the Board of Selectmen

Explanation: The Town, in conjunction with the Massachusetts Department of Ecological Restoration, has been investigating the restoration of Eagle Neck Creek at Old County Road, just south of Mill Pond Road. Two failing culverts at Eagle Neck Creek are compromising a section of roadway on Old County Road. This borrowing authorization will fund the removal and replacement of the two failed twenty-four inch culverts necessary to restore the roadway and restore appropriate tidal flow, which will minimize potential threats to road utilities and infrastructure. This project provides additional environmental benefits by increasing tidal flushing to improve water quality, restoring wetlands. This project is identified as a “priority project” by the Department of Ecological Restoration and the U.S. Natural Resources Conservation Service has committed an additional \$750,000.00 of funding to this project.

COMMUNITY PRESERVATION ACT ARTICLES

Article X: Community Preservation Act

SECTION 1: CONTRIBUTION TO THE AFFORDABLE HOUSING TRUST FUND

To see if the Town will vote to appropriate the sum of Fifty-six Thousand, Four Hundred Thirty-four dollars and no cents (\$56,434.00) from Projected Community Preservation Act Surcharge Revenue, to contribute to the Truro Housing Authority Trust Fund, or take any other action relative thereto.

Requested by Truro Housing Authority

Explanation: If a fund of money is immediately available to the Housing Authority, then the Housing Authority will be able to make time to act on opportunities that would be lost if the Housing Authority must wait for Town Meeting or beyond to request money for a legitimate Community Housing project.

Finance Committee Recommendation			
Board of Selectmen Recommendation			
Community Preservation Committee Recommendation	5	0	0

SECTION 2: PREDEVELOPMENT MONEY FOR THE CLOVERLEAF PROPERTY

To see if the Town will vote to appropriate the sum of Forty Thousand dollars and no cents (\$40,000.00) from Projected Community Preservation Act Surcharge Revenue to permit the Truro Housing Authority to commence predevelopment for the community housing complex planned for 22 Highland Road and Route 6 (Assessor’s Map 36, Parcel 238), or take any other action relative thereto.

Requested by Truro Housing Authority

Explanation: These funds will be available for preliminary infrastructure, design and construction, as well as various applications and other fees associated with preparation of the Cloverleaf Property.

Finance Committee Recommendation			
Board of Selectmen Recommendation			
Community Preservation Committee Recommendation	5	0	0

SECTION 3: EDGEWOOD FARM HISTORIC PRESERVATION PROJECT PHASE 4

To see if the Town will vote to appropriate the sum of One Hundred Twenty-five Thousand dollars and no cents (\$125,000.00) from Projected Community Preservation Act Surcharge Revenue for the phase 4 restoration and preservation of three historic buildings at Edgewood Farm, or take any other action relative thereto.

Requested by Truro Center for the Arts at Castle Hill

Explanation: Edgewood Farm is home to the historic Manuel Corey House, Barn and Cottage, all of which were built in the 1800s. The Center has raised a significant amount of money towards the restoration of the farm’s buildings. A deed restriction has been completed to ensure that Edgewood Farm remains a historic property in perpetuity. Phase 4 restoration plans include an elevator in the barn for handicap access to the second floor, window repair, and outside lighting.

Finance Committee Recommendation			
Board of Selectmen Recommendation			
Community Preservation Committee Recommendation	6	0	0

SECTION 4: PHASE 4 PRESERVATION AND RESTORATION OF HIGHLAND HOUSE MUSEUM

To see if the Town will vote to appropriate the sum of Two hundred and Four Thousand dollars and no cents (\$204,000.00) including One Hundred, Thirty-three Thousand, Five Hundred, Forty-eight dollars (\$133,548.00) from Projected Community Preservation Act Surcharge Revenue, and Seventy-one Thousand, Four Hundred Fifty-two dollars and no cents (\$71,452.00) from Community Preservation Act Undesignated Fund Balance for the fourth phase of the preservation and restoration of The Highland House Museum, or take any other action relative thereto.

Requested by Truro Historical Society

Explanation: The Highland House Museum Phase 4 will include installation of an elevator, security, and plumbing. This is a multi-year historic restoration project of the CPC.

Finance Committee Recommendation			
Board of Selectmen Recommendation			
Community Preservation Committee Recommendation	6	0	0

SECTION 5: ADMINISTRATIVE SUPPORT

To see if the Town will vote to appropriate the sum of **Twenty-eight Thousand, Two Hundred and Sixteen dollars (\$28,216.00)** from Projected Community Preservation Act Surcharge Revenue for the administrative expenses of the Community Preservation Committee, or take any other action relative thereto.

Requested by Community Preservation Committee

Explanation: The Community Preservation Act and the Truro Community Preservation Bylaws permit 5% of the projected Community Preservation Act surcharge revenue can be used for management of CPC operations, as well as for workshops, seminars, membership in the Community Preservation Coalition, printing, advertising and supplies and the like. Any money remaining at the end of the Fiscal Year will revert to the Community Preservation Act Undesignated Fund Balance.

Finance Committee Recommendation			
Board of Selectmen Recommendation			
Community Preservation Committee Recommendation	6	0	0

DRAFT 3/2/19

GENERAL BYLAW AMENDMENT ARTICLES

Article X: Right to Farm

To see if the Town will vote to

DRAFT 3/12/19

HOME RULE PETITION ARTICLES

Article X: Expanding Residential Property Exemption: Home Rule Petition

To see if the Town will vote to petition the General Court to enact a special act of the Town of Truro, the text of which is set forth below, and that the General Court be authorized with the approval of the Board of Selectmen to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

**AN ACT INCREASING
THE EXEMPTION FOR RESIDENTIAL PROPERTY
IN THE TOWN OF TRURO**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding Section 5C of Chapter 59 of the General Laws or any other general or special law to the contrary, with respect to each parcel of real property classified as Class One, residential, in the Town of Truro as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation, and with the approval of the Board of Selectmen, there shall be an exemption equal to not more than 20% of the average assessed value of all Class One residential parcels within the Town; provided, however, that the exemption shall be applied only to (1) the principal residence of the taxpayer as used by the taxpayer for income tax purposes, and (2) a residential parcel occupied by a registered voter of the Town of Truro, other than the taxpayer, occupied on a year-round basis and used as his or her principal residence for income tax purposes. This exemption shall be in addition to any exemptions allowable under Section 5 of said Chapter 59; provided, however, that the taxable valuation of the property, after all applicable exemptions, shall not be reduced to below 10% of its full and fair cash valuation, except through the applicability of Section 8A of Chapter 58 of the General Laws and Clause 18 of said Section 5 of said Chapter 59. Where, pursuant to said Section 5 of said Chapter 59, the exemption is based upon an amount of tax rather than on valuation, the reduction of taxable valuation for the purposes of the preceding sentence shall be computed by dividing the amount of tax by the residential class tax rate of the Town and multiplying the result by \$1,000. For the purposes of this paragraph, "parcel" shall mean a unit of real property as defined by the Board of Assessors of the Town in accordance with the deed for the property and shall include a condominium unit.

SECTION 2. A taxpayer aggrieved by the failure to receive the residential exemption authorized under this act may apply for the residential exemption to the Board of Assessors of the Town of Truro in writing on a form approved by the Board within three months after the date on which the bill or notice of assessment was sent. For the purposes of this act, a timely

application filed under this section shall be treated as a timely filed application pursuant to Section 59 of Chapter 59 of the General Laws.

SECTION 3. This act shall take effect as of July 1, 2019, and shall apply to taxes levied for fiscal years beginning on or after July 1, 2019;

or to take any other action relative thereto.

Requested by the Board of Selectmen

Explanation: In the interest of creating more year round rental housing for residents of Truro and incentives for its creation, this article would allow the Board of Selectmen to petition the General Court to enact special legislation that would allow the Town to expand the residential tax exemption (RTE) to non resident property owners who rent their property on a year round basis. In order to qualify, the property would need to be rented to a registered voter of the Town of Truro who declares the property as their principal residence for income tax purpose. Voting for this article will not create the expansion of the RTE but only allow the Board of Selectmen to ask the General Court for legislation that, if passed in the future, would allow the Town to do so.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

Article X: 0.5% Real Estate Transfer Fee: Home Rule Petition

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to impose a 0.5% real estate transfer fee as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT AUTHORIZING
THE TOWN OF TRURO
TO IMPOSE A 0.5% REAL ESTATE TRANSFER FEE**

Section 1. There is hereby imposed a real estate transfer fee equal to 0.5% (half percent, ½%) of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Truro. Said fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be paid to the Town of Truro. The first \$250,000 collected in each fiscal year shall be deposited in the Town's Capital Improvement Stabilization Fund. The remaining funds collected each fiscal year shall be deposited into the Town's General Fund.

Section 2. The following transfers of real property interests shall be exempt from the real estate transfer fee:

- A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."
- B. Transfers to the government of the U.S., the Commonwealth, the Town of Truro and any of their instrumentalities, agencies or sub-divisions, such as the Truro Housing Authority.
- C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.
- D. Transfers of convenience with consideration under \$100 which include: name change, into trusts, out of trust, etc.
- E. Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.
- F. Transfers between family members, marriage partners, parents and children, grandchildren, stepparents and stepchildren, brothers and sisters.

Section 3.

- A. The fee imposed shall be due at the time of the transfer of the real property interest.

B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid real estate taxes.

C. The Town shall notify a buyer by registered or certified mail of any failure to discharge the amount in full of fee due.

D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract.

Section 4. This Act shall take effect on passage;

or to take any other action relative thereto.

Requested by the Board of Selectmen

Explanation: This article would allow the Board of Selectmen to petition the General Court for special legislation that would allow the Town of Truro to establish a 0.5% real estate transfer fee. Once the legislation passes at the State level, the Town would be able to establish the transfer fee. The primary purpose of the real estate transfer fee would be to support the Town's Capital Improvement Stabilization Fund. This would provide an alternative funding source for the Town to protect, maintain and develop the necessary infrastructure for Town operations. The first \$250,000 collected in each fiscal year would be deposited in the Town's Capital Improvement Stabilization Fund and any additional would support the Town's General Fund. The tax would be paid by the purchaser and there are several exemptions to the fee including for first time home buyers and transfers between family members.

Finance Committee Recommendation			
Board of Selectmen Recommendation			

PETITIONED ARTICLES

TWO- THIRDS
VOTE

Article X: Amend Section 40, Special Regulations, §40.2 Affordable Accessory Dwelling Unit By Deleting In Its Entirety and Replacing It With New Language- Petitioned Article

To see if the town will vote to amend Section 40, Special Regulations, §40.2 Affordable Accessory Dwelling Unit, by deleting the language in bold strike though, adding the **bold underlined** wording and enumerate the bylaw correctly accordingly:

§40.2 Accessory Dwelling Unit

- A. The purposes of this bylaw are to:
 - 1. Increase the number of moderately priced, year-round rental dwelling units in Truro;
 - 2. Encourage a more economical and energy-efficient use of the Town’s housing supply; and
 - 3. Provide homeowners with a means of obtaining rental income to defray housing costs.

- B. Requirements
 - 1. One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district by obtaining an ADU Permit ~~from the Planning Board.~~
 - 2. An ADU may be established within or attached to a principal dwelling, principal structure, or accessory structure, or constructed as a detached unit, and must be located on the same lot as the primary dwelling.
 - 3. The ADU must be in conformity with the State Building Code, Title V of the State Sanitary Code and all applicable town health, building, zoning and other local laws and regulations.
 - 4. An ADU within or attached to a principal dwelling, principal structure or accessory structure that is a pre-existing nonconforming use or structure shall not increase any existing nonconformity or create a new nonconformity without first obtaining a Permit or Variance, respectively, from the Zoning Board of Appeals.

- C. ADU Permit Criteria
 - 1. The ADU shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities.
 - 2. The ADU shall not contain more than one thousand (1,000) square feet nor less than four hundred (400) square feet of Gross Floor Area as that term is defined in Section II of this Zoning By-law. Once an ADU has been added to a dwelling, structure or lot, the ADU shall not be enlarged beyond the square footage specified in the permit granted pursuant to this section without first obtaining a subsequent permit ~~from the Planning Board,~~ and in no case shall an ADU be permitted to exceed the square footage allowed by this section.
 - 3. At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU.

