



Truro Board of Selectmen Meeting
Tuesday, October 23, 2018
Regular Meeting – 5:00pm
Truro Town Hall - 24 Town Hall Road

1. PUBLIC COMMENT

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

2. PUBLIC HEARINGS

- A. Public hearing on a petition from Eversource Energy to install 35 feet of conduit/cable for electrical services at 2 Higgins Hollow Road together with such sustaining and protecting fixtures as it may find necessary in, under, along and across the following public way on Higgins Hollow Road.
Presenter: Jessica Elder, Eversource Energy Right of Way Agent

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

- A. Review and Appoint Amy Wolff to the Recycling Committee

4. TABLED ITEMS NONE

5. BOARD OF SELECTMEN ACTION

- A. 2018 State Election Warrant
Presenter: Cynthia A. Slade, Town Clerk
- B. Review and Vote on Warrant Articles for Special Town Meeting
Presenter: Rae Ann Palmer, Town Manager

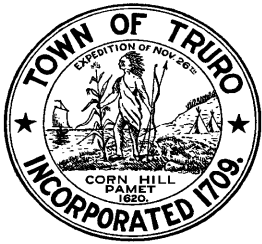
6. CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1. FY18 CDBG Grant Administrator Contract with Bailey Boyd Associates
- B. Review and Approve Business Licenses:Lodging House-Gingerbread House, 42 Depot Rd; Common Victualer-Babes Restaurant, 63 Shore Rd
- C. Review and Approve Bond Anticipation Note for Fire Engine Urban and Landfill Capping
- D. Review and Approve Board of Selectmen Minutes: October 9, 2018

7. SELECTMEN REPORTS AND TOWN MANAGER REPORT

8. SELECTMEN COMMENTS

9. NEXT MEETING AGENDA: Tuesday, November 7



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Jessica Elder, Right of Way Agent, Eversource Energy

REQUESTED MEETING DATE: October 23, 2018

ITEM: Petition from Eversource Energy to install 35 feet of conduit/cable in Higgins Hollow Rd.

EXPLANATION: Eversource Energy has petitioned the Town of Truro to install 35 feet of conduit/cable and manholes at the point indicated upon the plan, Plan No. 2283586, Work Order # 02283586. Eversource Energy is requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under , along and across the following public way or ways at Higgins Hollow Road, to install 35+/-of conduit and cable under the town road, this is in order to provide service at 2 Higgins Hollow Rd.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Owners at 2 Higgins Hollow Rd will be unable to move forward with renovations to their structure.

SUGGESTED ACTION: *MOTION TO approve the petition from Eversource and authorize the Clerk of the Selectmen to sign the Form of Order for Underground Cable and Conduit Locations, Work Order # 228386.*

ATTACHMENTS:

1. Public Hearing Notice
2. Petition to Board of Selectmen , Plan of Higgins Hollow Rd, Department Head Approval
3. Assessing Department-Abutter's List



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

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

TOWN OF TRURO
PUBLIC HEARING
EVERSOURCE CABLE, CONDUIT AND HANDHOLE HEARING

The Truro Board of Selectmen will conduct a public hearing on a petition from Eversource Energy to install 35 feet of conduit/cable for electrical services at 2 Higgins Hollow Road together with such sustaining and protecting fixtures as it may find necessary in, under, along and across the following public way on Higgins Hollow Road. Said hearing will be held on **Tuesday, October 23, 2018 at 5:00 p.m.** at the Truro Town Hall, 24 Town Hall Road, Truro. All interested parties are urged to attend at which time all comments from the public will be heard.

Robert Weinstein, Chairman
Board of Selectmen
Town of Truro

484 Willow Street
W. Yarmouth, MA 02673

September 25, 2018

Board of Selectmen
Town of Truro
Box 2030
24 Town Hall Road
Truro, MA 02666

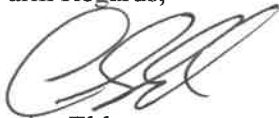
Dear Board Members:

Enclosed is a petition to install approximately 35 feet of conduit/cable in Higgins Hollow Road, Truro.

This proposed location (s) is necessary to provide electric service to customers @ 2 Higgins Hollow Road. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval.

Warm Regards,



Jessica Elder
Right of Way Agent
Jessica.elder@Eversource.com

EVERSOURCE
ENERGY

NSTAR Electric d/b/a **EVERSOURCE ENERGY**

RCVD 2018SEP27 AM10:53

ADMINISTRATIVE OFFICE
TOWN OF TRURO

Copy

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#02283586**

**Barnstable, Massachusetts
To the Board of Selectmen for the Town of Truro, Massachusetts.**

September 24, 2018

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

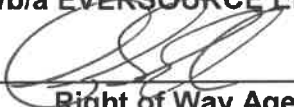
request permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

**Higgins Hollow Road, Truro
To install 35'+/- of conduit and cable under town road**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed in accordance with the plan files herewith marked Plan No. 2283586 Dated September 22, 2018.

**NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY**

By _____



**Right of Way Agent
Jessica S. Elder**

**FORM OF ORDER FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#2283586**

IN BOARD OF SELECTMEN FOR THE TOWN OF TRURO, MASSACHUSETTS.

**Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**

be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining and protecting fixtures as said Company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said Company dated the 24th day of September, 2018.

All construction under this order shall be in accordance with the following conditions:

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. 2283586 Dated September 22, 2018 filed with said petition. The following are the public ways or parts of ways under, along and across which the cables above referred to may be installed under this order.

**Higgins Hollow Road, Truro
In town road to service 2 Higgins Hollow Road**

Installing Thirty-Five (35') +/- feet conduit/cable

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Truro, Massachusetts held on the _____ day of _____ 2018.

Clerk of Selectmen.

_____, Massachusetts _____ 2018.

**Received and entered in the records of location orders of the Town of Truro
Book _____ Page _____.**

Attest:

Town Clerk

We hereby certify that on _____ 2018, at _____ o'clock,
_____ M. at _____ a public hearing was held on the
petition of the

NSTAR ELECTRIC COMPANY for permission to install and maintain the underground cables, conduits, manholes and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

**Selectmen of the Town of
Truro, Massachusetts**

CERTIFICATE

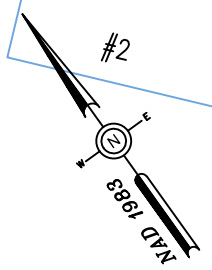
I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Truro, Massachusetts, on the _____ day of _____ 2018, and recorded with the records of location orders of said Town,
Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk.

Plan to accompany petition of EVERSOURCE ENERGY
 To install 35' of conduit from handhole 6/H1 to 6/H1A
 to provide electric service for customer at #2 Higgins Hollow Road.



EDGE OF PAVEMENT
 LONGNOOK RD

43-123-0
 18 LONGNOOK RD
 N/F
 MANSO BLANCHE REV
 TRUST AGRMT
 TRS: KINKAID SUE
 SCHULMAN ETAL

● 5/14
 JO-ES
 APPROX. PARCEL LOC.

43-129-0
 2 HIGGINS HOLLOW RD
 N/F
 DRINKWATER ELIZABETH ET AL

CUSTOMER
 TO INSTALL
 HANDHOLE 6/H1A

1-3" CONDUIT SCHED 80
 TL=40'±

6/H1A ⊕

EDGE OF PAVEMENT

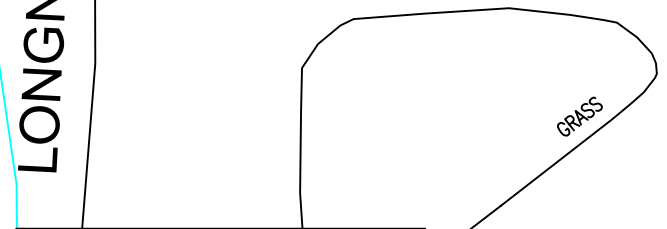
EVSOURCE
 TO INSTALL
 HANDHOLE 6/H1

1-3" SCH. 80 PVC
 LF=35'

6/H1 ⊕

● 6/1
 JO-ES

EDGE OF PAVEMENT



EDGE OF PAVEMENT

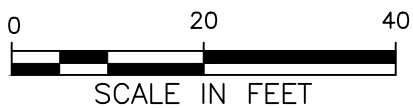
HIGGINS-HOLLOW RD

46-289-0
 1 HIGGINS HOLLOW RD
 N/F
 CLARK CHRISTOPHER
 & JANE MOON

#5

LEGEND

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- - Existing Conduit
- Existing Pole



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
 BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	2283586
Ward #	
Work Order #	2283586
Surveyed by:	N/A
Research by:	PG
Plotted by:	GC
Proposed Structures:	TL
Approved:	A DEBENEDICTIS
P#	

NSTAR ELECTRIC
 EVERSOURCE
 d/b/a
 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of HIGGINS HOLLOW ROAD, TRURO

Showing PROSED CONDUIT AND HANDHOLE LOCATION

Scale 1"=20' Date 10/02/2018

SHEET 1 of 1

DEPARTMENT HEAD APPROVALS FOR EVERSOURCE PETITIONS

Health/Conservation Agent Signature: _____ Comments/Conditions: Permits/Inspections needed:	Building Commissioner Signature:  _____ Comments/Conditions: Permits/Inspections needed:
Police Department Signature:  _____ Comments/Conditions:	Fire Department Signature:  _____ Comments/Conditions: 
DPW Signature:  _____ Comments/Conditions:	OTHER: _____ Comments/Conditions:

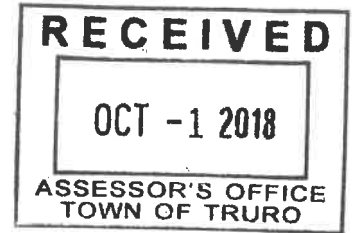


TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: 10/1/2018

NAME OF APPLICANT: Town of Truro on behalf of Eversource

NAME OF AGENT (if any): _____

MAILING ADDRESS: PO Box 2030

PHONE: HOME N/A WORK 508-349-7004

CELL N/A FAX 508-349-5505

PROPERTY LOCATION: 2 Higgins Hollow Road
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 43 PARCEL 129

ABUTTERS LIST NEEDED FOR: (Fee must accompany the application unless other arrangements are made)

Please check applicable:

	FEE:		FEE:
<input type="checkbox"/> Board of Health	\$15.00	<input type="checkbox"/> Planning Board	
<input type="checkbox"/> Cape Cod Commission	\$15.00	<input type="checkbox"/> Special Permit	\$15.00
<input type="checkbox"/> Conservation Commission	\$15.00	<input type="checkbox"/> Site Plan	\$15.00
<input type="checkbox"/> Zoning Board of Appeals	\$15.00	<input type="checkbox"/> Preliminary Subdivision	\$15.00
<input type="checkbox"/> Licensing	\$15.00	<input type="checkbox"/> Definitive Subdivision	\$15.00
<input checked="" type="checkbox"/> Other <u>Eversource-To Install new electrical service at 2 Higgins Hollow Rd.</u>			Inquire