4. An ADU shall be clearly subordinate in use, size and design to the principal dwelling or structure, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window size and location, and building materials. When accessory to a principal dwelling, the intent is to retain the appearance of a single family dwelling and the privacy of abutters.
5. The principal dwelling and ADU and lot on which they are located shall remain in common ownership, and shall not be severed in ownership, including that the lot, buildings or units thereon shall not be placed in a condominium form of ownership.
6. Either the ADU or the principal dwelling on a lot with an ADU must be leased for a term of at least twelve (12) months. Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited. Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.
7. ADUs permitted under this section shall be inspected annually or as frequently as deemed necessary by the Health and Building Departments for compliance with public safety and public health codes. The owner of the property shall be responsible for scheduling such inspection and shall pay any applicable inspection fees.

D. Procedure

1. Each application for a Permit shall be filed by the Applicant with the **Town Clerk Building Inspector** consisting of:
 - a. ~~An original and 14 copies of the Application for ADU Permit;~~
 - b. ~~15 copies of the required plans and other required information under §40.2;~~
 - c. Applicable filing fee;
 - d. ~~List of abutters obtained from the Truro Assessing Department~~
 - e. Site Plan or Site and Sewage Plan prepared by a registered professional engineer or registered sanitarian showing all property lines, existing and proposed structures on the parcel, and setbacks from roads and property lines for each structure. Building dimensions (height, stories, square footage) shall be shown on the plan.
 - f. Documentation of approval of the septic/wastewater treatment system from the Board of Health.
 - g. Building plans at a scale of no less than 1/8"= 1'-0", including floor plans and front, side and rear elevations of the ADU ~~and principal dwelling or structure.~~
 - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
 - i. Documentation of approval, if applicable, from the Conservation Commission.
 - j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.

E. ~~Public Hearing~~

- ~~1. Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:

 - ~~a. Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and,~~
 - ~~b. Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and.~~
 - ~~c. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters within 300 feet of the subject property, and owners of properties across the street from the subject property.~~~~

~~F. Findings of the Planning Board~~

- ~~1. The Planning Board shall grant an ADU Permit if it finds that the proposal complies with the provisions of this bylaw, §40.2, as amended. The concurring vote of four members of the Planning Board shall approve an ADU permit as submitted or with reasonable conditions. The Board shall deny the permit only if:

 - ~~a. The application is incomplete, and the applicant fails to complete the application within 21 days after written notice of the application's deficiencies, or~~
 - ~~b. The imposition of reasonable conditions will not ensure that the ADU will conform to the standards and criteria described herein, or~~
 - ~~c. The ADU does not comply with the requirements of the Zoning By-law.~~~~
- ~~2. The permit decision is not appealable.~~

G. Penalty

Failure of the applicant to comply with any provision of this section or the Permit is punishable by a fine established in Section 60.1 of the Truro Zoning By-laws and shall entitle the ~~Planning Board, Building Inspector after notice and public hearing~~, to revoke, modify or suspend the Permit. The Town shall be entitled to recover its litigation fees, including counsel fees, incurred in enforcement of this Bylaw.

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter I, Section 10 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.

Requested by Citizen Petition

Explanation from Petitioner: This is a citizen petitioned article. This article was created to allow homeowners to build or convert an existing building to one (1) accessory dwelling unit on their property with the provision that it be rented year round as opposed to seasonally. This change will remove the Planning Board from the process, allowing property owners to build ADUs as a "by right" designation meaning if it fits on your property without infringing on other zoning or

health regulations, you can proceed without hearings and additional costs associated with filings.

Planning Board Recommendation			
Board of Selectmen Recommendation			

DRAFT 3/12/19

TWO- THIRDS
VOTE

Article X: Amend Zoning Bylaw §30.2, Use Table, and §40.2 Accessory Dwelling Unit, to Exclude the Seashore District from Accessory Dwelling Unit Provisions

To see if the Town will vote to amend sections 30.2 and 40.2.B.1 of the Zoning Bylaw, as set forth below, with ~~strike through~~ text to be deleted and **bold underlined** text to be inserted, or take any other action relative thereto:

30.2 [One row of the Use Table to be amended as shown; all remaining portions of the table to remain unchanged.]

Dwelling Unit, Accessory (10)	P	P	P	P	P	P	<u>PN</u>
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40.2B.1 One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district **except the Seashore District** by obtaining an ADU Permit from the Planning Board.

Requested by Citizen Petition

Explanation from Petitioner: Historically, Affordable Accessory Dwelling Units were not permitted in the Seashore District. In 2017, Town Meeting voted to delete the Affordable Accessory Dwelling Unit provisions in the Zoning Bylaw and replace them with the current Accessory Dwelling Unit provisions. The 2017 amendments opened up Seashore District properties to ADUs. This amendment would restore historic protections of the Seashore District.

Planning Board Recommendation			
Board of Selectmen Recommendation			

TWO- THIRDS
VOTE

Article X: Amend Zoning Bylaws §30.8, Special Permits C.- Petitioned Article

To see if the Town will vote to amend Section 30.8, Special Permits, C. of the Truro Zoning Bylaw, by deleting the words crossed out and adding the words shown in bold underline below, or to take any other action relative thereto.

30.8 C. Special permits ~~or variances~~ may be approved only after a finding by if the Board of Appeals or Planning Board (as applicable, see use table) ~~finds~~ that the proposed use, ~~alteration, construction, or reconstruction~~ is in the opinion of the Board in harmony with the general public good and intent of this bylaw, ~~as set forth in §10.2 (purpose). The Board shall make specific written findings of objective facts that clearly support the request for the special permit or variance and that demonstrate by clear and convincing evidence that the approval of the special permit or variance is in the public interest of the Town of Truro and not inconsistent with the purpose of this bylaw, which is to promote the health, safety, convenience, and welfare of the inhabitants of Truro; prevent the overcrowding of land; conserve the value of land and buildings; enable the protection of clean and adequate water supply; conserve natural resources; prevent blight of the environment; encourage the most appropriate use of land in Truro; and promote the implementation of the goals and policies of the Truro Local Comprehensive Plan. Since the granting of a special permit or variance is strictly discretionary the Board shall, in considering an application for a special permit or variance, give special and careful attention to the opposition of abutters who may be disadvantaged or harmed by the planned alterations or physical changes to the property. The Board shall include in its findings copies of all comments on the application timely received from abutters along with the Board's responses to each comment.~~ The approval shall be subject to any other applicable provision of this bylaw and the Board may impose conditions, safeguards, and limitations on time and use, which in the Board's opinion are necessary to comply with the intent and purpose of this bylaw.

Requested by Citizen Petition

Explanation from Petitioner: The purpose of this amendment is to establish rigorous procedures for the granting of relief from Truro zoning bylaws. The Zoning Board has the discretionary authority to issue Special Permits and Variances when an applicant's property does not meet the requirements of the Zoning Bylaw. In granting such relief, the Board must take into account that when a bylaw is adopted or amended, it is because 2/3 of the voters at Town Meeting approve a restriction and believe it to be in the public interest. The voters expect the bylaws to be enforced except in rare instances when a property owner faces severe hardship. If the Zoning Board too often grants exemptions, it may indicate that the wishes of the 2/3 majority who approved the bylaw are being ignored. The public interest should always be the Board's first consideration, given priority over the private interest of an applicant. Relief should be granted only rarely, and only after thorough consideration of the benefits vs the detriments to the public. A study of the Annual Town Reports reveals that over the last twenty

years the ZBA granted 92% of Special Permit applications, denying only 8%. It granted 84% of requested variances, denying just 16%. This has resulted in a number of court actions against the Town initiated by abutters—costly to Truro taxpayers.

Board of Selectmen Comment:

Planning Board Recommendation			
Board of Selectmen Recommendation			

DRAFT 3/12/19

Article X: Use Secret Voting at Town Meetings and Special Town Meetings- Petitioned Article

To see if the Town will vote to use secret voting at Town Meetings and Special Town Meetings, or to take any other action relative thereto.

Requested by Citizen Petition

Explanation:

Board of Selectmen Recommendation			
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DRAFT 3/12/19

Article X: Establish a Truro Climate Action Committee- Petitioned Article

To see if the Town will vote to approve the following resolution, or take any other action relative thereto:

Whereas, the voters of Truro, at the Annual Town Meeting of 2013, overwhelmingly passed Article 33, “Resolution on the Climate Crisis,” which included the statement, “be it resolved that the citizens of Truro commit ourselves to meeting our individual and collective responsibility in the face of the increasing climate crisis”; and

Whereas, in the six years since, the crisis has deepened, and the necessity for large-scale, urgent action to protect and sustain our town, and life on earth, has reached emergency proportions; and

Whereas, sea level rise has already begun to impact our coastal beaches, our wetlands, and our low-lying developed properties; and will, in the coming years, cause salt intrusion upon our aquifer and put increasing portions of our tax base underwater; and

Whereas, storms, which cause major erosion along our bay and ocean coasts, are expected to increase in frequency and intensity as climate change worsens; and

Whereas, climate change may wreak havoc upon our local, national, and global economy; and

Whereas, every aspect of life in Truro and every resident of Truro will be impacted in one way or another; and

Whereas, it can be difficult and overwhelming to think about the dangers that climate change poses to our environment, our community, our way of life, our well-being, our properties, and the lives of future generations, and to think about the sacrifices that addressing the climate crisis may require, but our best hope lies in facing those dangers together; and

Whereas, fear has stood in the way of acting to address the climate crisis, resulting in inaction that has only worsened the crisis;

Whereas, humanity still has a chance to mitigate climate change by reducing carbon emissions, increasing sequestration, and restoring ecosystems; and

Whereas, given the slowness of global and national authorities to respond to the crisis, localities everywhere must initiate their own powerful actions, and are already beginning to do so; and

Whereas, the resilience of our community will be measured by how all members join together in a spirit of participation and cooperation as we did when building Puma Park, and this process of creative collaboration will itself greatly benefit our quality of life;

Therefore, be it resolved that the Town of Truro, recognizing that action to address climate change is urgently needed, commits to begin working without delay on a local plan to address the climate crisis; and

Further, that the Board of Selectmen shall appoint a Climate Action Committee of at least 5 members, charged with (1) conducting or obtaining an assessment of Truro’s carbon footprint; (2) conducting or obtaining an assessment of Truro’s vulnerabilities to the consequences of climate change; (3) identifying local, regional, state and national resources and potential partners that can assist Truro in planning and implementing mitigation and adaption actions to

reduce Truro’s carbon footprint and address its climate vulnerabilities; (4) conducting public education and outreach to residents, homeowners, business, and other stakeholders about Truro’s carbon footprint and its climate vulnerabilities; and (5) drafting a climate action plan for Truro that sets 5-, 10- and 25-year goals for reducing Truro’s carbon footprint and its climate vulnerabilities to the maximum extent practicable; and

Further, that from this point forward the Board of Selectmen, the Town Manager, and all multi-member boards shall make factoring in climate change a routine part of their work and shall collaborate with the Climate Action Committee in identifying and proposing changes in policies, practices, procedures, or bylaws to facilitate climate action; and

Further, that the Climate Action Committee shall each year provide an annual report describing its efforts and accomplishments.

Requested by Citizen Petition

Explanation:

Board of Selectmen Recommendation			
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DRAFT 3/12/19

ANNUAL TOWN ELECTION
TUESDAY, MAY 14, 2019
TRURO COMMUNITY CENTER – 7 Standish Way, North Truro, MA 02652
7:00 AM – 8:00 PM

Barnstable ss
To the Constable for the Town of Truro
Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in a Town Election, to vote at Truro Community Center, 7 Standish Way, Truro, MA on Tuesday, May 14, 2019 from 7:00 am to 8:00 pm for the following Town offices and questions:

#	OFFICE	TERM
2	Selectmen	3 year
2	School Committee	3 year
1	Library Trustee	3 year
1	Cemetery Commission	3 year
1	Planning Board	5 year

QUESTION 1

Shall the Town approve the Charter amendment proposed and passed at the April 24, 2018 Town Meeting as summarized below?

Yes _____ No _____

This amendment will change Section 4-1-1 of the Town Charter as set forth below, with ~~strikethrough~~ text to be deleted and **bold underlined** text to be inserted:

- 4-1-1 The executive powers of the Town shall be vested in a ~~Board of Selectmen~~ **Select Board** of five members who shall be elected in accordance with the provisions of Chapter 6 of this Charter. **Except as otherwise provided herein, the Select Board shall have all of the**

powers and authority of a Board of Selectmen under the General Laws and the bylaws and regulations of the Town.

And further, will delete the words, "Board of Selectmen" in every other instance in which they appear and inserting in place thereof, the words, "Select Board".

DRAFT 3/12/19

POSTING OF THE WARRANT

In conformity with Section 2.3.5 of the Truro Town Charter, you are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, fourteen days, at least, before the date of said meetings.

Hereto fail not and make due return of the warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this XXth day of April in the Year of our Lord, Two Thousand and Nineteen.

We, the members of the Board of Selectmen of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 6:00 p.m. on April 30, 2019, at the Truro Central School.

Acting in capacity of the Board of Selectmen we do hereby grant approval of and permission for the above mentioned warrants.

Robert M. Weinstein, Chair

Maureen A. Burgess, Vice-Chair

Janet W. Worthington, Clerk

Paul C. Wisotzky

Kristen M. Reed

A true copy, attest:

Cynthia A. Slade
Town Clerk, Town of Truro

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall

Constable

Date

APPENDIX A: OMNIBUS BUDGET- FISCAL YEAR 2020

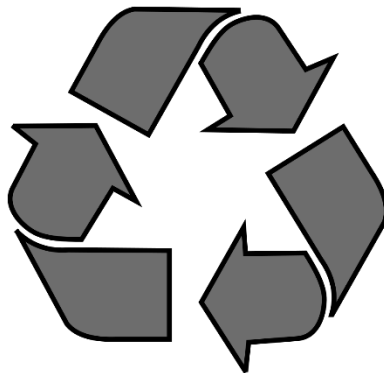
DRAFT 3/12/19

APPENDIX B: CAPITAL IMPROVEMENT BUDGET OF PROJECTED CAPITAL NEEDS
FY2020- FY2023

DRAFT 3/12/19

DRAFT 3/12/19

Please consider recycling this document.





TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Referral of Accessory Dwelling Unit Bylaw Petitioned Article to Warrant

EXPLANATION: Attached for your review is a citizen-petitioned article amendment to the Accessory Dwelling Unit Zoning Bylaw § 30.2, Use Table and §40.2 received on March 1, 2019. Signatures were certified. The referral process for the zoning amendment requires the Board to refer the amendment to the Planning Board for Public Hearing.

FINANCIAL SOURCE (IF APPLICABLE):

IMPACT IF NOT APPROVED:

SUGGESTED ACTION: *Motion to refer the certified petitioned amendment to the Accessory Dwelling Unit Bylaw §40.2 and §30.2 to the Planning Board for Public Hearing.*

ATTACHMENTS:

1. Proposed Amendment to Section 40, §40.2 Affordable Accessory Dwelling Unit and §30.2 Use Table

Petitioned Article for 2019 Truro Annual Town Meeting

Article ___: Amend Zoning Bylaw § 30.2, Use Table, and § 40.2, Accessory Dwelling Unit, to Exclude the Seashore District from Accessory Dwelling Unit Provisions

To see if the Town will vote to amend sections 30.2 and 40.2.B.1. of the Zoning Bylaw, as set forth below, with ~~strickethrough~~ text to be deleted and **bold underlined** text to be inserted, or take any other action relative thereto:

30.2 [One row of the Use Table to be amended as shown; all remaining portions of the table to remain unchanged.]

Dwelling Unit, Accessory (10)	P	P	P	P	P	P	<u>PN</u>
-------------------------------	---	---	---	---	---	---	------------------

40.2.B.1. One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district **except the Seashore District** by obtaining an ADU Permit from the Planning Board.

Explanation: Historically, Affordable Accessory Dwelling Units were not permitted in the Seashore District. In 2017, Town Meeting voted to delete the Affordable Accessory Dwelling Unit provisions in the Zoning Bylaw and replace them with the current Accessory Dwelling Unit provisions. The 2017 amendments opened up Seashore District properties to ADUs. This amendment would restore historic protections of the Seashore District.



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. Application for Sunday Entertainment License for Truro Vineyards.
 - 2. Application for a Weekday Entertainment License (10 dates) for Truro Vineyards.
 - 3. Truro Water Service Application for expansion of existing water main service.
- B. Review and Approve Appointment of Stephen Parker to Barnstable County HOME Consortium
- C. Review and Approve Board of Selectmen Minutes: January 22, 2019 Budget Task Force and Regular Minutes, February 25, 2019 Joint Meeting, and February 26, 2019 Regular Meeting
- D. Review and Approve and Hold Board of Selectmen Executive Session Minutes: May 3, 2018 Executive Session; June 26, 2018 Executive Session; September 11, 2018 Executive Session; and October 2, 2018
- E. Review and Approve and Release Board of Selectmen Executive Session Minutes: May 9, 2018 Executive Session; July 20, 2018 Executive Session



TOWN OF TRURO

Licensing Department
PO Box 2030, Truro, MA 02666

PH: 508-349-7004, Ext. 110 or 124 Fax: 508-349-5505
Email: ntudor@truro-ma.gov or nscoullar@truro-ma.gov

RCUD 2019FEB28 PM236
ADMINISTRATIVE OFFICE
TOWN OF TRURO

Application for an Entertainment License

Weekday Saturday *Sunday

*Please complete the Commonwealth's Public Entertainment on Sunday Application

The undersigned hereby applies for a license in accordance with the provisions of Mass. General Laws, c.140 §183A amended, Ch. 140§181 & Ch.136§4

BUSINESS/ORGANIZATION INFORMATION

Kristen Roberts Truro Vineyards of Cape Cod
Name of Applicant Business/Organization Name

PO Box 834 North Truro, MA 02652
Mailing Address of Business/Organization

Is this a Non-profit or For-profit Entity (Check the appropriate box) Yes No
If yes, proof of Non-profit status **must** accompany this application

Kristen Roberts [Redacted] trurovineyards@gmail.com
Contact Person Phone Number Email

INDIVIDUAL APPLICANT INFORMATION

Individual's Name Mailing Address

Phone Number Email Address

EVENT INFORMATION

9/22/19
Day (s)/Date (s) of Event for License to be issued Purpose of Event (example: fundraiser)

Hours of Event (from - to) 2:00-6:00

Truro Vineyards 11 Shore Road North Truro, MA 02652 Event is: Indoor Outdoor Event
Location (Must provide facility name, if any, street number and name) (Please check applicable box)

Kristen Roberts [Redacted]
Property Owner Name and Address Phone number

Seating Capacity: _____ Occupancy Number: _____

N/A Approximate number of people attending 800
Name of Caterer (if applicable)

If the event is catered please return Caterer Food Service Form to Health Agent at Fax # 508.349.5508

Will an admission fee be collected? Yes No

Will there be a One Day Alcohol License Yes No **If yes; you must also apply for a One Day Alcohol License**

Will there be Police Traffic Control? Yes No

ENTERTAINMENT INFORMATION

Type of Entertainment: Please check the appropriate boxes.

Dancing: By Patron By Entertainers No Dancing

Music: Recorded Juke Box Live No Music

Number of Musicians & Instruments (Type) Live Band

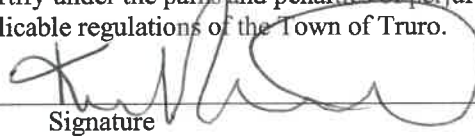
Amplified System: Yes No

Shows: Theater Movies Floor Show Light Show
 No Show

Other: Video Games Pool/Billiard Tables (Please indicate quantity) _____

Applicant's Signature

I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable regulations of the Town of Truro.


Signature

1/31/19
Date

- A valid entertainment license must be on the premises before the entertainment is commenced.
- No entertainment shall be offered, conducted, or otherwise provided by any establishment licensed under MGL Chapter 140 without first obtaining an entertainment license from the Board of Selectmen.
- Sunday entertainment must be specifically requested and addressed in the permitting process, under MGL 136.
- These regulations are intended to allow the Board of Selectmen to determine the appropriate parameters to limit impacts to the neighbors of the establishment and to the community by the establishment and the entertainment provided therein.
- A copy of the required Fire Safety Inspection Certificate of the facility must be provided, if applicable.
- The Local Licensing Authority may impose restrictions and/or conditions.

Office Use Only

Fee \$50.00

APPROVAL

License No _____

Board of Selectmen _____ Meeting Date _____

Police Department _____ Date 3/5/19

Restrictions/Conditions attached to the license by the Board of Selectmen or its Delegate: _____

State Fee, \$ 2.00
Municipal Fee, \$ 50.00

THE COMMONWEALTH OF MASSACHUSETTS

Town Truro OF Truro



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Truro Vineyards of Cape Cod in or on the property at No. 11 Shore Road North Truro, MA 02652 (address)

The Licensee or Authorized representative, Kristen Roberts in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
9/22/19	2-6	Band and Grape Stomp

Hon. _____ Mayor/ Chairman of Board of Selectman, Town of Truro (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm – Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm – Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: March 12, 2019

ITEM: Application for an Entertainment License (Weekday)

EXPLANATION: Truro Vineyards has applied for an entertainment license. Said entertainment shall be held on the following Wednesdays: 7/3, 7/10, 7/17, 7/24, 7/31, 8/7, 8/21 and 8/28/2019 from 6:00-8:30pm. And on Friday, June 28, 2019 from 6:00-8:30pm.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Truro Vineyards will not be able to hold their weekly events for the public.

SUGGESTED ACTION: *MOTION TO approve the weekday entertainment license for Truro Vineyards.*

ATTACHMENTS:

1. Application for an Entertainment License (weekday)

RCVD 2019FEB28 PM238

ADMINISTRATIVE OFFICE
TOWN OF TRURO



TOWN OF TRURO

Licensing Department

PO Box 2030, Truro, MA 02666

PH: 508-349-7004, Ext. 110 or 124 Fax: 508-349-5505

Email: ntudor@truro-ma.gov or nscoullar@truro-ma.gov

Application for an Entertainment License

Weekday Saturday *Sunday

*Please complete the Commonwealth's Public Entertainment on Sunday Application

The undersigned hereby applies for a license in accordance with the provisions of Mass. General Laws, c.140 §183A amended, Ch. 140§181 & Ch.136§4

BUSINESS/ORGANIZATION INFORMATION

Kristen Roberts

Truro Vineyards of Cape Cod

Name of Applicant

Business/Organization Name

PO Box 834 North Truro, MA 02652

Mailing Address of Business/Organization

Is this a Non-profit or For-profit Entity (Check the appropriate box) Yes No

If yes, proof of Non-profit status **must** accompany this application

Kristen Roberts

[Redacted]

trurovineyards@gmail.com

Contact Person

Phone Number

Email

INDIVIDUAL APPLICANT INFORMATION

Individual's Name

Mailing Address

Phone Number

Email Address

EVENT INFORMATION

6/28/19, 7/3/19, 7/10/19, 7/17/19, 7/24/19, 7/31/19, 8/7/19, 8/14/19, 8/21/19, 8/28/19

Day (s)/Date (s) of Event for License to be issued

Purpose of Event (example: fundraiser)

Hours of Event (from - to) 6:30-8:30

Truro Vineyards 11 Shore Road North Truro, MA 02652

Event is: Indoor Outdoor Event

Location (Must provide facility name, if any, street number and name)

(Please check applicable box)

Kristen Roberts

[Redacted]

Property Owner Name and Address

Phone number

Seating Capacity: 65

Occupancy Number: _____

N/A

Approximate number of people attending 60

Name of Caterer (if applicable)

If the event is catered please return Caterer Food Service Form to Health Agent at Fax # 508.349.5508

Will an admission fee be collected? Yes No

Will there be a One Day Alcohol License Yes No **If yes; you must also apply for a One Day Alcohol License**

Will there be Police Traffic Control? Yes No

ENTERTAINMENT INFORMATION

Type of Entertainment: Please check the appropriate boxes.

Dancing: By Patron By Entertainers No Dancing

Music: Recorded Juke Box Live No Music

Number of Musicians & Instruments (Type) One or two musicians - Acoustic

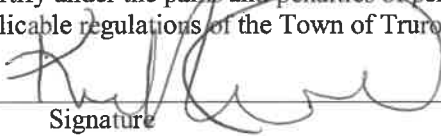
Amplified System: Yes No

Shows: Theater Movies Floor Show Light Show
 No Show

Other: Video Games Pool/Billiard Tables (Please indicate quantity) _____

Applicant's Signature

I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable regulations of the Town of Truro.