(Please Specify)

*Please Note: Per MGL, processing may take up to 10 calendar days
Please plan accordingly.*

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 10/1/2018 Date completed: 10/1/2018

List completed by: Kately Sullivan



TRURO ASSESSORS OFFICE
P.O. Box 2012 Truro, MA 02666
Telephone: (508) 349-7004 Ext. 117
Fax: (508) 349-5506

Date: October 1, 2018

To: Town of Truro on behalf of Eversource

From: Assessors Department

Certified abutters list for: Planning Board - Other

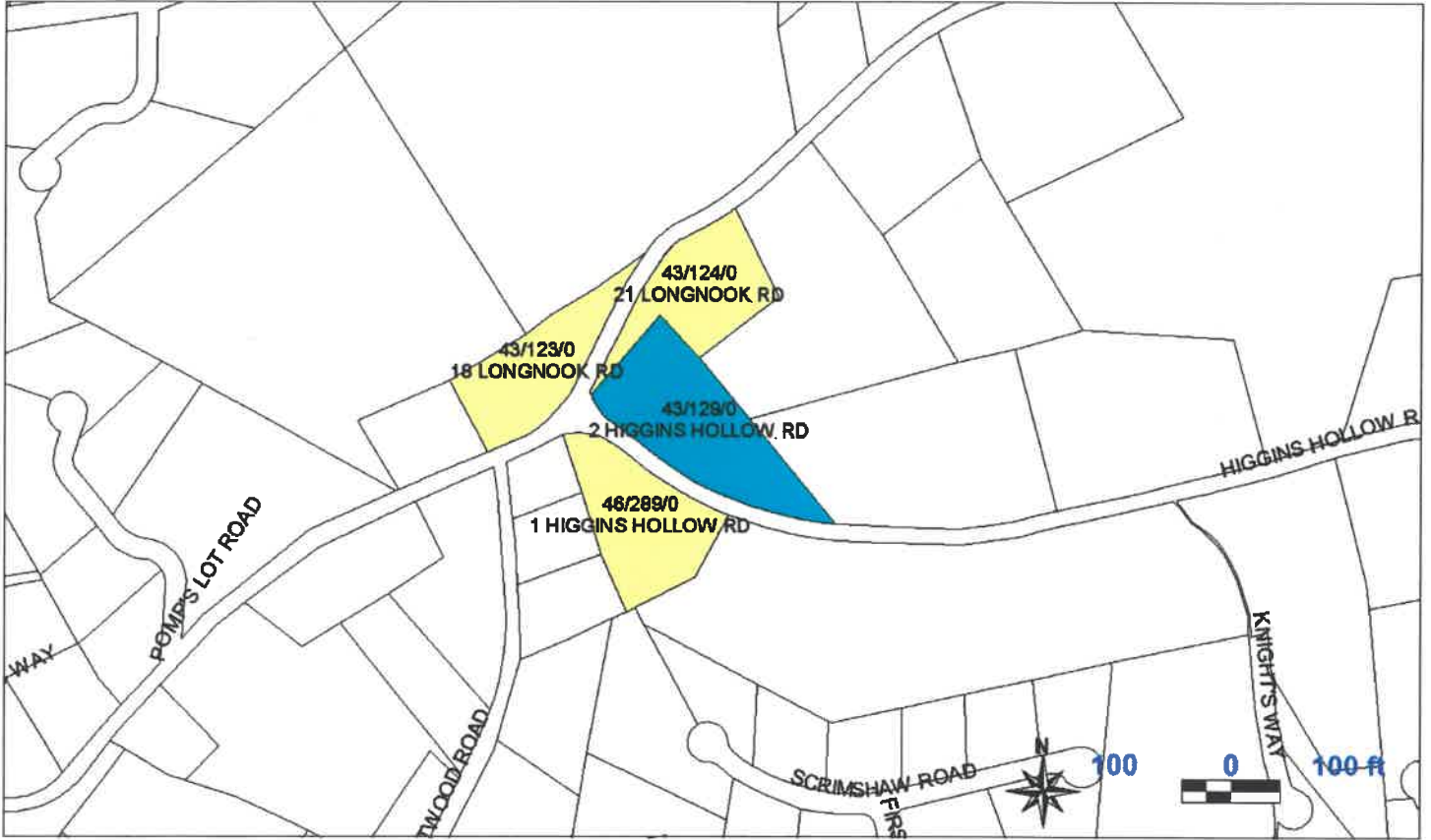
Attached is a list of abutters for the property located *2 Higgins Hollow Road* on Assessor's Map 43, Parcel 129. The current owner(s) as of *April 17, 2018* is/are *Thomas Taborelli*. The names and addresses of the abutters are as of *September 29, 2018* according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: 

Kathleen M Sullivan
Assessor's Clerk
Town of Truro
P.O.Box 2012
Truro, MA 02666
Telephone: 508-349-7004, x117
Fax: 508-349-5506
ksullivan@truro-ma.gov

TOWN OF TRURO, MA
 BOARD OF ASSESSORS
 P.O. BOX 2012, TRURO MA 02666

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1995	43-123-0-R	MANSO BLANCHE REV TRUST AGRMT TRS: KINKAID SUE SCHULMAN ETAL	18 LONGNOOK RD	PO BOX 1151	TRURO	MA	02666-1151
1996	43-124-0-R	SMITH ANDREW LESLIE JR	21 LONGNOOK RD	1385 YORK AVE #33B	NEW YORK	NY	10021
2001	43-129-0-R	DRINKWATER ELIZABETH ET AL C/O TABORELLI THOMAS	2 HIGGINS HOLLOW RD	PO BOX 225	TRURO	MA	02666
2504	46-289-0-R	CLARK CHRISTOPHER & JANE MOON-	1 HIGGINS HOLLOW RD	PO BOX 159	TRURO	MA	02666



Key: 2001

Town of TRURO - Fiscal Year 2018

10/3/2017 3:10 pm SEQ #: 2.019

LEGAL

CURRENT OWNER		PARCEL ID		LOCATION	
DRINKWATER ELIZABETH ET AL 308 METHODIST HILL ENFIELD, NH 03748		43-129-0		2 HIGGINS HOLLOW RD	
TRANSFER HISTORY		DOS	T	SALE PRICE	BK-PG (Cert)
DRINKWATER ELIZABETH ET A		01/06/2006	A		20634-209
WOOLLEY CATHERINE REV LIV		12/09/1997	F		11104-327

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD
1010	100	SINGLE FAMILY				1	1 of 1
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st %

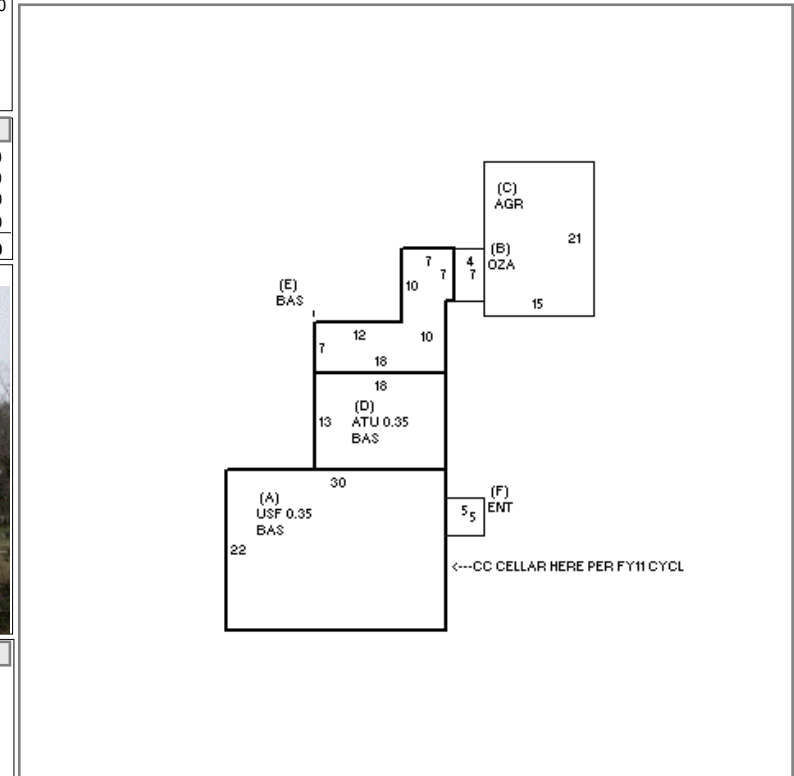
LAND

CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	Lpi	VC	CREDIT AMT	ADJ VALUE
100	A	0.775 16	1.00 SH8	0.90 1	1.00	685,368	1.00 1	1.00 SR3	2.85			531,160
300	A	1.065 16	1.00 SH8	0.90 1	1.00	52,326	1.00 1	1.00 SR3	2.85			55,730

TOTAL	1.840 Acres	ZONING	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	NAT'L SEASHORE	NOTE	LAND	586,900	586,900		
Inf1	SHAPE		BUILDING	185,100	179,600		
Inf2	NO ADJ		DETACHED	0	0		
			OTHER	0	0		
			TOTAL	772,000	766,500		

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD



BU

BUILDING	CD	ADJ	DESC	MEASURE	3/28/2017	LG
MODEL	1		RESIDENTIAL	LIST	4/5/2017	LG
STYLE	7	1.20	OLD STYLE [100%]	REVIEW	12/15/2010	MR
QUALITY	A	1.00	AVERAGE [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

BLDG COMMENTS
FY 11-FIREPLACE NOT USABLE. BATH AND KITCHEN CIRCA 1960'S (BMU 100SF = CC CELLAR).

BUILDING

YEAR BLT	1830	SIZE ADJ	1.000	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	272,143
NET AREA	1,318	DETAIL ADJ	1.000	FOUNDATION			1.00	+	BAS	L	BAS AREA	1,087	1830	178.66	194,199	CONDITION ELEM	CD
\$NLA(RCN)	\$206	OVERALL	1.230	EXT. COVER	1	WOOD SHINGLES	1.00	A	USF	L	UP-STRY FIN	231	1830	141.23	32,625		
CAPACITY		UNITS	ADJ	ROOF SHAPE	1	GABLE	1.00	B	OZA	N	OPEN BRZWAY	28		45.64	1,278		
STORIES(FAR)		1	1.00	ROOF COVER	2	WOOD SHINGLES	1.01	C	AGR	N	ATTACHED GARAGE	315		59.06	18,605		
ROOMS		8	1.00	FLOOR COVER	2	SOFTWOOD	1.00	D	ATU	N	UNFIN ATTIC	82		47.97	3,934		
BEDROOMS		5	1.00	INT. FINISH	1	PLASTER	1.00	F	ENT	N	ENCL ENTRY	25		146.57	3,664		
BATHROOMS		2	1.00	HEATING/COOLING	2	HOT WATER	1.02		BMU	N	BSMT UNFINISHED	100		47.95	4,795		
FIXTURES		6	\$4,200	FUEL SOURCE	1	OIL	1.00		F12	O	FPL 1S 2OP	1		8,844.90	8,845		
UNITS		0	1.00														
																EFF.YR/AGE	1975 / 41
																COND	32 32 %
																FUNC	0
																ECON	0
																DEPR	32 % GD 68
																RCNLD	\$185,100



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant, on behalf the Recycling Committee Chair, Nancy Fenichel

REQUESTED MEETING DATE: October 23, 2018

ITEM: Approval of Amy Wolff Appointment on the Recycling Committee

EXPLANATION: Amy Wolff submitted an Application to Serve on the Recycling Committee. Required paperwork is pending and an endorsement from the Chair is on the Application to Serve.

FINANCIAL SOURCE (IF APPLICABLE): n/a

IMPACT IF NOT APPROVED: The applicant will be unable to serve on the Recycling Committee.

SUGGESTED ACTION: *Motion to approve Amy Wolff to serve on the Recycling Committee for a three year unexpired term which will end June 30, 2021.*

ATTACHMENTS:

1. Application to Serve-Amy Wolf



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Amy Wolff HOME TELEPHONE: [REDACTED]
 ADDRESS: 97 N. Panet Rd ^{cell} WORK PHONE: [REDACTED]
 MAILING ADDRESS: PO Box 846 E-MAIL: [REDACTED]
 FAX: _____ MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: Recycling

SPECIAL QUALIFICATIONS OR INTEREST: I've been interested in recycling and sustainability issues for decades. I am especially passionate about reducing plastic waste, especially in relation to the oceans.

COMMENTS: I look forward to collaborating with this committee and the town on "greening up" our local practices. Thank you for considering me for this committee

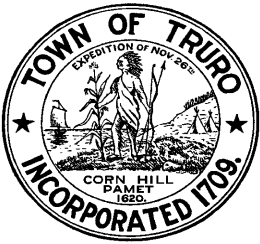
SIGNATURE: [Handwritten Signature] DATE: 10-11-18

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

We strongly recommend Amy. She is well qualified & will be a valuable member

SIGNATURE: [Handwritten Signature] DATE: 10/11/18

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



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant, on behalf of Cynthia A. Slade, Town Clerk, Town of Truro

REQUESTED MEETING DATE: October 23, 2018

ITEM: 2018 State Election

EXPLANATION: The Town Clerk has submitted the 2018 State Election Warrant, which is the official notification to the inhabitants of the Town that the State Election shall be held at the Truro Community Center on Tuesday, the 6th of November, 2018 from 7:00 a.m. to 8:00 p.m. The Board of Selectmen must sign the warrant before it is posted.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: 2018 State Election Warrant will be improperly posted.

SUGGESTED ACTION: *MOTION TO approve signing of the 2018 State Election Warrant.*

ATTACHMENTS:

1. 2018 State Election

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

Barnstable ss

To the Constables of the Town of Truro

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at: **TRURO COMMUNITY CENTER** on **TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

SENATOR IN CONGRESS.	FOR THIS COMMONWEALTH
GOVERNOR and LIEUTENANT GOVERNOR.	FORTHIS COMMONWEALTH
ATTORNEY GENERAL.	FOR THIS COMMONWEALTH
SECRETARY OF STATE.	FOR THIS COMMONWEALTH
TREASURER.	FOR THIS COMMONWEALTH
AUDITOR.	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.	NINTH DISTRICT
COUNCILLOR.	FIRST DISTRICT
SENATOR IN GENERAL COURT.	CAPE & ISLANDS DISTRICT
REPRESENTATIVE IN GENERAL COURT.	FOURTH BARNSTABLE
.....	DISTRICT
DISTRICT ATTORNEY.	CAPE & ISLANDS DISTRICT
CLERK OF COURTS.	BARNSTABLE COUNTY
REGISTER OF DEEDS.	BARNSTABLE DISTRICT
COUNTY COMMISSIONER.	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATE.	TRURO

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other health care facilities. The maximum number of patients per registered nurse would vary by type of unit and level of care, as follows:

- In units with step-down/intermediate care patients: 3 patients per nurse;
- In units with post-anesthesia care or operating room patients: 1 patient under anesthesia per nurse; 2 patients post-anesthesia per nurse;
- In the emergency services department: 1 critical or intensive care patient per nurse (or 2 if the nurse has assessed each patient's condition as stable); 2 urgent non-stable patients per nurse; 3 urgent stable patients per nurse; or 5 non-urgent stable patients per nurse;

- In units with maternity patients: (a) active labor patients: 1 patient per nurse; (b) during birth and for up to two hours immediately postpartum: 1 mother per nurse and 1 baby per nurse; (c) when the condition of the mother and baby are determined to be stable: 1 mother and her baby or babies per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care or continuing care babies: 2 babies per nurse; (f) well-babies: 6 babies per nurse;
- In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients, or any other unit: 4 patients per nurse; and
- In units with psychiatric or rehabilitation patients: 5 patients per nurse.

The proposed law would require a covered facility to comply with the patient assignment limits without reducing its level of nursing, service, maintenance, clerical, professional, and other staff.

The proposed law would also require every covered facility to develop a written patient acuity tool for each unit to evaluate the condition of each patient. This tool would be used by nurses in deciding whether patient limits should be lower than the limits of the proposed law at any given time.

The proposed law would not override any contract in effect on January 1, 2019 that set higher patient limits. The proposed law's limits would take effect after any such contract expired.

The state Health Policy Commission would be required to promulgate regulations to implement the proposed law. The Commission could conduct inspections to ensure compliance with the law. Any facility receiving written notice from the Commission of a complaint or a violation would be required to submit a written compliance plan to the Commission. The Commission could report violations to the state Attorney General, who could file suit to obtain a civil penalty of up to \$25,000 per violation as well as up to \$25,000 for each day a violation continued after the Commission notified the covered facility of the violation. The Health Policy Commission would be required to establish a toll-free telephone number for complaints and a website where complaints, compliance plans, and violations would appear.

The proposed law would prohibit discipline or retaliation against any employee for complying with the patient assignment limits of the law. The proposed law would require every covered facility to post within each unit, patient room, and waiting area a notice explaining the patient limits and how to report violations. Each day of a facility's non-compliance with the posting requirement would be punishable by a civil penalty between \$250 and \$2,500.

The proposed law's requirements would be suspended during a state or nationally declared public health emergency.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would limit the number of patients that could be assigned to one registered nurse in hospitals and certain other health care facilities.

A NO VOTE would make no change in current laws relative to patient-to-nurse limits.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

Any resident of Massachusetts who is a United States citizen would be able to apply for appointment to the 15-member commission, and members would serve without compensation. The Governor, the Secretary of the Commonwealth, the state Attorney General, the Speaker of the state House of Representatives, and the President of the state Senate would each appoint three members of the commission and, in making these appointments, would seek to ensure that the commission reflects a range of geographic, political, and demographic backgrounds.

The commission would be required to research and take testimony, and then issue a report regarding (1) the impact of political spending in Massachusetts; (2) any limitations on the state’s ability to regulate corporations and other entities in light of Supreme Court decisions that allow corporations to assert certain constitutional rights; (3) recommendations for constitutional amendments; (4) an analysis of constitutional amendments introduced to Congress; and (5) recommendations for advancing proposed amendments to the United States Constitution.

The commission would be subject to the state Open Meeting Law and Public Records Law. The commission’s first report would be due December 31, 2019, and the Secretary of the Commonwealth would be required to deliver the commission’s report to the state Legislature, the United States Congress, and the President of the United States.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would create a citizens commission to advance an amendment to the United States Constitution to limit the influence of money in elections and establish that corporations do not have the same rights as human beings.

A NO VOTE would not create this commission.

QUESTION 3: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on July 7, 2016?

SUMMARY

This law adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement. Such grounds also include race, color, religious creed, national origin, sex, disability, and ancestry. A “place of public accommodation, resort or amusement” is defined in existing law as any place that is open to and accepts or solicits the patronage of the general public, such as hotels, stores, restaurants, theaters, sports facilities, and hospitals. “Gender identity” is defined as a person’s sincerely held State Election, November 6, 2018

gender-related identity, appearance, or behavior, whether or not it is different from that traditionally associated with the person's physiology or assigned sex at birth.

This law prohibits discrimination based on gender identity in a person's admission to or treatment in any place of public accommodation. The law requires any such place that has separate areas for males and females (such as restrooms) to allow access to and full use of those areas consistent with a person's gender identity. The law also prohibits the owner or manager of a place of public accommodation from using advertising or signage that discriminates on the basis of gender identity.

This law directs the state Commission Against Discrimination to adopt rules or policies and make recommendations to carry out this law. The law also directs the state Attorney General to issue regulations or guidance on referring for legal action any person who asserts gender identity for an improper purpose.

The provisions of this law governing access to places of public accommodation are effective as of October 1, 2016. The remaining provisions are effective as of July 8, 2016.

A YES VOTE would keep in place the current law, which prohibits discrimination on the basis of gender identity in places of public accommodation.

A NO VOTE would repeal this provision of the public accommodation law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this _____ day of _____, 2018.

Robert M. Weinstein, Chairman

Maureen A. Burgess, Vice-Chairman

Janet W. Worthington, Clerk

Kristen Reed

Paul C. Wisotzky

Board of Selectmen
Town of Truro

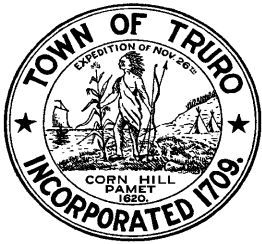
A true copy, attest:

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



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: October 23, 2018

ITEM: Review and Vote of Special Town Meeting Articles

EXPLANATION: Attached for review, discussion and voting to recommend is the draft of the 2018 Special Town Meeting Warrant. The form of vote is positive, motion to recommend, and will be recorded in the warrant as # of yes votes - # of no votes - # of abstentions in favor, e.g. 5-0-0 in favor. Once the votes are completed, they will be added to the warrant and it will be reviewed and printed. In order to meet the Charter requirement to post the warrant fourteen (14) days prior to Town Meeting, the warrant must be posted by October 29, 2018.