Signature

1/31/19
Date

- A valid entertainment license must be on the premises before the entertainment is commenced.
- No entertainment shall be offered, conducted, or otherwise provided by any establishment licensed under MGL Chapter 140 without first obtaining an entertainment license from the Board of Selectmen.
- Sunday entertainment must be specifically requested and addressed in the permitting process, under MGL 136.
- These regulations are intended to allow the Board of Selectmen to determine the appropriate parameters to limit impacts to the neighbors of the establishment and to the community by the establishment and the entertainment provided therein.
- A copy of the required Fire Safety Inspection Certificate of the facility must be provided, if applicable.
- The Local Licensing Authority may impose restrictions and/or conditions.

Office Use Only

Fee \$50.00

APPROVAL

License No _____

Board of Selectmen _____ Meeting Date _____

Police Department _____ Date 3/5/19

Restrictions/Conditions attached to the license by the Board of Selectmen or its Delegate: _____



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: DPW/Administration

REQUESTOR: Jarrod Cabral, DPW Director

REQUESTED MEETING DATE: March 12, 2019

ITEM: Water Main Extension Application

EXPLANATION: Attached for your review and approval for signature is an application for expansion of water service from Shore Road to the Cloverleaf Community Housing project located at 22 Highland Rd. This application begins the approval process for the water installation. The Town Manager and Housing Specialist are working with the Commonwealth to prepare an application to MassWorks to fund the installation. Once the application is reviewed by the Provincetown Water Department staff, a meeting of the two Selectboards will be scheduled. Please note that CHR is working on a modified layout based on input from the Board of Selectmen. The attached layout is from the original proposal.

FINANCIAL SOURCE (IF APPLICABLE): Grant Application to MassWorks

IMPACT IF NOT APPROVED: Project delay

SUGGESTED ACTION: *MOTION TO Authorize the Chairman of the Board of Selectman and Town Manager to sign and submit the water main extension request letter and application.*

ATTACHMENTS:

1. Waterline extension letter
2. Water service application for new or expansion of existing service
3. Conceptual drawing of proposed water main layout
4. Proposed layout of the Cloverleaf Community Housing development



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

Memorandum

To: Provincetown Water & Sewer Board
Cody Salisbury, Water Superintendent
Richard J. Waldo, PE, Department of Public Works Director

From: Town of Truro, Board of Selectman
Rae Ann Palmer, Town Manager

Date: March 12, 2019

Subject: Cloverleaf Community Housing Water Line Extension

On behalf of the Town of Truro, the Board of Selectman respectfully request an expansion of the existing water main service located on the corner of Shore Road and Highland road. The water main extension would begin at the intersection of Shore Road and Highland Road and continue to 22 Highland Road. The water main extension would include 1,430-feet of 12" cement lined ductile iron pipe approximately 5' to 7' deep.

The water main would provide service to the proposed Cloverleaf Community Housing area located at 22 Highland Road. The water service within 22 Highland Road would consist of approximately 770-feet of 8" cement lined ductile iron pipe. The water main would support a proposed total of 41 homes, and the water main layout would change based on final site layout.

In addition, the water main would also extend an additional 500-feet consisting of 8" cement lined ductile iron pipe within the Route 6 highway layout and connect to Firehouse Road. All proposed work will also include the installation of required fire hydrants every 500', gate valves, and services.

Please review the attached proposals for the Cloverleaf Community Housing layout as well as the supporting documents, and proposals for the water main extension.

Sincerely,

Rae Ann Palmer
Town Manager

Robert Weinstein
Chairman, Board of Selectman



TOWN OF TRURO

BOARD OF HEALTH

P.O. Box 2030, Truro MA 02666
Tel: 508-349-7004 Fax: 508-349-5508

TRURO WATER SERVICE APPLICATION FOR NEW OR EXPANSION OF EXISTING WATER SERVICE

APPLICANT INFORMATION

Date: _____ Name: _____
Water Service Address: _____ Map/Parcel/Lot _____
Mailing Address: _____ City/State/Zipcode _____
Phone Number: _____ Email Address: _____

EMERGENCY TELEPHONE NUMBERS

Plumber Name: _____ Phone Number: _____
Property Manager: _____ Phone Number: _____
Other Name & Phone Number: _____

TYPE OF SERVICE REQUESTED:

- New Water Service: Proposed Title 5 Design Flow: _____
- Expansion of Water Service:
Existing Title 5 Design Flow: _____ Proposed Title 5 Design Flow: _____
- Water Service for Condominium Conversion (separate meters, tap etc.) # of Units _____

Type of Facility:

- | | | |
|--|--|---|
| <input type="checkbox"/> Single Family | <input type="checkbox"/> Condo | <input type="checkbox"/> Multifamily Dwelling |
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Motel | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Retail | <input type="checkbox"/> Office Building | <input type="checkbox"/> Industrial: _____ |

Meter installations fifty (50) feet or greater from the curb stop must be in a meter pit adjacent to the curb top. Concrete meter pits are required in roads or driveways.

I hereby agree to abide by all the rules and regulations of the Provincetown Water Department now in force or to be established by the Water and Sewer Board and declare that there is no other means of supplying potable water on-site (e.g. private well).

Applicant Signature: _____

ONCE TRURO & PROVINCETOWN OFFICIALS HAVE APPROVED THE APPLICATION, PLEASE SUBMIT A COPY TO THE TRURO HEALTH DEPARTMENT

SIGNATURES OF APPROVAL ***OFFICIAL USE ONLY*******

TRURO BOARD OF HEALTH

DATE OF APPROVAL

TRURO BOARD OF SELECTMEN

DATE OF APPROVAL

**PROVINCETOWN WATER &
SEWER BOARD**

DATE OF APPROVAL

Jarrood Cabral

From: Cody Salisbury <[REDACTED]>
Sent: Monday, February 11, 2019 1:09 PM
To: Jarrod Cabral
Cc: Richard Waldo
Subject: RE: MassDOT Biennial Permit

Jarrood –

As soon as the request for the extension is submitted, we (DPW staff) will need some time to review the proposal and develop our own internal memo for the Board(s) and Town management before it is placed on the agenda. Again, please include the design drawings and the preliminary site plan (and any additional information regarding the project), as this will help the Board understand the scope of the project and the project scale.

Cody

From: Jarrod Cabral [mailto:jcabral@truro-ma.gov]
Sent: Monday, February 11, 2019 12:44 PM
To: Cody Salisbury
Subject: RE: MassDOT Biennial Permit

Thanks, If we got a letter to the board next week, approximately how soon do you think we could schedule a joint meeting with the Selectman? Rae Ann would prefer a joint meeting.

Thanks - Jarrod

From: Cody Salisbury <[REDACTED]>
Sent: Monday, February 11, 2019 8:39 AM
To: Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Richard Waldo <[REDACTED]>
Subject: RE: MassDOT Biennial Permit

Jarrood –

A letter requesting the extension should be submitted to the Provincetown Water & Sewer Board, who shall provide a recommendation to the Select Board. The Inter-Municipal Agreement states both boards of Selectmen shall approve the extension. It would be helpful to include a map of the area so the Board has a visual reference of the proposed project.

Cody

From: Jarrod Cabral [mailto:jcabral@truro-ma.gov]
Sent: Monday, February 11, 2019 7:13 AM
To: Cody Salisbury
Subject: RE: MassDOT Biennial Permit

Good morning,

Could you outline the process for the town to introduce the waterline extension on Highland Rd, I know we talked about this before, but I just wanted to be clear.

Thanks - Jarrod

From: Cody Salisbury <[REDACTED]>
Sent: Wednesday, December 5, 2018 9:06 AM
To: Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Richard Waldo <[REDACTED]>
Subject: MassDOT Biennial Permit

The attached permit was filed with MassDOT today for our Biennial maintenance permit for maintenance work within the state highway layout. Thanks,

Cody

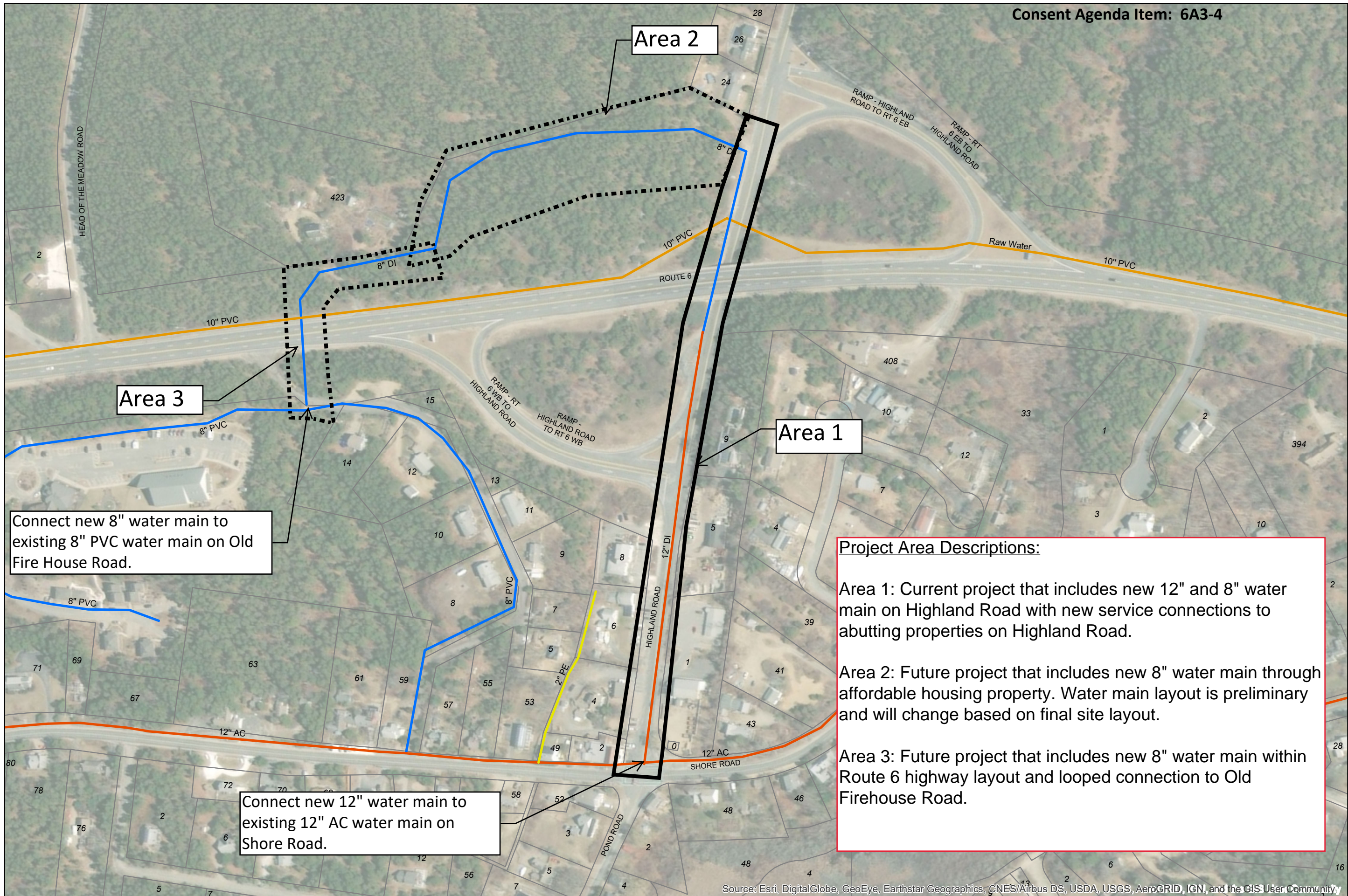
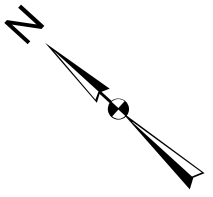
Cody J. Salisbury

Water Superintendent
Provincetown Public Works – Water Dept.
2 Mayflower St., Provincetown MA 02657
csalisbury@provincetown-ma.gov
ph - 508.487.7064
fax - 508.487.4675



PROVINCETOWN 400
1418-2018

This electronic message is confidential and intended for the named recipient only. Any disclosure or distribution of the contents of this communication is unlawful and prohibited. If you have received this message in error, please contact by return email or telephone, and delete the copy you received. Thank you.



Legend

- Priority Habitats of Rare Species
- <=2" Water Main
- 4" Water Main
- 6" Water Main
- 8" Water Main
- 10" Water Main
- 12" Water Main
- 16" Water Main
- Line / Hydrant Valve
- Air Relief Valve
- Fire Hydrant
- Post Type Hydrant
- Production Wells
- Zone II
- Street Number

Project Area Descriptions:

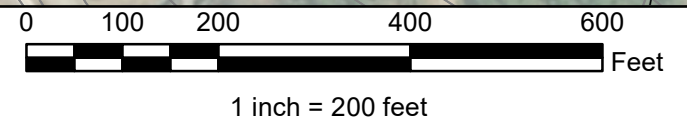
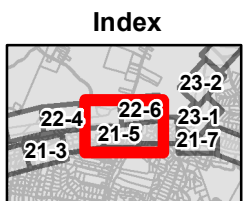
Area 1: Current project that includes new 12" and 8" water main on Highland Road with new service connections to abutting properties on Highland Road.