The warrant includes five financial articles, two zoning bylaw articles submitted by the Planning Board and two citizen-petitioned articles. Please note that none of the financial articles will impact taxes, as they are requests to re-appropriate funds that were already appropriated and not fully expended or utilize special funds. Town Counsel John Giorgio has reviewed all of the financial articles and his edits are included in this draft warrant. As you are aware, the citizen-petitioned articles are still in the referral process.

If the Board chooses to include additional comments for any of the articles in the warrant, please submit them to me by Friday October 26, 2018.

SUGGESTED ACTION: *Motion to recommend*

Article 1: Storage Shed for Head of the Meadow Beach Parking Lot (From Capital Improvements Fund);

Article 2: Merge Balance of Capital Improvements Fund into Capital Stabilization Fund;

Article 3: Re appropriate Unexpended Balance of Operating Capital FY2015 to Public Safety Doors, Key Fobs and Associated Software;

Article 4: Re appropriate Old County Road Culvert Repair Funds to Culvert Engineering and Remediation at Multiple Locations;

Article 5: Acceptance of MGL Chapter 44, Section 53F3/4 PEG Access and Cable Related Fund;

Article 6: Amend Zoning Bylaws §50, Area and Height Regulations to Establish the Maximum Building Size for Residences in the Town of Truro Residential District;

Article 7: Amend Zoning Bylaws to Add §100, Regulation of Marijuana;

Article 8: Regulation of Marijuana (Petitioned Article);

Article 9: Right to Farm (Petitioned Article);

as printed in the warrant.

ATTACHMENTS:

1. Draft 2018 Special Town Meeting Warrant



WARRANT

**TRURO SPECIAL TOWN MEETING
TUESDAY, NOVEMBER 13, 2018
6:00 PM
TRURO CENTRAL SCHOOL**

Free drop-in child care available for ages 3 and up during Special 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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DRAFT

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, November 13, 2018 at 6:00 pm, then and there, to vote on the following articles:

FINANCIAL ARTICLES

ARTICLE 1: STORAGE SHED FOR HEAD OF THE MEADOW BEACH PARKING LOT (FROM CAPITAL IMPROVEMENTS FUND)

Two-thirds vote

Requested By the Board of Selectmen

To see if the Town will vote to transfer from the Capital Improvements Fund the sum of thirty-five thousand dollars (\$35,000.00) to pay costs of a storage shed for Head of the Meadow Beach Parking Lot, and for the payment of all other costs incidental and related thereto; to authorize the Town Manager to solicit bids, to enter into contracts and to expend this money for this purpose; and to authorize the Board of Selectmen to seek, accept and expend any funds or grants which may be available to defray a portion of the project's cost; or to take any other action relative thereto.

Explanation: The requested storage shed will provide secure storage and necessary proximity for the Town of Truro's rescue boat used for Oceanside rescues. The boat and shed will be stationed at Head of the Meadow Beach's parking lot. The balance in this fund is \$254,365.45.

A two-thirds vote will be required pursuant to Chapter 282 of the Acts of 2000 for all transfers from the Capital Improvements Fund. Appropriations from this fund may be made "for any capital purchase or expenditure of the town."

Finance Committee Recommendation: 0-0-0 in favor
Board of Selectmen Recommendation: 0-0-0 in favor

ARTICLE 2: MERGE BALANCE OF CAPITAL IMPROVEMENTS FUND INTO CAPITAL STABILIZATION FUND

Two-thirds vote

Requested By the Town Manager

To see if the Town will vote to transfer the balance of the Capital Improvements Fund into the Capital Stabilization Fund, the sum of which will be dependent on the votes of the 2018 Special Town Meeting; or to take any other action relative thereto.

Explanation: At the April 2016 Annual Town Meeting, voters approved an article to create a Capital Stabilization fund to begin setting funds aside for future capital projects such as the replacement of the public safety radio system. The Town Auditor has recommended reducing the number of special funds; therefore staff is requesting that the Capital Trust fund be combined with the Capital Stabilization fund, creating one fund from two with the same purpose. The current balance of the Capital Stabilization fund is \$300,426.83. If the previous article was approved, the transfer from the Capital Improvements Fund into the Capital Stabilization fund will be \$219,365.45.

Finance Committee Recommendation: 0-0-0 in favor
Board of Selectmen Recommendation: 0-0-0 in favor

ARTICLE 3: REAPPROPRIATE UNEXPENDED BALANCE OF OPERATING CAPITAL FY2015 TO PUBLIC SAFETY DOORS, KEY FOBS AND ASSOCIATED SOFTWARE

Requested By the Town Manager

To see if the Town will vote to re-appropriate nine thousand seven hundred seventy five dollars and no cents (\$9,775.00) encumbered from the FY2015 Operating Capital Budget for HVAC/ductwork cleaning, such re-appropriated funds to be used to purchase doors, key fobs, and associated software for the Public Safety Facility, or to take any other action relative thereto.

Explanation: When funds are appropriated at Town Meeting, they may only be used for the described purpose and to re-appropriate them requires a Town Meeting vote. The HVAC/ductwork cleaning appropriated in FY2015 was completed for less than was estimated and \$9,775.00 remains unexpended. Staff requests authorization to re-appropriate this funding to upgrade the manual combination locks in the Public Safety Facility to the key fob system used widely throughout the building. The key fob system better ensures security of specific areas of the building.

Finance Committee Recommendation: 0-0-0 in favor
Board of Selectmen Recommendation: 0-0-0 in favor

ARTICLE 4: REAPPROPRIATE OLD COUNTY ROAD CULVERT REPAIR FUNDS TO CULVERT ENGINEERING AND REMEDIATION AT MULTIPLE LOCATIONS

Requested By the Board of Selectmen

To see if the Town will vote to re-appropriate one hundred three thousand nine hundred seventy dollars and ninety-eight cents (\$103,970.98), the unexpended balance of funds appropriated to make repairs to the culvert under Old County Road, south of Prince Valley Road by a favorable vote on Article 8 of the April 25, 2017 Annual Town Meeting, for the purpose of engineering and remediation work to culverts at multiple locations, including the Corn Hill Culvert/ Little Pamet, or to take any other action relative thereto.

Explanation: When funds are appropriated at Town Meeting, they may only be used for the described purpose and to re-appropriate them requires a Town Meeting vote. The original funds appropriated at the 2017 Annual Town Meeting for the culvert repairs under Old County Road were not completely expended so this article requests that voters approve the re-appropriation of the remaining funds so that they may be expended for the other culvert repair projects in town.

Finance Committee Recommendation: 0-0-0 in favor
Board of Selectmen Recommendation: 0-0-0 in favor

ARTICLE 5: ACCEPTANCE OF MGL CHAPTER 44, SECTION 53F 3/4 PEG ACCESS AND CABLE RELATED FUND

Requested By the Board of Selectmen

To see if the Town will vote to accept the provisions of Chapter 44 Section 53F3/4 of the Massachusetts General Laws establishing a "Comcast PEG Access Special Revenue Fund". Payments received in connection with the franchise agreement between Comcast and the Town will be deposited and held in the fund until Town Meeting votes to appropriate said funds to be used in a manner consistent with the franchise agreement, or take any other action relative thereto.

Explanation: Pursuant to the Bureau of Accounts Informational Guideline Release (IGR) No 16-102 dated January 2016, PEG access funds NOT set up under 53F1/2 (Enterprise Fund) or 53F3/4 (Special Revenue Fund) prior to the end of FY 2019 will be closed to general fund by the Director of Accounts. If this is not approved, the funds dedicated to filming meetings of Boards and Committees and the purchase of audio visual equipment will not be set aside for the intended use.

Finance Committee Recommendation: 0-0-0 in favor

Board of Selectmen Recommendation: 0-0-0 in favor

DRAFT

ZONING AMENDMENTS

ARTICLE 6: AMEND ZONING BYLAWS §50, AREA AND HEIGHT REGULATIONS TO ESTABLISH THE MAXIMUM BUILDING SIZE FOR RESIDENCES IN THE TOWN OF TRURO RESIDENTIAL DISTRICT

Two-thirds
vote

Requested By the Planning Board

To see if the Town will vote to amend the Town of Truro Zoning Bylaw Section 10.4, Definitions and Section 50, Area and Height Regulations for residences, by adding a new Section 50.2 (new text shown in **bold underline**), or take any other action relative thereto.

In Section 10.4 *Definitions*, insert the following new definitions:

Total Gross Floor Area for the Residential District. The aggregate gross floor area of any dwelling and accessory structures on a Residential District lot within the Town of Truro, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar, unfinished basement floor area, detached garages, porches, decks, attics, barns, greenhouses, sheds, and structures used for agricultural purposes only.

Permanently Deed-restricted affordable housing is specifically excluded from this section.

For the purposes of computing floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be included in the computation of floor area.

In Section 50 *Area and Height Regulations*, insert the following section:

Section 50.2 Building Gross Floor Area for the Residential District.

- A. **Purpose:** The purpose of this bylaw is to limit the size of future residential construction, alteration, or reconstruction to preserve the special character and prevailing size and massing of buildings in the Town, and to be in harmony with the historic nature, sense of community, and aspirations of Truro.
- B. **Applicability and Exceptions:**
 1. **Total Gross Floor Area Allowed by Right:** Subject to the exceptions provided for in subsections 50.2.B.2, 50.2.C, and 50.2.D, building permits for new construction or for projects that seek to increase the Gross Floor Area of buildings that exist on lots as of September 26, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new, or existing plus addition, does not exceed 3,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 3,668 sq. ft. for one acre of land:
 - a. **Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated,**
 - b. **For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.**
 - c. **Plus a Planning Board Approved Accessory Dwelling Unit of up to 1,000 sq. ft.**
 2. **Special Permit to exceed the Total Gross Floor Area limit:** The Total Gross Floor Area limit for a dwelling and accessory buildings on a lot established in subsection 50.2.B.1 may be exceeded, up to a maximum established by this subsection, by Special Permit, as provided in 50.2.C and 50.2.D. No Special Permit may be issued for any construction if the construction would result in the Total Gross Floor Area exceeding 4,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 4,668 sq. ft. for one acre of land:

- a. Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated.
 - b. For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.
 - c. Plus a Planning Board Approved Accessory Dwelling Unit of up to 1,000 sq. ft.
- C. Procedures for Special Permit Application Review and Approval: Upon receipt of an application for a building permit, the Building Commissioner shall make an initial determination as to whether any alteration, construction or reconstruction of a dwelling and/or accessory structure would result in Total Gross Floor Area exceeding the maximum determined by Section 50.2.B.1. If the Building Commissioner determines that the applicant cannot proceed without a Special Permit, the applicant must apply to the Zoning Board of Appeals for a Special Permit. No building permit shall be issued hereunder unless the Zoning Board of Appeals grants a Special Permit according to procedures as set out below in Section 50.2.D.**
- D. When required, an application for Special Permit shall be made to the Zoning Board of Appeals. Notice shall be given of all applications for a Special Permit hereunder in accordance with Section 60.4 (Notice Requirements) of these Bylaws. A Special Permit may be granted only where the Zoning Board of Appeals finds by clear and convincing evidence that the proposed alteration, construction or reconstruction is consistent with the criteria found in Section 30.8 (Special Permits) of these Bylaws. In addition, the Zoning Board of Appeals shall make specific written findings of objective facts that support the request for additional gross floor area, and demonstrate that the additional gross floor area is in the public interest of the Town of Truro, and not inconsistent with the intention and 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. In considering whether the proposed alteration, construction or reconstruction is in harmony with the public good and is not detrimental to the neighborhood the Zoning Board of Appeals shall consider, among other relevant factors, the size of neighboring buildings and the surroundings in which the additional gross floor area is proposed.**
- E. Nothing in this Section shall be construed to regulate or restrict the use of the interior area of a dwelling.**
- F. The Planning Board shall review the effect of this Section 50.2 of the Bylaw upon the Town of Truro and submit a report to the 2021 Truro Annual Town Meeting.**

Explanation: The proliferation of large houses alters the environmental, economic and social fabric of a community, and for Truro, often makes it no longer affordable for residents to stay here. The proposed amendment will not deny Truro's residents the right to live in large houses. But it will protect the Town from the onslaught of huge buildings that will dominate the landscape and change forever Truro's small- town character. All existing buildings will be "grandfathered in" and allowed.

The chart below illustrates allowable building size in relation to lot size. The proposed future size limits for the Residential District reflect the prevailing larger building sizes outside the Seashore District. Thus, 3,600 sq. ft. will be Allowed by Right for the 33,750 sq. ft. Minimum Lot Size in the Residential District, as compared to 3,600 sq. ft. Allowed by Right for the 3-acre Minimum Lot Size in the Seashore District. Also 300 sq. ft. per acre would be added or subtracted for larger or smaller lots as compared to 200 sq. ft. per acre for the Seashore District. This would be pro-rated for a portion of an acre. Applicants can apply to the Zoning Board of Appeals for a Special Permit for up to an additional 1,000 sq. ft. A Planning Board approved Accessory Dwelling Unit is not subject to these limits.

Lot Size	By Right – Up to	With Special Permit – Up to	+ Approved Accessory Dwelling Unit of Up to
0.5 acres	3,532 square feet	4,532 square feet	1,000 square feet
0.775 acres	3,600 square feet	4,600 square feet	1,000 square feet
1 acre	3,668 square feet	4,668 square feet	1,000 square feet
2 acres	3,968 square feet	4,968 square feet	1,000 square feet
3 acres	4,268 square feet	5,268 square feet	1,000 square feet
6 acres	5,168 square feet	6,168 square feet	1,000 square feet
10 acres	6,368 square feet	7,368 square feet	1,000 square feet

Planning Board Recommendation: 0-0-0 in favor
Board of Selectmen Recommendation: 0-0-0 in favor

DRAFT

ARTICLE 7: AMEND ZONING BYLAWS TO ADD §100, REGULATION OF MARIJUANA

Two-thirds
vote

Requested By the Planning Board

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 100, **REGULATION OF MARIJUANA**, that would provide as follows (new language shown in underline), and further to amend the Table of Contents to add Section 100, "Regulation of Marijuana."

SECTION 100 Regulation of Marijuana

§100.1 Purpose

The purpose of the marijuana bylaw is to provide for the regulation of Adult Use Recreational Marijuana Establishments ("RME") and Medical Marijuana Treatment Centers ("MMTC") in accordance with An Act To Ensure Safe Access to Marijuana, Chapter 55 of the Acts of 2017 (the "Act"), and all regulations which have or may be issued by the Cannabis Control Commission, including, but not limited to 935 CMR 500.00 and 935 CMR 501.00, in locations suitable for such uses, which will minimize adverse impacts of RMEs and MMTCs on adjacent properties, residential neighborhoods, schools and other sensitive locations by regulating the siting, design, placement and security of such uses.

§100.2 Definitions

Any term not specifically defined herein shall have the meaning as defined in M.G.L c. 94I, §1 and 935 CMR 501.00 governing Medical Use Marijuana and M.G.L c. 94G, §1 and 935 CMR 500.00. governing Adult Use Marijuana, as such statutes and regulations may from time to time be amended.

- A. Cannabis or Marijuana or Marihuana, means all parts of any plant of the genus Cannabis, not excepted in 935 CMR 500.002: Cannabis or Marijuana or Marihuana (a) through (c) and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in M.G.L. c. 94G, § 1; provided that cannabis shall not include: (a) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (b) hemp; or (c) the weight of any other ingredient combined with cannabis or marijuana to prepare topical or oral administrations, food, drink or other products.
- B. Canopy shall mean an area to be calculated in square feet and measured using clearly identifiable boundaries of all area(s) that will contain mature plants at any point in time, including all of the space(s) within the boundaries, canopy may be noncontiguous, but each unique area included in the total canopy calculations shall be separated by an identifiable boundary which include, but are not limited to: interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedge rows, fencing, garden beds, or garden plots. If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.
- C. Commission shall mean the Massachusetts Cannabis Control Commission established by M.G.L. c. 10, § 76, or its designee.
- D. Craft Marijuana Cooperative shall mean a Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or

- cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.
- E. Marijuana Cultivator shall mean an entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers.
 - F. Marijuana Product Manufacturer shall mean an entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.
 - G. Marijuana Retailer shall mean an entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.
 - H. Medical Marijuana Treatment Center Cultivation/Processing (“MMTCCP”) shall mean an entity registered by the Cannabis Control Commission that cultivates, possesses, transfers, transports and/or processes medical use marijuana or products containing medical use marijuana and related supplies to qualifying Medical Marijuana Treatment Center Dispensary/Retail.
 - I. Medical Marijuana Treatment Center Dispensary/Retail (“MMTCDR”) shall mean an entity registered by the Cannabis Control Commission that acquires, transfers, transports, sells, distributes, dispenses, or administers medical use marijuana, products containing medical use marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.
 - J. Microbusiness means a colocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.
 - K. Parcel shall mean the location on which an RME or MMTC proposes to locate and may consist of multiple lots, as long as such lots are contiguous or adjacent, and are under common ownership. Each parcel shall be subject to Site Plan Review.
 - L. Recreational Marijuana Establishment (“RME”) shall mean a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Microbusiness, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business as such uses are defined in M.G.L c. 94G, §1 or the Cannabis Control Commission Regulations 935 CMR 500.00, but shall not include a Medical Marijuana Treatment Center.

§100.3 Eligibility

<u>USE</u>	<u>R</u>	<u>BP</u>	<u>NT6A</u>	<u>TC</u>	<u>NTC</u>	<u>Rt6</u>	<u>S</u>	<u>Limitation on total # of permitted Establishments</u>
<u>Marijuana Cultivator</u>	<u>SP²</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Medical Marijuana Treatment Center (cultivation only)</u>	<u>SP²</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Medical Marijuana Treatment Center (dispensary/retail)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Marijuana Product Manufacturer</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Independent Testing Laboratory for Marijuana</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Marijuana Research Facility</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Third-Party Marijuana Transporter</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Marijuana Retailer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>2</u>
<u>Marijuana Microbusiness</u>	<u>SP</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>1</u>
<u>Marijuana Craft Cooperative</u>	<u>SP^{1, 2}</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>1</u>

R: Residential, BP: Beach Point Limited Business, NT6A: Route 6A, North Truro Limited Business, TC: Truro Center Limited Business, NTC: North Truro Center General Business, Rt6: Route 6

¹ The total number of parcels allowed to be utilized per Craft Marijuana Cultivator Cooperative licensee for Marijuana cultivation in the Residential District shall be limited to six (6).

² The initial special permit shall limit the amount of total canopy to a Tier 2 production level under 935 CMR 500.05 (10,000 sq. ft. or less) in the Residential District. Every year thereafter, the Craft Marijuana Cultivator Cooperative, MMTCCP or Marijuana Cultivator may apply to the Zoning Board of Appeals to modify the special permit to increase production levels to a maximum of Tier 6 production levels as established under 935 CMR 500.05, provided however (i) each licensee seeking to increase production levels must undergo additional Site Plan Review; and (ii) in no instance shall the Craft Marijuana Cultivator Cooperative exceed the lot coverage and canopy limitations set forth elsewhere in this Bylaw. Cultivation in the Residential District is limited to parcels of 1.5 acres or more.

§100.4 Limitations

- A. All RMEs and MMTCs shall be required to first obtain Site Plan Approval followed by a Special Permit. The Site Plan Review authority shall be the Planning Board and Special Permit Granting Authority shall be the Zoning Board of Appeals. Site Plan Review shall be conducted by the Planning Board in accordance with §70 of this Bylaw and Special Permit applications shall comply with the requirements of §30.8 of this Bylaw. All RMEs and MMTCs shall conform to applicable state regulations as well as any additional requirements stated herein. A Craft Marijuana Cooperative shall obtain a single Special Permit and parcel specific Site Plan Review.
- B. Site Plan Review for marijuana cultivation in the residential district shall comply with the design criteria of §70.4(D). The Planning Board shall have the authority to waive specific design criteria.
- C. A Special Permit granted under this section shall have a term limited to the duration of the applicant's ownership or lease of the premises for an RME or MMTC, as licensed by the applicable Massachusetts licensing authority. Any new license for an existing RME or MMTC location or transfer of an existing license to a new owner of an RME or MMTC shall require a new Special Permit and shall meet all the requirements and limitations of this Bylaw.
- D. All Special Permit holders shall promptly advise the Zoning Board of Appeals, the Planning Board, and the Zoning Enforcement Officer of any modifications, amendments or changes to licensing rights, including changes in tiers of canopy cultivation, granted to the Special Permit holder by the Commission. In the event such modifications, amendments or changes, in the determination of the Zoning Board of Appeals or the Planning Board constitute a material change in the intensity of the use authorized under the terms of the Special Permit and the approved Site Plan, the Zoning Board of Appeals may require additional conditions to the Special Permit and the Planning Board may require further Site Plan Review and modifications.