Area 2: Future project that includes new 8" water main through affordable housing property. Water main layout is preliminary and will change based on final site layout.

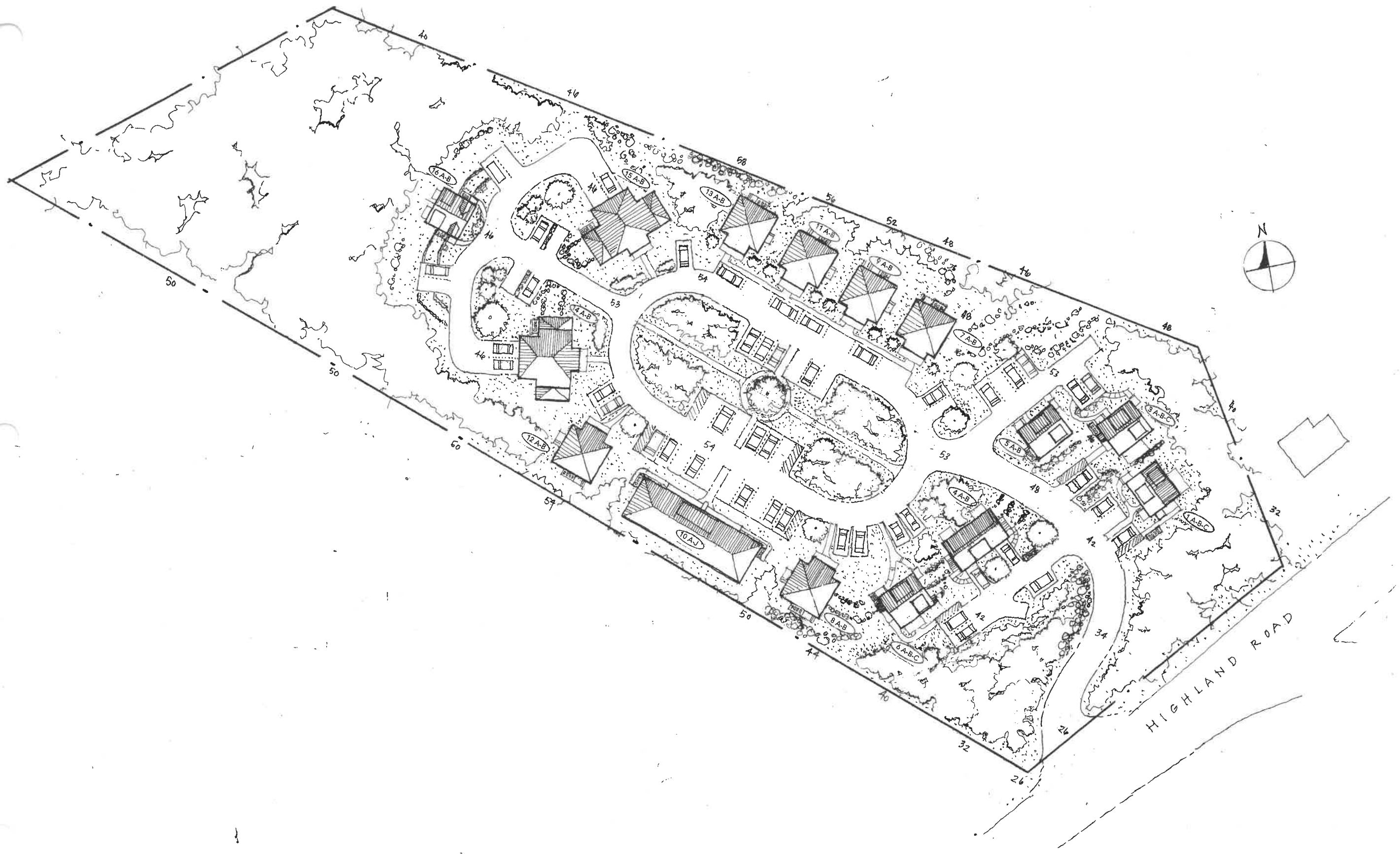
Area 3: Future project that includes new 8" water main within Route 6 highway layout and looped connection to Old Firehouse Road.

Connect new 8" water main to existing 8" PVC water main on Old Fire House Road.

Connect new 12" water main to existing 12" AC water main on Shore Road.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



CONCEPTUAL SITE PLAN

1" = 60'

10-18-18

CONCEPTUAL SITE PLAN

CLOVERLEAF HIGHLAND ROAD
TRURO RENTAL HOUSING - RESPONSE BY COMMUNITY HOUSING RESOURCE

RING HILL DESIGN
DARTMOUTH STREET
MERRVILLE MA 02145

**Town of Truro
Affordable Housing WM Extension**

Version

3/4/2019 RJP

PCM

Updated Project Costs

3 separate projects or Phases	Date	Costs	Notes
Phase 1-Highland Road Updated Cost	Mar-19	\$304,000	MassDOT Layout, 7.5" Paving, Milling and Overlay, 1 lane
Preliminary Phase 2-Housing Development Property	Mar-19	\$122,173	Temp Paving, No clearing required
Preliminary Phase 3-Rte 6 SHLO and Fire House Road Tie-in	Mar-19	\$80,512	MassDOT Layout, 70-feet of 7.5" Paving
<i>New Total Construction Total</i>	<i>Mar-19</i>	<i>\$506,685</i>	
<i>Add Contingency at 5%</i>		<i>\$25,334</i>	
<i>TOTAL</i>		<i>\$532,019</i>	Over by \$15,019
<i>Compare to Aug 18 constr. Cost estimate</i>	<i>Aug-18</i>	<i>\$517,000</i>	

One (1) consolidated project			
Consolidate 3 projects into 1 single project will lead to cost savings.			
Expect 10-15% savings	<i>New Total Construction Total</i>	<i>Mar-19</i>	<i>\$456,017</i> assume 10% savings compared to 3 separate contracts
	<i>Add Contingency at 5%</i>		<i>\$22,801</i>
	<i>TOTAL</i>		<i>\$478,817</i>
	<i>Compare to Aug 18 estimate</i>	<i>Aug-18</i>	<i>\$517,000</i>
			Cost is within budget by \$38,183
			Which can cover the cost of the services of approx. \$30-35k.

Opinion of Probable Costs
Town of Truro
Affordable Housing Water Main Extension
Updated:3/1/19

Item Number	Item Description	Units	Unit Price (\$)		
				Total Est. Quantity	Extended Amount
1	Mobilization and Demobilization (5%)	LS	-	1	\$ 14,500
2a	12-inch DI, CL 52 Pipe	LF	\$ 77	1,430	\$ 110,110
2b	8-inch DI, CL 52 Pipe	LF	\$ 70	10	\$ 700
2c	6-inch DI, CL 52 Pipe	LF	\$ 65	50	\$ 3,250
3a	12-inch Gate Valves and Boxes	EA	\$ 2,700	6	\$ 16,200
3b	8-inch Gate Valves and Boxes	EA	\$ 2,200	1	\$ 2,200
3c	6-inch Gate Valves and Boxes	EA	\$ 1,500	2	\$ 3,000
4	Fire Hydrants	EA	\$ 4,100	2	\$ 8,200
7	Exploratory Excavation	CY	\$ 50	20	\$ 1,000
8	Rock Excavation	CY	\$ 150	5	\$ 750
9	Additional Excavation	CY	\$ 20	20	\$ 400
10a	Gravel Borrow	CY	\$ 15	700	\$ 10,500
10b	Processed Gravel	CY	\$ 28	10	\$ 280
10c	Crushed Stone	CY	\$ 40	10	\$ 400
11a	Temporary Trench Pavement (7-1/2" Thick Base)	SY	\$ 50	666	\$ 33,300
11b	Temporary Trench Pavement (2" Thick Base)	SY	\$ 23	0	\$ -
11c	Full Width Milling and Paving, 2-inch	SY	\$ 21	3,310	\$ 69,510
11d	Cape Cod Berm	LF	\$ 10	0	\$ -
11e	Miscellaneous Paving	SY	\$ 34	10	\$ 340
12	Additional Fittings	LBS	\$ 4	450	\$ 1,800
13	Additional Restrained Joints	joints	\$ 100	5	\$ 500
14	Silt Sack	EA	\$ 140	11	\$ 1,540
15	Uniformed Police Officer Allowance	LS	\$ 13,200	1	\$ 13,200
	<i>Estimated Work Days</i>	<i>DAYS</i>		15	
16	Traffic Management	LS	\$ 5,000	1	\$ 5,000
17a	Asbestos-Cement Pipe Removal and Disposal (up to 12" Diameter)	LF	\$ 200	10	\$ 2,000
17b	Management and Disposal of Crushed AC Pipe and AC Impacted Soils	CY	\$ 275	2	\$ 550
18	Restoration of Growth	SY	\$ 20	2	\$ 40
19	Miscellaneous Concrete	CY	\$ 160	2	\$ 320
20	Miscellaneous Work and Cleanup	LS	\$ 5,000	1	\$ 5,000
				Construction Subtotal	\$ 304,590
				5% Construction Contingency	\$ 15,230
				Construction Total	\$ 319,820

Opinion of Probable Costs

Town of Truro

Phase 2 - Preliminary Affordable Housing Development Water Main Extension

Updated:3/1/19

Item Number	Item Description	Units	Unit Price (\$)	Total Est. Quantity		Extended
				Quantity	Price	
1	Mobilization and Demobilization (5%)	LS	-	1	\$	5,820
2a	12-inch DI, CL 52 Pipe	LF	\$ 77	0	\$	-
2b	8-inch DI, CL 52 Pipe	LF	\$ 70	770	\$	53,900
2c	6-inch DI, CL 52 Pipe	LF	\$ 65	40	\$	2,600
3a	12-inch Gate Valves and Boxes	EA	\$ 2,700	0	\$	-
3b	8-inch Gate Valves and Boxes	EA	\$ 2,200	3	\$	6,600
3c	6-inch Gate Valves and Boxes	EA	\$ 1,500	2	\$	3,000
4	Fire Hydrants	EA	\$ 4,100	2	\$	8,200
5	2-inch Service Taps	EA	\$ 1,500	8	\$	12,000
6	2-inch Water Services, PE tubing	LF	\$ 50	150	\$	7,500
7	Exploratory Excavation	CY	\$ 50	10	\$	500
8	Rock Excavation	CY	\$ 150	10	\$	1,500
9	Additional Excavation	CY	\$ 20	50	\$	1,000
10a	Gravel Borrow	CY	\$ 15	200	\$	3,000
10b	Processed Gravel	CY	\$ 28	20	\$	560
10c	Crushed Stone	CY	\$ 40	10	\$	400
11a	Temporary Trench Pavement (7-1/2" Thick Base)	SY	\$ 50	0	\$	-
11b	Temporary Trench Pavement (2" Thick Base)	SY	\$ 23	427	\$	9,813
11c	Full Width Milling and Paving, 2-inch	SY	\$ 21	0	\$	-
11d	Cape Cod Berm	LF	\$ 10	0	\$	-
11e	Miscellaneous Paving	SY	\$ 34	0	\$	-
12	Additional Fittings	LBS	\$ 4	450	\$	2,000
13	Additional Restrained Joints	joints	\$ 100	5	\$	500
14	Silt Sack	EA	\$ 140	2	\$	280
15	Uniformed Police Officer Allowance	LS	\$ 18,700	0	\$	-
	<i>Estimated Work Days</i>	<i>DAYS</i>		20		
16	Traffic Management	LS	\$ 6,000	0	\$	-
17a	Asbestos-Cement Pipe Removal and Disposal (up to 12" Diameter)	LF	\$ 200	0	\$	-
17b	Management and Disposal of Crushed AC Pipe and AC Impacted Soils	CY	\$ 275	0	\$	-
18	Restoration of Growth	SY	\$ 20	0	\$	-
19	Miscellaneous Concrete	CY	\$ 160	0	\$	-
20	Miscellaneous Work and Cleanup	LS	\$ 3,000	1	\$	3,000
Construction Subtotal					\$	122,173
5% Construction Contingency					\$	6,110
Construction Total					\$	128,283