§100.5 Applicability of Regulations

- A. The use of land for cultivation, production, processing, manufacturing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for commercial purposes is prohibited unless licensed by all applicable Massachusetts licensing authorities and permitted as a RME or MMTC under this section.
- B. The number of RMEs and MMTCs permitted in Truro shall be in accordance with the Use Table set out in §100.3, *supra*.
- C. Hours of operation for Recreational Marijuana Retailers and Medical Marijuana Treatment Centers shall not exceed the Alcoholic Beverages Control Commission (ABCC) maximum hours of operation for liquor licenses not to be drunk on premises pursuant to M.G.L c. 138 §15, but may be limited by conditions of the Special Permit.

- D. Marijuana Retailers shall be located in stand-alone structures.

§100.6 General Requirements

- A. No RME or MMTC shall be located within 500 feet, as measured from each lot line of the subject lot, of the following pre-existing uses: Public or private schools providing education in grades K-12.
- B. The 500-foot buffer distance under this section shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the RME or MMTC will be located.
- C. Applicants for an RME or MMTC shall provide the security plan approved by the Commission to the Police Chief, Fire Chief, Health Agent and Building Commissioner prior to the granting of a Special Permit.
- D. An executed Host Community Agreement shall be required prior to the granting of a Special Permit and Site Plan Approval for an RME or MMTC.
- E. No odor from marijuana cultivation, processing, manufacturing or retail may be noxious or cause a nuisance or danger to public health, or impair public comfort and convenience. Marijuana establishments shall incorporate odor control technology and safeguards to ensure that emissions do not violate Board of Health regulations adopted pursuant to M.G.L c. 111, §31C, including but not limited to those specified for odors.
- F. All business signage, marketing, advertising and branding shall be subject to the requirements promulgated by the Commission and the requirements of the Truro Zoning Bylaw and Sign Code. In the case of a conflict, the more restrictive requirement shall apply.
- G. The hours of operation of the RME and MMTC shall be set by the Zoning Board of Appeals, as a condition of the Special Permit.
- H. No RME or MMTC shall be located inside a mobile vehicle such as a trailer, van, or truck, unless operating as a licensed Marijuana Transporter. Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, MMTCs and Microbusinesses shall be allowed to utilize movable structures, except that natural screening, or other approved screening, shall be required as a condition of Site Plan Review, as necessary, to render such structures less visible from public or private ways or abutting properties. The number of movable structures shall be limited to no more than 2 per parcel unless additional containers are approved by the Planning Board in connection with Site Plan Review.
- I. No RME or MMTC shall be located inside a building containing transient housing such as motels or hotels.
- J. To ensure compatibility with the residential character of Truro, the use of greenhouses, defined to have walls and roofs constructed predominantly of glass or other transparent or translucent materials, are to be encouraged in lieu of other types of enclosed buildings for marijuana cultivation. The total aggregate floor area of all enclosed buildings used by a RME or MMTC within the Residential and NT6A Districts shall not exceed a floor area, as measured from the exterior faces of exterior walls, of 5,000 sq. ft. on a 2-acre lot, plus 500 sq. ft. for each additional contiguous acre of land, or minus 500

sq. ft. for each contiguous acre of land less than two acres, or as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre. Greenhouses and Gross Floor Area of any Dwelling Units shall be excluded from this floor area calculation.

- K. The Planning Board, or the Zoning Board of Appeals, may impose on all applicants reasonable fees for the employment of outside consultants to review applications submitted in accordance with this section of the Bylaw and to assist with review of such plans and applications. The Planning Board may adopt administrative regulations governing Site Plan Review and the Zoning Board of Appeals may adopt administrative regulations governing Special Permits, which shall be in addition to the requirements set out below.

§100.7 Application Requirements

The following submissions shall be required as part of a Site Plan Review application by the Planning Board:

A. Security Plan

1. The applicant shall submit a copy of its security plan, approved by the Commission as part of the issuance of a Provisional License, to the Police and Fire Departments for their review and approval prior to the issuance of Site Plan Approval.
2. The security plan shall be updated on an annual basis and any changes shall be reported to the Police and Fire Departments.
3. The security plan shall meet all security requirements of 935 CMR 500.110.

B. Resource Plan

1. All Marijuana Cultivators, including but not limited to Craft Marijuana Cooperatives and Microbusinesses, MMTCCPs, and Marijuana Product Manufacturers shall submit a resource use plan to the Planning Board outlining planned practices for use of energy, water, waste disposal and other common resources and to ensure there will be no undue damage to the natural environment.
2. The Resource Plan, if applicable, shall include an electrical system overview, proposed energy demand and proposed electrical demand off-sets, ventilation system and air quality, proposed water system and utility demand. The Planning Board may waive this requirement if it is determined that the scale and scope of the use does not require such review.

C. Traffic Study and Circulation Plan

1. The applicant shall submit a traffic circulation plan for the site to ensure the safe movement of pedestrian and/or vehicular traffic on site.
2. A traffic impact and access study shall be required for all Marijuana Retailers and MMTCDRs. The study shall be based on standard traffic engineering guidelines developed by the Massachusetts Environmental Protection Act (MEPA). The Planning Board may waive the requirement of a traffic impact study if, in the opinion of the Planning Board, a traffic impact study is not necessary to ensure safe movement of pedestrian or vehicular traffic on site.

D. In addition to the requirements of §70.4C and §30.8 all Site Plan Review applications and Special Permit applications shall include the following:

1. A copy of a Provisional License or Provisional Certificate of Registration from the State of Massachusetts as an RME under 935 CMR 500.00 or a MMTTC under 935 CMR 501.00;
2. An executed Host Community Agreement;
3. A site plan showing existing conditions on the site and the boundaries of any proposed outdoor growing area;

4. Elevations of any proposed new construction for indoor growing and/or processing;
5. A plan of any new signage;
6. A narrative describing the management and general operation of the facility;
7. A security plan;
8. A fire protection plan (if applicable);
9. A table showing the use and square footage of all proposed buildings, and
10. A completed Special Permit or Site Plan Review application form.

§100.8 Additional Provisions Regarding Cultivation

- A. When indoor cultivation is proposed, existing buildings, barns, greenhouses, and containers shall be reused wherever possible. Any new construction that requires a building permit shall harmonize with nearby architectural styles to the greatest possible extent. The use of metal buildings or containers shall not be prohibited, however, reasonable natural screening, or other approved screening, may be required as a condition of the Special Permit or Site Plan Approval so as to render such structure less visible from adjacent public and private ways, and abutting properties.
- B. Security fencing, as required by the Commission, shall be as inconspicuous as possible and compatible with the surrounding neighborhood. In no case shall barbed wire topped fence or a similar style be permitted.
- C. All lighting shall comply with all Truro Bylaws and be shielded so as not to shed light onto adjacent properties. The Planning Board may require any artificial lighting system to employ appropriate components, including but not limited to LED components, equipped with deflectors in order to mitigate potential light pollution.
- D. The Planning Board shall include in its Site Plan Approval a mandatory condition of any cultivation activities, that sales, gifts or delivery of Marijuana or Marijuana products directly to the public shall be prohibited.
- E. In the case of Marijuana Cultivators, Craft Marijuana Cooperatives, or MMTCCPs, located in districts other than the Residential District, the Special Permit application shall specify the amount of canopy proposed to be cultivated on each parcel utilized by the applicant, and a limit on the amount of cultivation canopy may be imposed as a condition of the Special Permit. Any material change in the amount of cultivation canopy at each parcel shall be reported to the Zoning Enforcement Officer, the Planning Board and the Zoning Board of Appeals. For the purposes of this section, the term "material" shall mean an increase in canopy utilization of greater than fifty percent (50%) in a calendar year. In the event such change in canopy, in the determination of the Zoning Board of Appeals constitutes a change in the intensity of use authorized under the terms of the Special Permit, the Zoning Board of Appeals may require a modification of the Special Permit and the applicant shall be required to obtain a modification of the Site Plan Approval., Marijuana Cultivation in the Residential District shall not exceed 25% of the parcel's gross square footage.

§100.9 Special Permit and Site Plan Review Criteria

- A. In addition to the Special Permit criteria under §30.8 and Site Plan Review under §70 et. seq., the Zoning Board of Appeals and Planning Board, respectively, shall conduct all Special Permit and Site Plan Review determinations on a case-by-case basis, taking into consideration:
 1. The particular form of Marijuana activity proposed;
 2. The site location (including proximity of abutters, schools, or sensitive natural habitat) or historic properties identified in the Town's inventory of historic resources;
 3. The traditional uses of the site and their similarity to or difference from the proposed activities; and
 4. The intensity of the proposed activities, including impacts on neighbors and the environment.
- B. In addition to the Site Plan review criteria set forth in §70.4(D), the following shall additionally apply to the Planning Board's review of any RME and MMTC:
 1. The proposal shall provide for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excess noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses, and

2. The proposal shall provide for structural and/or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises.

§100.10 Right to Appeal Site Plan Review Determinations

E. Any person aggrieved by a Site Plan Review Determination issued by the Planning Board under this Section may directly seek judicial review in accordance with M.G.L. c. 40A §17.

or to take any other action relative thereto.

Explanation:

Planning Board Recommendation: 0-0-0 in favor

Board of Selectmen Recommendation: 0-0-0 in favor

DRAFT

ARTICLE 8: REGULATION OF MARIJUANA (PETITIONED ARTICLE)

Two-thirds
vote

Requested By Petition

To see if the Town will vote to amend to Town's Zoning Bylaw by adding a new Section 100, entitled **REGULATION OF MARIJUANA** that would provide as follows:

Section 100 Regulation of Marijuana

100.1 Marijuana Establishments

Regulation of Marijuana

- A. Marijuana establishments shall be authorized by special permit only in districts as set forth in Section 100.2. Use Regulation Schedule. Any marijuana establishment receiving a special permit from the Board of Appeals shall comply with M.G.L. c. 94G, the regulations of the Cannabis Control Commission at 935 CMR 500, and the regulations of the Truro Board of Health. All marijuana establishments shall undergo Site Plan Review pursuant to §70 of the Zoning Bylaw.**
- B. The Board of Appeals shall not approve a special permit for more than three (3) medical marijuana retail dispensing sites.**
- C. Additional Site Plan Requirements:**
 - 1) In addition to what is otherwise required to be shown on a site plan under §70.4C of the Zoning Bylaw, the applicant shall provide a plan to the Police Chief that details all exterior proposed security measures for the premises, including but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity. The site plan shall further delineate various areas of the marijuana establishment (indoors and outdoors) such as public access areas, employee only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation, loading and parking areas.**
 - 2) At the time of submittal, and in connection with any revisions, the applicant shall provide elevation views of all sides of any proposed structure, no more than two elevations per page, showing all pavement, structures and landscaping.**
- D. The applicant shall negotiate a host community agreement with the Select Board prior to applying for a special permit.**
- E. Buildings for indoor marijuana cultivation shall be set back twenty five feet (25') from a property line; landscaping shall be provided within this setback to provide a year-round screen of the buildings and parking areas from public ways and abutting residences.**
- F. Special permits shall be limited to the original applicant(s) and shall expire on the date the special permit holder ceases operation of the marijuana establishment.**
- G. Between the hours of 8:00 p.m. and 8:00 a.m., marijuana establishments shall neither be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises. There shall be no limit on hours of operation with respect to marijuana cultivation.**
- H. Marijuana establishments, specifically including but not limited to those engaged in cultivation, shall comply in all respects with state and federal law regarding the use of fertilizers, pesticides, and organic and inorganic compounds.**
- I. Special Permit Conditions**

The Board of Appeals may impose reasonable conditions to improve site design,

traffic flow, public safety, water quality, air quality, protection of environmental resources, and preservation of the character of the adjacent neighborhood including, without limitation, the following:

- 1) To provide adequate lighting for monitoring of building and site security without creating negative effects on surrounding property.
- 2) To address issues of vehicular and pedestrian traffic, circulation and parking, and to mitigate the impacts of vehicular and pedestrian traffic on neighboring uses.
- 3) To specify conditions related to the design and construction of the facility to improve safety, security and conformance with community and neighborhood character.
- 4) To have and maintain adequate security, alarm systems, on-site parking and lighting in compliance with applicable regulations and as determined necessary by the Board of Appeals in consultation with the Police Chief.
- 5) To limit signage to that necessary for identification of the premises and to restrict advertising so that brands of marijuana products shall not be visible from a public way.

J. Definitions

Marijuana Establishment- a marijuana cultivator, craft marijuana cooperative, marijuana product manufacturer, marijuana retailer, independent testing laboratory, marijuana research facility, marijuana transporter, or any other type of licensed marijuana-related business, including a medical marijuana treatment center and a marijuana social consumption establishment. Marijuana uses are defined in the Cannabis Control Commission Regulations, 935 CMR 500.00.

Medical Marijuana Treatment Center -also known as a Registered Marijuana Dispensary (RMD), means a not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

100.2 Use Regulation Schedule

USE	R	BP	NT6A	TC	NTC	Rt6	S
Marijuana Cultivator	SP	N	SP	N	N	SP	N
Medical Marijuana Treatment Center (cultivation only)	SP	N	SP	N	N	SP	N
Medical Marijuana Treatment Center (dispensary/retail)	N	N	N	SP	SP	SP	N
Marijuana Product Manufacturer	N	N	SP	N	N	SP	N
Independent Testing Laboratory for Marijuana	N	N	SP	N	N	SP	N
Marijuana Research Facility	N	N	SP	N	N	SP	N
Third-Party Marijuana Transporter	N	N	N	N	N	SP	N
Marijuana Retailer	N	N	N	SP	SP	SP	N
Marijuana Microbusiness	SP	N	SP	N	SP	SP	N
Marijuana Craft Cooperative	SP	N	SP	N	N	SP	N

or take any other action relative thereto.

Explanation:

Planning Board Recommendation: 0-0-0 in favor

Board of Selectmen Recommendation: 0-0-0 in favor

ARTICLE 9: RIGHT TO FARM (PETITIONED ARTICLE)

Two-thirds
vote

Requested By Petition

To see if the Town will vote to amend to Town's Zoning Bylaw by adding a new Section 110, entitled **RIGHT TO FARM** that would provide as follows:

Section 110 Right to Farm Bylaw

110.1 Legislative Purpose and Intent.

This "Right to Farm" Bylaw establishes a process by which the Town of Truro will provide information to all present and future residents regarding existing state law pertaining to agriculture. The mechanism for providing notice is to be determined by the Town. This Bylaw provides no new benefits or protections beyond those already contained in the Massachusetts State laws.

The purpose and intent of this Bylaw is to embrace and explain the rights to farm accorded to all citizens of the Commonwealth under Article 97, of the Articles of Amendment of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9; Chapter 111, Section 125A; and Chapter 128, Section IA. We the citizens of Truro restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").

This Bylaw shall apply to all jurisdictional areas within the Town.

110.2 Definitions.

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- Farming in all its branches and the cultivation and tillage of the soil;
- Dairying;
- Production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- Farmers markets, CSA programs;
- Growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- Raising of livestock, including horses;
- Keeping of horses as a commercial enterprise;
- Keeping and raising of poultry, swine, cattle, sheep, rabbits, ratites, camelids and other domesticated animals for food and other agricultural purposes, including bees, fiber, furbearing animals, and any forestry and lumbering operations;
- Preparations for market, delivery to storage or to market or to carriers for transport to market.

Farming in Truro may encompass activities including, but not limited to, the following:

- Operation and transportation of slow-moving farm equipment over roads within the Town;
- Control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- Storage and application of manure, fertilizers and pesticides;
- Conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the

- agricultural output or services of the farm.
- Processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- Maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager, used expressly for the purpose or propagation, processing, management or sale of the agricultural products;
- On-farm relocation of earth and the clearing of ground for farming and or agricultural operations.

110.3 Applicability.

The benefits and protections affirmed by this Bylaw are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices.

110.4 Right to Farm Declaration.

The Right to Farm is hereby recognized to exist within the Town of Truro. The above-described agricultural and farm-related activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. Impacts that may be caused to others through the normal practice of agriculture may be more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections affirmed by this Bylaw are intended to apply exclusively to those agricultural operations and activities conducted in accordance with generally accepted agricultural practices. No benefits and protections are conferred to agricultural activities whenever adverse impact results from negligence or willful or reckless misconduct in the operation of any such agricultural or farming operation, place, establishment or facility or any of its appurtenances. Nothing in this Right to Farm Bylaw shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

110.5 Disclosure Notification.

Within 30 days after this Bylaw becomes effective, the Select Board shall post the following disclosure on the official bulletin board and website of the Town, at any other location at its discretion, and make such disclosure available for distribution upon request in the offices of the Select Board, Board of Assessors, and the Town Clerk.

"It is the policy of the Town of Truro to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers and occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust, and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for agricultural use under certain circumstances."

110.4 Resolution of Disputes.

Any person having a complaint about a farm or farming activity or practice is encouraged to seek an amicable solution through resolution directly with the owner or operator of the farm at issue. Such person may also, notwithstanding the pursuit of other available remedies, file such a complaint with the Select Board. The Select Board may, at its sole discretion and to the extent the Board believes resolution of the matter may be facilitated by involvement of the Town, forward the complaint to the Agriculture Commission, or other appropriate board or officer, and request that recommendations for resolution be provided within an agreed upon timeframe. Notwithstanding any other provision of this section, however, the Select Board shall not be required to forward a complaint filed in accordance herewith or to take any other action.

110.4 Severability Clause

If any part of this Bylaw is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Bylaw. The Town of Truro hereby declares the provisions of this Bylaw to be severable.

or take any other action relative thereto.

Planning Board Recommendation: 0-0-0 in favor

Board of Selectmen Recommendation: 0-0-0 in favor

DRAFT

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 29th day of October in the Year of our Lord, Two Thousand and Eighteen.

We, the members of the Board of Selectmen of the Town of Truro, have read the warrant for Special Town Meeting to be held at 6:00 p.m. on November 13, 2018, 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

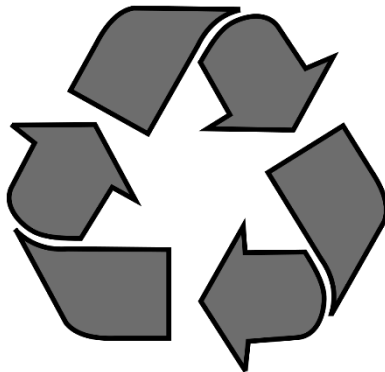
Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station,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

Constable

Date

DRAFT

Please consider recycling this document.





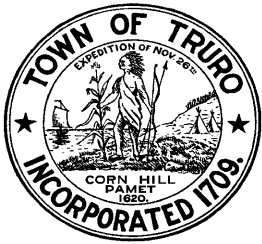
TOWN OF TRURO

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. FY18 CDBG Grant Administrator Contract with Bailey Boyd Associates
- B. Review and Approve Business Licenses: Lodging House-Gingerbread House, 42 Depot Rd; Common Victualer-Babes Restaurant, 63 Shore Rd
- C. Review and Approve Bond Anticipation Note for Fire Engine Urban and Landfill Capping
- D. Review and Approve Board of Selectmen Minutes: October 9, 2018



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: October 23, 2018

ITEM: Approval of the FY2018 Community Development Block Grant (CDBG) Administration Agreement with Bailey Boyd Associates

EXPLANATION: A Request for Proposals (RFP) for the FY18 CDBG Grant Administration was duly advertised and opened on October 5, 2018. Bailey Boyd Associates was the only respondent. Bailey Boyd Associates has provided this service for many years and does an excellent job resulting in no issues with the State on the management of this grant.

FINANCIAL SOURCE (IF APPLICABLE): Administrative Expenses allowed under the CDBG Grant that was just awarded to the Town.

IMPACT IF NOT APPROVED: The Town will not be able to accept the regional CDBG grant.

SUGGESTED ACTION: MOTION TO *approve the FY2018 CDBG Grant Administration Agreement with Bailey Boyd Associates and to authorize the Chair to sign.*

ATTACHMENTS:

1. Grant Administration Contract

**Agreement
By and Between
The Town of Truro
and
Bailey Boyd Associates, Inc.**

THIS AGREEMENT, made as of the ___ day of October, 2018, by and between the Town of Truro (hereinafter referred as "the TOWN/CITY") and Bailey Boyd Associates, Inc. (hereinafter referred to as "the CONSULTANT").

WITNESSETH THAT:

WHEREAS, the TOWN of Truro has entered into an agreement with the Commonwealth of Massachusetts' Department of Housing and Community Development (hereinafter "DHCD") to undertake a community development program of CDBG Housing Rehabilitation and Childcare Subsidies (hereinafter "PROGRAM") pursuant to the Housing and Community Development Act of 1974 (hereinafter "ACT"), as amended, and regulations thereunder, and

WHEREAS, professional services relating to the implementation and administration of the Program are sought to assist the TOWN in the timely achievement of its Massachusetts CDBG FY 2018 Community Development Block Grant Program objectives.