Opinion of Probable Costs

Town of Truro

Phase 3 - Preliminary Affordable Housing Development Water Main Extension

Updated:3/1/19

Item Number	Item Description	Units	Unit Price (\$)		
				Total Est. Quantity	Extended Amount
1	Mobilization and Demobilization (5%)	LS	-	1	\$ 3,830
2a	12-inch DI, CL 52 Pipe	LF	\$ 77	0	\$ -
2b	8-inch DI, CL 52 Pipe	LF	\$ 70	500	\$ 35,000
2c	6-inch DI, CL 52 Pipe	LF	\$ 65	20	\$ 1,300
3a	12-inch Gate Valves and Boxes	EA	\$ 2,700	0	\$ -
3b	8-inch Gate Valves and Boxes	EA	\$ 2,200	1	\$ 2,200
3c	6-inch Gate Valves and Boxes	EA	\$ 1,500	2	\$ 3,000
4	Fire Hydrants	EA	\$ 4,100	0	\$ -
5	2-inch Service Taps	EA	\$ 1,500	0	\$ -
6	2-inch Water Services, PE tubing	LF	\$ 50	0	\$ -
7	Exploratory Excavation	CY	\$ 50	10	\$ 500
8	Rock Excavation	CY	\$ 150	10	\$ 1,500
9	Additional Excavation	CY	\$ 20	50	\$ 1,000
10a	Gravel Borrow	CY	\$ 15	284	\$ 4,267
10b	Processed Gravel	CY	\$ 28	20	\$ 560
10c	Crushed Stone	CY	\$ 40	10	\$ 400
11a	Temporary Trench Pavement (7-1/2" Thick Base)	SY	\$ 50	40	\$ 2,000
11b	Temporary Trench Pavement (2" Thick Base)	SY	\$ 20	30	\$ 600
11c	Trench Mill and Overlay (2" Thick)	SY	\$ 21	200	\$ 4,200
11d	Cape Cod Berm	LF	\$ 10	20	\$ 200
11e	Miscellaneous Paving	SY	\$ 34	10	\$ 340
12	Additional Fittings	LBS	\$ 4	450	\$ 1,800
13	Additional Restrained Joints	joints	\$ 100	5	\$ 500
14	Silt Sack	EA	\$ 140	6	\$ 840
15	Uniformed Police Officer Allowance	LS	\$ 4,675	1	\$ 4,675
	<i>Estimated Work Days</i>	<i>DAYS</i>		5	
16	Traffic Management	LS	\$ 6,000	1	\$ 6,000
17a	Asbestos-Cement Pipe Removal and Disposal (up to 12" Diameter)	LF	\$ 200	0	\$ -
17b	Management and Disposal of Crushed AC Pipe and AC Impacted Soils	CY	\$ 275	0	\$ -
18	Restoration of Growth	SY	\$ 20	150	\$ 3,000
19	Miscellaneous Concrete	CY	\$ 160	5	\$ 800
20	Miscellaneous Work and Cleanup	LS	\$ 2,000	1	\$ 2,000
Construction Subtotal				\$	80,512
5% Construction Contingency				\$	4,030
Construction Total				\$	84,542



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Review and Approve Stephen Parker, Town Planner for Appointment to the County HOME Consortium Nomination

EXPLANATION: The Truro representative to the Barnstable County Home Consortium became vacant when the Town Planner resigned. Stephen Parker, Truro's new Town Planner should be appointed as Truro's Representative to the Barnstable County HOME Consortium. The appointment is for a three year term ending January 31, 2022.

IMPACT IF NOT APPROVED: The Town will not have representation on this group.

SUGGESTED ACTION: ***MOTION TO** Appoint Stephen Parker as Truro's Representative to the Barnstable County HOME Consortium for a three-year term ending January 31, 2022 and to authorize the Chair to sign letter.*

ATTACHMENTS:

1. Draft Letter to HOME Program Manager



BARNSTABLE COUNTY
DEPARTMENT OF HUMAN SERVICES
3195 Main Street, Post Office Box 427
Barnstable, Massachusetts 02630
Office: 508-375-6628 | Fax: 508-362-0290
www.bchumanservices.net

RCVD 2019FEB22 am11:44
ADMINISTRATIVE OFFICE
TOWN OF TRURO

February 19, 2019

Mr. Robert Weinstein, Chair
Board of Selectmen
Town of Truro
P.O. Box 2030
Truro, MA 02666

RE: Barnstable County HOME Consortium Advisory Council

Dear Mr. Weinstein:

I am writing with respect to the vacancy that exists of Truro's representative to the Barnstable County HOME Consortium's Advisory Council. The Consortium's Advisory Council has been responsible for making the determination for the allocation of over \$15 million in federal HOME funds that the County has received since 1994. In addition, the Council determines many of the local HOME program's policies as well as stays current with and advocates for local, state, and federal policies that promote affordable housing. I have enclosed a description of the Advisory Council and a list of its current members.

The HOME Consortium's Advisory Council a wonderful, pro-active group working on various affordable housing projects and issues and we highly value your town's participation on the Council. We are requesting that you submit your nominee to fill this position for the 3- year term ending January 31, 2022. I have copied the Town of Truro's Housing Authority to assist in finding a viable candidate for the position.

As the County Commissioners are the formal appointing body for Council members, please address your letter of nomination to the County Commissioners but send the request to me at the address listed above. I appreciate your cooperation, and if you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Renie Hamman, HOME Program Manager
(508) 375-6622 / renie.hamman@barnstablecounty.org

cc: *Kevin Grunwald, Chair*
Truro Housing Authority



BARNSTABLE COUNTY
DEPARTMENT OF HUMAN SERVICES
3195 Main Street, Post Office Box 427
Barnstable, Massachusetts 02630
Office: 508-375-6628 | Fax: 508-362-0290
www.bchumanservices.net

Barnstable County HOME Consortium Advisory Council

The HOME Consortium Advisory Council consists of seventeen members: one representative from each town and two at-large members. The primary tasks of the Advisory Council include the following:

1. Determine the allocation of federal HOME funds received by the County (currently about \$400,000 per year) and approve specific housing development funding requests within that allocation.
2. Establish local HOME program policies as allowed by regulations.
3. Remain current on local, state, and federal housing issues and to advocate for policies that will promote the creation and preservation of affordable housing in the region.
4. Act as a liaison with their local housing partnership/committee to report relevant regional, state, or federal housing policy information and to share local successes and/or concerns with the Advisory Council.
5. As needed, determine the allocation of County funds set aside for specific affordable housing purposes.

Advisory Council town members are nominated by the governing bodies in all fifteen towns and are appointed by the County Commissioners. At large members are recommended by HOME Consortium staff and are appointed by the County Commissioners. The term of each member is three years with no limit established on the number of terms any member can serve.

The Advisory Council has a standard quarterly meeting and full Advisory Council and/or Project Review Committees meet as needed thereafter. The quarterly schedule for 2019 is as follows:

HOME Advisory Council Meeting Time: 8:30am– 10:00am

Meetings will be conducted in the INNOVATION CONFERENCE ROOM
Barnstable County Complex, 3195 Main Street, Barnstable, MA

Thursday, January 17th
Thursday, April 11th
Thursday, July 11th
Thursday, October 10th

Creating a Healthy Connected Cape Cod

The Mission of the Department of Human Services is to plan, develop, and implement programs which enhance the overall delivery of human services in Barnstable County and promote the health and social well-being of County residents through regional efforts that improve coordination of services.

**Barnstable County
HOME Consortium Advisory Council Members
February 2019**

Barnstable Rep.	Eastham Rep.	Provincetown Rep.
Laura Shufelt (1/31/19) 1696 Oster. W. Barnstable Rd. W. Barnstable, MA 02668 617-330-9944 ext. 292 lshufelt@mhp.net	Paul Lagg (6/30/19) 2500 State Highway Eastham, MA 02642 508-240-5900 ext. 228 plagg@eastham-ma.gov	Michelle Jarusiewicz (1/31/21) 260 Commercial Street Provincetown, MA 02563 508-487-7087 mjarusiewicz@provincetown-ma.gov
Bourne Rep.	Falmouth Rep.	Sandwich Rep.
Open 1/1/20	Carla. L. Feroni (1/31/21) 59 Town Hall Square Falmouth, MA 02540 508-495-7344 carla.feroni@falmouthma.gov	Nanette Perkins (6/30/19) 3 Sean Circle Sandwich, MA 02563 774-269-9115 nperkins@wingatecompanies.com
Brewster Rep.	Harwich Rep.	Truro Rep.
Jill Wertz-Scalise (6/30/21) 2198 Main Street Brewster, MA 02631-1852 508-896-3701 jscalise@brewster-ma.gov	Arthur Bodin (1/1/21) 800 Orleans Road Harwich, MA 02645 860-712-9416 hartfordrep@msn.com	Open 1/31/2022
Chatham Rep.	Mashpee Rep.	Wellfleet Rep.
Alyxandra Sabatino (1/1/21) Town of Chatham 549 Main Street Chatham, MA 02633 508-945-5168 x475 asabatino@chatham-ma.gov	Arden Cadrin (1/21) Town of Barnstable 367 Main Street Barnstable, MA 02601 508-862-4683 Arden.Cadrin@town.barnstable.ma.us	Open 1/31/21
Dennis Rep.	Orleans Rep.	Yarmouth Rep.
Open 1/31/21	Katherine Wibby (1/31/20) 460 West Main Street Hyannis, MA 02601 508-775-7020 x2113 kwibby@sccls.org	Richard Carroll (1/1/20) 58 Pheasant Cove Cir. Yarmouthport, MA 02675 cimsllc@comcast.net
At-Large Rep.	At-Large Rep.	Ex Officio
Charleen Greenhalgh (1/31/21) 732 Main Street Harwich, MA 02645 508-430-7513 cgreenhalgh@town.harwich.ma.us	Open 1/31/20	Heather Harper Cape Cod Commission P.O. Box 226 / 3225 Main St. Barnstable, MA 02630 508-744-1225 heather.harper@capecodcommission.org

DRAFT

**Budget Task Force Meeting
Tuesday, January 22, 2019
Town Hall Selectmen's Chamber**

Finance Committee Members Present: Vice-chair Richard Wood; Susan Areson

Board of Selectmen Members Present: Chair Robert Weinstein; Maureen Burgess, Paul Wisotzky

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

Board of Selectmen Chair Robert Weinstein called the meeting to order at 8:00 a.m. He announced that he had attended an MMA workshop on School Finance and said he would be asking questions that reflected that.

School Budget for Fiscal Year 2020

School Committee Chair Theresa Humes and Superintendent Michael Gradone gave a current enrollment number of 106 students. Additionally, 95 students are enrolled in the Nauset School System. Staff numbers forty-three and a half. Dr. Gradone listed all the positions besides teachers. Pre-School, the After-School program, and an unanticipated enrollment of six new students had increased the School Budget. Dr. Gradone outlined expected enrollment for the next few years. Trudi Brazil said the Pre-School program cost was similar, but there was an increase for staff. She reminded everyone that Truro is a member of Cape Cod Technical District but not a member of the Nauset Regional District. Two students go to the Cape Cod Collaborative. There are three eighth graders that go to Provincetown.

Salary for the Administrative Assistant to the Superintendent had increased because of a step increase and two years of cost of living increases, Dr. Gradone said. Theresa Hume said the salary was less than the previous person received but with a position readjustment. The Business Finance Administrator position increase reflected a reclassification as well. This is a state mandated position, Trudi Brazil said.

Increased Instruction line figures in the 2000 account includes Pre-School. No member of the Board of Selectmen participated in the union negotiations last year. Robert Weinstein said that someone from the Board of Selectmen should be included in the future. The School Budget process has a different calendar schedule from the municipal budget. The School Budget is prepared by January so that it may be incorporated into the Town budget.

Other School Services in the 3000 lines includes Transportation with a 3% increase and mileage. There is new staff in the cafeteria. Operation and Maintenance lines will have electricity moved out of all budgets because of excess net metering credits. Transportation and Building Maintenance lines are outside of state mandated items, but both are necessary costs, Dr. Gradone said.

In the 4000 lines, custodial services are by contract. Dr. Gradone outlined physical plant items that needed to be upgraded or replaced. There are safety precautions with monitored cameras in place. The After-School care is separate from the regular school budget. Special Ed has a 10% increase. One individual has been added to the staff for the Special Ed program. Dr. Gradone pointed out an increase in Special Ed transportation costs.

There is an 8.4% increase of the total School Budget. Theresa Hume said there are students at Nauset. The adjustment is made at the state level for School Choice numbers. Richard Wood summarized the increases in the overall budget. Paul Wisotzky spoke about Community Sustainability, a Selectmen's Goal. Having young families in Truro is an indicator of success with community sustainability, he said.

Library Budget for Fiscal Year 2020

Susan Areson disclosed that she is Chair of the Friends of the Library.

Library Director Tricia Ford and Library Board of Trustees Chair Sally Brotman presented the FY20 Library Budget. The salary and wages section has a slight increase reflecting step increases. The Assistant Director has an \$8,000 increase, and there are increases in longevity pay. Purchase of services has increases for landscaping. This was to make a special effort for their twentieth anniversary at the Standish Way location. Phone costs have gone up. The Data Processing line, which is actually electronic access, has increased by \$500. Ms. Ford reviewed use of the CLAMS system, which allows the Library to access books from other libraries on the Cape. The CLAMS line is for \$20,000. There is a small increase this year, but there might be future changes, according to Ms. Ford. The supplies lines include propane, office supplies, book repair, and toner. There is a line for shelving replacement. Movie licensing is needed to legally show movies at the Library. The rest of the budget is level funded. There is an overall 5.93% increase in the Library Budget.

NEXT MEETING & FUTURE REVENUE

There are two budgets left for next Monday's meeting: Technology and Administration. There was a discussion of short-term rental taxes and when the Town will benefit from them. Robert Weinstein said there had been lengthy discussions at the MMA meeting and the Barnstable Representatives meeting about handling the new revenue. Establishing a trust fund could be an advantageous mechanism for the money, he said.

ADJOURNMENT

Paul Wisotzky moved to adjourn the Board of Selectmen meeting. Maureen Burgess seconded, and the motion carried by 3-0. The Budget Task Force meeting was adjourned at 9:25 a.m.

Respectfully submitted,

Mary Rogers,
Secretary

Robert Weinstein, Chair

Maureen Burgess, Vice-chair

Kristen Reed

Paul Wisotzky

Janet Worthington, Clerk

Public Records Material for 1/22/19
FY20 Draft Budget

DRAFT

**Truro Select Board Meeting
Tuesday, January 22, 2019
Truro Town Hall Selectmen's Chambers**

Select Board Members Present: Chair Robert Weinstein; Maureen Burgess, Paul Wisotzky, Janet Worthington

Regrets: Kristen Reed

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

Chair Robert Weinstein called meeting to order at 5:00 p.m.

PUBLIC COMMENT

Kevin Grunwald, Chair of the Truro Housing Authority announced a 44B Housing Workshop, sponsored by Community Development Partnership and the Massachusetts Housing Partnership, to be held February 7, 2019 at the Harwich Community Center from 5 to 7 p.m.

PUBLIC HEARING

Chair Robert Weinstein opened the public hearing.

Cassie Boyd Marsh of Bailey Boyd Associates presented the Fiscal Year 2019 Truro Regional Community Development Building Grant (CDBG) application which includes Provincetown, Truro, Eastham and Harwich. The regional grant is for \$1,300,000. She reviewed the successes of the Rehab Program and the Childcare Subsidy Program last year, and she answered questions on what is covered in housing rehab and the application process.

Chair Weinstein closed the public hearing.

Maureen Burgess moved to submit a FY19 CDBG grant for housing rehabilitation and childcare subsidies and to authorize the Town Manager or Designee to sign the grant application and associated forms. Paul Wisotzky seconded, and the motion carried 4-0.

Maureen Burgess moved to allocate \$25,000 of CDBG Miscellaneous Income as a contingency fund. Paul Wisotzky seconded, and the motion carried 4-0.

BOARD OF SELECTMEN ACTION

Cloverleaf Proposal Award and Presentation

Paul Wisotzky, a member of the Selection Committee, announced that the committee unanimously recommends that the Town begin negotiations with Community Housing Resource, Inc. (CHR) to develop community housing at the Cloverleaf property. Ted Malone, President of CHR, architect Jessica Snare and Rachel Butler, CHR property manager, presented a preliminary plan for development. The plan provides 70% local preference at the first offering. The Cloverleaf development will include a mix of low income, medium income and market rate units. Mr. Malone explained challenges of septic location and hilly topography. He displayed building styles to show the variety of sizes, walk-outs, garages, and entry ways. One-bedroom units will predominate since this was identified as the biggest need. Williams Building Company will construct the structures.

Rae Ann Palmer explained the water connection for the Cloverleaf property. Ted Malone and Jessica Snare addressed provisions for noise within the multiple unit buildings. Mr. Malone reviewed the initial lottery allowances for local residents. He described landscaping decisions he makes while a housing project is in progress. He said 5 % of the units would have ADA accessibility. There will be an elevator in a 3-story building with two ADA units and a community room. There are options under consideration for the location and design of the larger building. There is a vegetated slope buffering the buildings from Rte. 6. Ted Malone gave an estimated completion time of September 2021 as a best case scenario. It is dependent upon getting DHDP funding. Other grant money will support the predevelopment costs, he said.

Chair Robert Weinstein appreciated plans for minimum paved areas. Susan Howe, Chair of the Commission on Disabilities asked that more allowances for elderly and disabled residents be included in the complex.

Paul Wisotzky moved to award the to Community Resources, Inc. the contract for development of the Cloverleaf property. Maureen Burgess seconded, and the motion carried 4-0.

Host Community Agreement

Town Manager Rae Ann Palmer said that the Attorney Michael Fee for the High Dune Craft Cooperative had requested that the Town negotiate a Host Community Agreement with them. Ms. Palmer said that she, Town Counsel and a Selectman would be needed to negotiate the terms of the agreement. Janet Worthington suggested adding another Selectman to the committee to negotiate the agreement. Chair Weinstein read state regulations on host community agreements with marijuana establishments. He said he was willing to serve on the negotiating committee. Maureen Burgess indicated that she was interested in serving.

Paul Wisotzky moved to authorize Town Counsel, Selectpersons Weinstein and Burgess, and the Town Manager to negotiate with the High Dune Craft Cooperative to develop a Host Community Agreement that will be approved by the Board of Selectmen. Maureen Burgess seconded, and the motion carried 4-0.

Stones Throw Condominium Year-round Conversion

Health and Conservation Agent Emily Beebe explained that Stones Throw Condominiums, located at 6 Shore Road had requested a conversion from seasonal to year-round use in accordance to Truro Zoning Bylaws § 40.3 Conversion of Cottage or Cabin Colony, Motor Court, Motel, or Hotel. Stones Throw Condominium Association has approved the conversion and amended their documents accordingly. This is the first condominium conversion for the Town. Emily Beebe said that critical issues have been addressed. She said there has been a complete record kept on the entire process. A vote by the Board of Selectmen is needed prior to making the required code improvements.

Paul Wisotzky moved to approve the year-round use and removal of the seasonal covenant for Stones Throw Condominiums located at 6 Shore Road. Janet Worthington seconded, and the motion carried 4-0.

Opening Warrant for 2019 Annual Town Meeting

Rae Ann Palmer asked that the Selectmen vote to open the Warrant for the 2019 Annual Town Meeting in accordance with Charter regulations.

Maureen Burgess moved to open the Warrant for the 2019 Annual Town Meeting on January 30, 2019 at 8:00 a.m. and to close the warrant on March 1, 2019. Paul Wisotzky seconded. The motion carried 4-0.

Functioning of Boards/Committees/Commissions

Vice-chair Maureen Burgess said that boards and committees functioning has been a Selectmen's goal. She discussed reaching out to the multi-member boards, committees and commissions with a reminder about attendance requirements and posting minutes of meetings. She had prepared a draft letter to the chairs reminding them of their responsibilities, asking that they address the matter with their members and engaging the assistance of the liaisons as necessary. Paul Wisotzky suggested an administrative checklist for keeping track of attendance and minutes since he did not deem that to be the role of liaisons. Ms. Palmer said administrative staff would be able to do that follow-up. The Selectmen considered devoting a March 19, 2019 work session to the roles of committees, boards and commissions.

Paul Wisotzky moved to finalize and distribute the draft letter to multi-member body chairs as discussed. Maureen Burgess seconded, and the motion carried 4-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: *none*
- B. Review and Approve Truro's Regulatory Liaison to the Cape Cod Commission
- C. Review and Approve Board of Selectmen Minutes: January 7, 2019 Budget Task Force, and January 8, 2019

Paul Wisotzky moved to approve the Consent Agenda as printed. Maureen Burgess seconded, and the motion carried 4-0 with Paul Wisotzky abstaining from both sets of minutes.

SELECTMEN REPORTS & TOWN MANAGER'S REPORT

Maureen Burgess had received a letter of resignation from the Chair of the Part-time Residents Advisory Board. The Board has experienced absences that make a quorum hard to achieve, and they now have a need for new members. Janet Worthington suggested responding to the letter of resignation. Rae Ann Palmer said she had a letter from another member expressing issues that merit a response from the Selectmen. Paul Wisotzky said the School and Library budgets were presented at Budget Task Force meeting. Janet Worthington had attended the Harbor meeting but was still not clear on dredging matters. Ms. Palmer had more information on the dredging schedule and unexpected permitting changes. Assistant Town Manager Kelly Clark gave information on the grant for the dredging and the scheduling changes. The permit now allows for dredging the inner channel and approach. There have been mix-ups with the process to date, but work is now scheduled to begin in February. The government shutdown has frozen the permit to dredge the basin, she said. Rae Ann Palmer said she has been working with Senator Cyr to get an extension on time. They also need a new study prepared on winter flounder. Chair Weinstein and the Town Manager commented on the disruptions in the process. Both expressed gratitude to Kelly Clark for ameliorating the situation.

Janet Worthington said there are still residents in town who do not have cable access. Maureen Burgess said there is a map available that shows the areas without service. Ms. Palmer said there is a multi-town effort to renegotiate with the cable company. She invited Selectmen to attend some of their meetings. Chair Weinstein said the last MMA meeting dealt with communications. He said he would provide addresses for the rest of the Board to send letters objecting to Comcast plans to end certain services. He said that the Town of Otis has decided to pay for a fiber optic network that will cover all residents in their town.

Chair Weinstein also discussed issues covered at the MMA meeting. He had attended a cannabis workshop and another workshop called “Keeping the Peace,” for town moderators. He presented a second-place certificate of excellence for Truro’s 2017 Annual Town Report, given by the MMA.

NEXT MEETING AGENDA

Rae Ann Palmer reviewed agenda items for the February 12, 2019 meeting: an Eversource pole hearing, room tax and short-term rental discussion, the FY20 Budget, Goals & Objectives, cable negotiating, and licenses.

ADJOURNMENT

Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 4-0. The meeting was adjourned at 7:10 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 1/22/19

1. CDBG application
2. Cloverleaf property bid award and preliminary plans
3. Request for Host Community Agreement with High Dune Cooperative
4. Stones Throw Condominium Conversion application and materials
5. Draft letter to chairs of multi-member boards
6. Regulatory Liaison to the Cape Cod Commission

DRAFT

**Truro Board of Selectmen Joint Meeting
with the Truro Finance Committee
Monday, February 25, 2019
Truro Public Safety Facility**

Board of Selectmen Members Present: Chair Robert Weinstein; Maureen Burgess, Paul Wisotzky, Janet Worthington

Regrets: Kristen Reed

Finance Committee Members Present: Susan Areson, Richard Wood

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

Chair Robert Weinstein called meeting to order at 2:00 p.m.

Discussion of Amendment to Accessory Dwelling Unit Bylaw

Paul Wisotzky suggested tabling discussion of the Selectmen's Amendment to the Accessory Dwelling Unit Bylaw, so that the Board could include members of the public in the conversation. There will be a petitioned Article on an amended Accessory Dwelling Unit (ADU) Bylaw. Janet Worthington and Maureen Burgess explained their previous objections to the process of developing the bylaw amendments. Chair Weinstein said today's discussion would be limited to process. He would like to discuss the bylaw with the public at a future meeting. Maureen Burgess suggested improving the process by getting the amended bylaw to the Planning Board before the amendment was sent to Town Counsel for review and presented to the Board of Selectmen. She cited Selectmen's Policy #10 on access to Town Counsel. Robert Weinstein said that both Planning Board and the Zoning Board of Appeals should meet with the Selectmen to discuss an amended ADU Bylaw. Paul Wisotzky suggested working on amendments after Town Meeting so that the process was not rushed. The Petitioned Article will go forward according to the Warrant schedule, which includes a review by Town Counsel.

FY2020 Budget Discussion

Town Manager Rae Ann Palmer said the draft Fiscal Year 2020 Budget in its present form came out of the Budget Task Force presentations. She reviewed the recap page with changes and sources of revenue. Non-negotiable items include: School, Lower Cape Ambulance, Workers Compensation, Pension and Group Life Insurance. Town Accountant Trudi Brazil, Rae Ann Palmer and Assistant Town Manager Kelly Clark had studied the draft budget for possible cuts since the total represented a 5.28% increase. Ms. Palmer reviewed the proposed changes. Robert Weinstein renewed his objections to spending for a Police Department motorcycle. He also suggested that the Superintendent should reexamine School's budget requests. Ms. Palmer explained the anticipated increase in enrollment. She said the School budget could still be tightened up in other areas. Kelly Clark reviewed the 360 line for Seasonal Recreation, and Trudi Brazil explained the Salaries request. Janet Worthington questioned the salaries for the Beach/Recreation Director and Assistant Director. Kelly Clark enumerated the year-round programs that continue after the summer season is over. Rae Ann Palmer said the Town can

reexamine fees for the summer programs. Robert Weinstein discussed the struggle to hold the Budget to 2.5% every year. He asked about aligning the full-time residents' needs and the summer population's needs. Rae Ann Palmer said it comes down to what services get cut. Richard Wood said that the level of service needs to be considered. Paul Wisotzky advocated for year-round sustainability. Rae Ann Palmer suggested reconsidering the Lower Cape Ambulance line. Susan Areson discussed the possibility of sharing staff among departments.

Rae Ann Palmer said she needs to know what serious cuts the Selectmen and Finance Committee recommend. She said around \$400,000 in cuts could get the Town to the next tax rate hearing in fall. Robert Weinstein said making several smaller cuts would add up. The Lower Cape Ambulance line is one possible place for a cut, he said. Ms. Palmer has asked department heads for recommendations for what decreases they could manage in their budgets. She said she does not want to present an override for the FY20 Budget. Ms. Palmer said staffing is already lean. Janet Worthington suggested having an early fall policy meeting before Budget season to determine what services are most valued. Trudi Brazil said that expected revenue could be the basis of such a policy meeting. The DPW garage will be a part of the Local Comprehensive Plan process, Paul Wisotzky said. Susan Areson and the Town Manager discussed use of part-time positions. Chair Weinstein asked that staff and the Town Manger return with further cuts in the FY20 Budget.

ADJOURNMENT

Paul Wisotzky moved to adjourn. Janet Worthington seconded, and the motion carried 4-0. The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

Mary Rogers, Secretary

Robert Weinstein, Chair

Maureen Burgess, Vice-chair

Kristen Reed

Paul Wisotzky

Janet Worthington, Clerk

DRAFT

**Truro Select Board Meeting
Tuesday, February 26, 2019
Truro Town Hall Selectmen's Chambers**

Select Board Members Present: Chair Robert Weinstein; Maureen Burgess, Paul Wisotzky, Janet Worthington

Regrets: Kristen Reed

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

Chair Robert Weinstein called meeting to order at 5:00 p.m.

PUBLIC HEARINGS

Eversource Petition for 123 Shore Road

Chair Robert Weinstein opened the public hearing.

Jessica Elder of Eversource explained the request that Eversource Energy had made to install 35 feet of conduit/cable for 123 Shore Road.

Chair Weinstein closed the public hearing.

Paul Wisotzky moved to approve the petition by Eversource Energy to install 35 feet of conduit/cable on Shore Road. Maureen Burgess seconded, and the motion carried 6-0.

License for Avenue D at 14 Center Rd., Unit D

Chair Robert Weinstein opened the continued public hearing.

Town Manager Rae Ann Palmer explained that the public hearing needed to be re-advertised For the New Seasonal On-premises Pouring Wine and Malt with Cordials/Liquors and Common Victualer Licenses for Ave D. Rosenthal, Avenue D., Inc., dba Avenue D, at 14 Truro Center Road, Unit D because the applicant has changed the location from Unit D to Unit C. The public hearing is now scheduled for April 9, 2019. Louise Briggs asked about the septic system for the establishment. Chair Weinstein said there would be no public comment until the April 9th date for the hearing.

Paul Wisotzky moved to close the public hearing and take no action. Maureen Burgess seconded, and the motion carried 4-0.

COMMISSION APPOINTMENT

Robert White explained his background and interest in becoming a member of the Conservation Commission.

Janet Worthington moved to appoint Robert White to the Conservation Commission to fill an unexpired term, ending June 30, 2021. Maureen Burgess seconded, and the motion carried 4-0.

TABLED ITEM: AMENDMENT TO ACCESSORY DWELLING UNIT BYLAW

Paul Wisotzky moved to take the tabled item off the agenda and withdraw the amendment to the Accessory Dwelling Unit Bylaw. Town Manager Rae Ann Palmer said that was an appropriate action. Maureen Burgess seconded. and the motion carried 4-0.

Paul Wisotzky suggested that conversation on ideas for the bylaw amendment continue at future meetings.

BOARD OF SELECTMEN ACTION***Update on Selectmen's FY19 Goals and Objectives***

Town Manager Rae Ann Palmer, with input on certain items from Maureen Burgess and Janet Worthington, reviewed the list of Selectmen's Fiscal Year 2019 *Goals and Objectives* on: Town Services, Fiscal Management, Public Safety; Community Sustainability, and Community Engagement and Governance. The review was interspersed with discussions which included: shark issues and a state offer for help with shark mitigation and public education; the Budget process now underway and plans for next year's Budget; the General Bylaw on noise with a statement read into record by Maureen Burgess; the Town Hall bells; emergency management teams and an upcoming presentation on emergency preparedness; AlerTruro notifications; plans for the Pamet River watershed, East Harbor, Millpond and the Little Pamet Basin; the short-term rental tax; encouraging new businesses, especially through improved Internet services; changes for the Town website; and Local Comprehensive Plan guidance.

Truro Police Employees' Federation Contract

Rae Ann Palmer assured the Selectmen that all corrections had been made in the Police Employees' Federation contract. She explained the key provisions and changes in the contract. The Federation had ratified the contract unanimously, she said.

Paul Wisotzky moved to approve the labor agreement with the Truro Police Employees' Federation for the term July 1, 2018 through June 30, 2021. Maureen Burgess seconded, and the motion carried 4-0.

Preliminary Warrant Article List

The Town Manager reviewed the draft list of 2019 Annual Town Meeting Warrant Articles. She said the draft Warrant will be presented at the next meeting. She outlined some of the Budget and financial articles that will be included in the Warrant. There will be a borrowing request for Eagle Creek. Planning Board is planning an article on ADU's in the Seashore District. There are several petitioned articles that will be included in the Warrant. Christopher Clark asked the Budget presentation for this year's Annual Town Meeting. Ms. Palmer said there will be a Budget hearing, separate from Pre-Town Meeting this year. Selectmen expressed interest in more attention being given to the Budget at Town Meeting.

2019 Rental Registration Application Fee

Rae Ann Palmer said she previously had recommended continuing the Rental Registration but dropping the fee. After examination the revenue the program generates, she reconsidered its use

for the upcoming season. She now recommends retaining the Rental Registration fee this year with an eye to dropping the fee by next year.

Paul Wisotzky moved to approve the 2019 Rental Registration fee of \$200.00. Maureen Burgess seconded, and the motion carried 4-0.

Referral of Accessory Dwelling Unit Bylaw Petitioned Article

Rae Ann Palmer explained that the Board of the Selectmen is required to refer petitioned articles to the Planning Board for public hearings. Janet Worthington asked that Town Counsel explain the details of this process.

Paul Wisotzky moved to refer the certified petitioned amendment to the Accessory Dwelling Unit Bylaw to the Planning Board for a public hearing. Maureen seconded, and the motion carried 4-0.

Referral of Zoning Bylaw s 30.8, Special Permits Petitioned Article

The Town Manager said this petitioned article must be referred to the Planning Board for a public hearing.

Maureen Burgess moved to refer the certified petitioned amendment to Zoning Bylaws §30.8, Special Permits C. to the Planning Board for a public hearing. Paul Wisotzky seconded, and the motion carried 4-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1. Event Notification form for Permit for Organized Bike & Road Race: 35th Annual Cape Cod Getaway MS Bike Ride
 - 2. Event Notification form for Permit for Organized Bike & Road Race: 35th Annual Autumn Escape Bicycle Trek, American Lung Association
 - 3. Water Service Application for 402 Shore Road: Kevin Shea
- B. Review and Accept Dalton Conservation Restriction 4 Pond Village Avenue
- C. Review and Authorize Town Manager to sign Change Orders
- D. Review and Approve Board of Selectmen Minutes: February 4, 2019 Budget Task Force, February 12, 2019 Regular Meeting.

Maureen Burgess moved to approve the Consent Agenda as printed. Janet Worthington seconded, and the motion carried 4-0.

SELECTMEN REPORTS & TOWN MANAGER'S REPORT

Two Selectmen gave reports. Paul Wisotzky reported on the Housing Authority's work on the Cloverleaf development. Janet Worthington asked about the cameras at Pamet Harbor and mentioned the policy on cameras in the Town. She requested a date for a Stop the Bleed demonstration. She also asked about use of ATV's on the beaches.

Town Manager Rae Ann Palmer said KP Law is working on the Cloverleaf contract. They are seeking grants for the Cloverleaf property. There is dredging grant money that is confirmed. She has contacted the School Superintendent and the Ambulance Association in an attempt to make Budget cuts. She has discussed a staff retreat with department heads and received a favorable response from them.

SELECTMEN’S COMMENTS

Maureen Burgess mentioned a grievance from staff and a policy that deals with problems created by an appointed board member. The Selectmen liaison will acquaint the board with the policy.

Robert Weinstein announced a public listening session at the Eastham Library about the Metropolitan Planning Organization (MPO) corridor study for Route 6 in Eastham. He said he had also attended a presentation by the Army Corps of Engineers on approaches and replacement plans for the Sagamore and Bourne Bridges.

NEXT MEETING AGENDA

Rae Ann Palmer gave an agenda for the March 12, 2019 meeting: storm preparedness, Stop the Bleed demonstration, an appointment, and the draft Warrant for Annual Town Meeting.

ADJOURNMENT

Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 4-0. The meeting was adjourned at 6:56 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 2/26/19

1. Eversource application and materials for 123 Shore Rd.
2. Application and supporting materials for Ave D
3. Robert White's application papers for appointment to the Conservation Commission
4. Selectmen's FY19 *Goals and Objectives*
5. Labor Agreement with the Truro Police Employees Federation
6. Draft list of 2019 Annual Town Meeting Warrant Articles
7. Information on 2019 Rental Registration fees including General Bylaws
8. Petitioned Article for amendment to the Accessory Dwelling Unit Bylaw to the Planning Board for a public hearing
9. Event Notification form for Permit for Organized Bike & Road Race: 35th Annual Cape Cod Getaway MS Bike Ride
10. Event Notification form for Permit for Organized Bike & Road Race: 35th Annual Autumn Escape Bicycle Trek, American Lung Association
11. Water Service Application for 402 Shore Road: Kevin Shea
12. Dalton Conservation Restriction 4 Pond Village Avenue
13. Change Orders for East Harbor project



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Review and Hold or Release Executive Session Minutes

EXPLANATION: There is a drop box folder labeled Executive Session Minutes with the meeting minutes from May 3, 2018; June 26, 2018; September 11, 2018; and October 2, 2018 for your review, approval and determination to release or hold. These four meetings are still exempt from disclosure to the public.

SUGGESTED ACTION: *MOTION TO approve and hold the Executive Session minutes from May 3, 2018; June 26, 2018; September 11, 2018; and October 2, 2018.*

ATTACHMENTS:

1. Executive Session Minutes in Dropbox



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: March 12, 2019

ITEM: Review and Hold or Release Executive Session Minutes

EXPLANATION: There is a drop box folder labeled Executive Session Minutes with the meeting minutes from May 9, 2018 and July 20, 2018 for your review, approval and determination to release or hold. These minutes meet the Public Records Law criteria to release.

SUGGESTED ACTION: *MOTION TO approve and release the Executive Session minutes from May 9, 2018 and July 20, 2018.*

ATTACHMENTS:

1. Executive Session Minutes in Dropbox