NOW, THEREFORE, THE PARTIES HERETO DO AGREE AS FOLLOWS:

- 1. ENGAGEMENT OF CONSULTANT:** The TOWN hereby engages the CONSULTANT to perform the services set forth herein and the CONSULTANT hereby accepts the engagement.
- 2. SCOPE OF SERVICES:** The CONSULTANT shall perform the necessary services as described in the approved proposal to the TOWN/CITY of TRURO, which is incorporated by reference herein as Attachment A.
- 3. RESPONSIBILITY OF THE TOWN:** The TOWN/CITY shall assume responsibility for assisting the CONSULTANT insofar as possible for the purposes of efficiency and furnishing the CONSULTANT with information needed to satisfactorily complete the services.
 - 3.1** The TOWN/CITY shall designate a project representative authorized to act on its behalf with respect to the project. The TOWN'S representative is Rae Ann Palmer, Town Manager, TELEPHONE 508-349-7004.
- 4. REPORTING:** The CONSULTANT shall submit written reports to the TOWN/CITY on the status of the professional services, according to the schedule and dates specified below, or at other times as required by an information request or reporting requirement of

Mass. CDBG.

REPORT: Quarterly DHCD project report to the TOWN on the status of the project.

DATE DUE: The 15th day of each new fiscal quarter, throughout the contract period, through grant close-out.

5. **SUBCONTRACTS:** No subcontract may be awarded by the CONSULTANT, the purpose of which is to fulfill in whole or in part the services required of the CONSULTANT, without prior written approval of the TOWN and the Department of Housing and Community Development.
6. **TIME OF PERFORMANCE:** The services of the CONSULTANT are expected to commence on or about October 1, 2018 and shall be undertaken and completed in sequence so as to assure their expeditious completion.

6.1 All services required hereunder shall be completed by December 31, 2019.

6.2 In the case of a time extension is required, no additional compensation will be paid.

7. **COMPENSATION:** The TOWN/CITY will pay the CONSULTANT a total fee not to exceed one hundred fifty-nine thousand seven hundred eighty one dollars (\$159,781), including \$150,200 for salaries (as approved in Part A of the application) and a maximum of \$9,581 for reimbursable expenses based upon invoices submitted in the approved form and according to the "Method of Schedule of Compensation", found as Attachment B.

8. GENERAL PROVISIONS:

8.1 **RETENTION OF RECORDS:** The CONSULTANT shall maintain in accordance with 2 CFR Part 200.333, and any Mass. CDBG regulations, procedures or guidelines, those books, records, and other documents, including but not limited to payroll records, and purchase orders that are sufficient to document that activities carried out were in accordance with this Agreement, and the primary objectives of the Act, and any other applicable laws and regulations. Such records shall contain all information pertaining to grant awards, authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. The CONSULTANT shall maintain such records for a period of seven (7) years from the date of expiration of this Agreement, or if such records become the subject of audit findings, they shall be retained until such findings have been resolved, whichever is later.

8.2 **ACCESS TO RECORDS:** The CONSULTANT shall make all books, accounts, records, reports, files, and other papers, things or property, that relate to its activities under this Agreement, available at all reasonable times for inspection, review, and audit by the Mass. CDBG, their authorized representatives, authorized representatives of HUD, the Inspector General of the United States, or of the Commonwealth, the Auditor of the Commonwealth, and the Attorney General of the United States, or of the Commonwealth reserves the right of the Governor or his designee, the Secretary of Administration and Finance, and the State Auditor and his designee, at reasonable times and upon reasonable notice, to examine the books, records, and other compilative data of the CONSULTANT

which pertain to the performance of the provisions and requirements of this Agreement, as provided by Executive Order 195.

8.3 TERMINATION: The TOWN/CITY may terminate the contract, for cause, upon 15 days written notice to the CONSULTANT. In case of termination, all finished and unfinished documents shall become the property of the TOWN/CITY.

8.3.1 In the event of termination, the CONSULTANT will be compensated for services provided to the date of termination, according to the "Method and Schedule of Compensation," Attachment B.

8.4 AMENDMENTS: This Agreement may be amended providing such amendment is in writing by the signatories hereto, and receives approval from Mass. CDBG prior to its effective date.

8.5 NON-DISCRIMINATION: The CONSULTANT shall adhere to the requirements set forth in Title VI of the Civil Rights Act of 1964 (Public Law 88-352), and the regulations issued pursuant thereto by HUD; Title VIII of the Civil Rights Act of 1968 (Public Law 90-284), as amended; section 109 of the Housing and Community Development Act of 1974, and the HUD regulations issued pursuant thereto (24 CFR 570.601); Federal Executive Order 11063, as amended by Executive Order 12259 and the HUD regulations issued pursuant thereto (24 CFR 107); The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); Section 402 of the Veterans of the Vietnam Era Act (for projects of \$10,000 or more); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); Massachusetts General Laws Chapter 151B Section 1 et seq.; State Executive Order 74, as amended and revised by Executive Orders 116, 113 and 227; and Mass. CDBG regulations, procedures or guidelines.

The CONSULTANT shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, handicap, or national origin. The CONSULTANT shall take affirmative action to insure that applicants for employment are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, handicap, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONSULTANT shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause. The CONSULTANT shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin.

8.6 PROCUREMENT STANDARDS: The CONSULTANT shall adhere to the requirements set forth in 2 CFR Part 200.318 through 200.326 and Mass. CDBG regulations, procedures and guidelines with respect to standards governing procurement, and any applicable provisions of State laws and regulations relative thereto, including Chapter

30, section 39M; Chapter 149, section 44A through 44J; Chapter 484 of the Acts of 1984; and Chapter 30B. All procurement transactions without regard to dollar value shall be conducted in a manner that provides maximum free and open competition. It is national and state policy that the recipient take affirmative steps to award a fair share of contracts taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, construction and services. The SUBRECIPIENT shall maintain records sufficient to detail the process for procurement.

8.7 Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

8.8 EMPLOYMENT OPPORTUNITIES: Where applicable, the CONSULTANT shall comply with provisions of Section 3 of the Housing and Community Development Act of 1968 (12 U.S.C. 1701u) and the HUD regulations issued pursuant thereto (24 U.S.C. 135), which shall serve as guidance for the implementation of said section.

8.8 FAIR HOUSING: In addition to the laws and regulations set forth herein with respect to ensuring fair housing opportunities, the CONSULTANT shall adhere to the provisions of State Executive Orders 215 and 227.

8.9 LABOR STANDARDS: Where applicable, the CONSULTANT shall adhere to the provisions of Section 110 of the Act, and the Massachusetts General Laws Chapter 149 sections 26 to 27D inclusive (as amended by Chapter 484 of the Acts of 1984). In the case of the rehabilitation of commercial property, or rehabilitation of residential property designed for residential use of eight or more families, the CONSULTANT shall adhere to the Federal Labor Standards Provisions (HUD Handbook 1344.1), the requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et. seq.) and the Copeland Anti-Kickback Act.

8.10 CONFLICT OF INTEREST: The CONSULTANT shall adhere to the mandates of the Massachusetts Conflict of Interest Statute, M.G.L. c.268A, the federal Conflict of Interest Provisions at 24 CFR 570.489 and the federal Hatch Act, 5 U.S.C. ss 1501 et seq.

8.11 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, AND Mass. CDBG REGULATIONS, PROCEDURES, AND GUIDELINES: All activities authorized by this agreement shall be subject to and performed in accordance with the provisions of the TOWN/CITY’s Grant Agreement with Mass. CDBG and all its attachments (including, where relevant, Section 4.14, Flood Disaster Protection, 4.15, Historic Preservation, 4.16, Additional Environmental Requirements, 4.17, Lead Paint Hazards, and 4.18 Relocation Assistance), all applicable

federal, state, and local laws and regulations, including but not limited to any applicable regulations issued by HUD published in 24 CFR Part 570, as may be amended from time to time, 2 CFR Part 200, all applicable State and local laws and regulations, including but not limited to those specifically stated herein, any additional regulations, procedures or guidelines as may be established or amended by DHCD.

9. **AVAILABILITY OF FUNDS:** The compensation provided by this agreement is subject to the continued availability of federal funds for the CDBG Program, and to the continued eligibility of the Commonwealth and the TOWN/CITY to receive such funds.

10. **INDEMNIFICATION:** The CONSULTANT shall indemnify, defend, and hold the TOWN/CITY harmless from and against any and all claims, demand, liabilities, actions, causes of actions, cost and expenses caused by or arising out of the CONSULTANT's breach of this agreement or the negligence or misconduct of the CONSULTANT, or the agents or employees.

11. **LICENSES:** The CONSULTANT shall procure and keep current any licenses, certifications, or permits required for any activity to undertaken as part of the Scope of Services, Attachment A, as required by federal, state or local laws or regulations, and shall comply with the provisions of 2 CFR Part 200.325 with respect to any bonding or other insurance requirements.

12. **CONFIDENTIALITY:** The CONSULTANT will protect the privacy of, and respect the confidentiality of information provided by, program participants, consistent with applicable federal and state regulations, including M.G.L., C. 66 section 10, regarding access to public records.

13. **COPYRIGHT:** No material prepared in whole or in part under this agreement shall be subject to copyright in the United States of America or in any other country except with the prior written approval of Mass. CDBG.

14. **Rights to Inventions Made Under a Contract or Agreement.** If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

15. **Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—**Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C.

1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

16. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).(I)

17. **DEBARMENT AND SUSPENSION** (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), “Debarment and Suspension.” The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

18. **BYRD ANTI-LOBBYING AMENDMENT** (31 U.S.C. 1352)—Contractors that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

19. **CLOSEOUT:** The CONSULTANT shall follow such policies and procedures with respect to close-out of any associated grant as may be required by Mass. CDBG.

20. The following Certificate of Tax Compliance must be completed and submitted as part of this contract

Certificate of Tax Compliance

Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, I certify under the penalties of perjury that to the best of his/her knowledge and belief I am in compliance with all laws of the commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Contractor:
By: *Lucie S. Boyd, President*
Signature of authorized representative and title

10/12/18
Date

16. SEVERABILITY: If any provision of this agreement is held invalid, the remainder of the agreement shall not be affected thereby, and all other parts of this agreement shall, nevertheless, be in full force and effect.

IN WITNESS WHEREOF, the **TOWN** and the **CONSULTANT** have executed this **AGREEMENT** under seal in triplicate as of the date above written.

Approvals and Signatures

By: TOWN OF TRURO	By: CONSULTANT
 _____	 <u><i>Lucie S. Boyd</i></u> <u>10/12/18</u>
authorized signatory date	authorized signatory date
<u>Certification as to Availability of Funds:</u>	<u>Approval of Contract as to Form:</u>
 _____	 _____
Town Accountant date	Town Counsel date

Town Procurement Officer date	

ATTACHMENT A:

SCOPE OF SERVICES GRANT ADMINISTRATOR

The Grant Administrator shall perform the necessary administrative services as presented in the Town's FY 18 CDBG Application activity and RFP for grant administration.

These services will include:

- grant start-up which includes preparation of sub-grantee and administration contracts, completion of special conditions, environmental review, publication of legal notices, meetings with town staff including town manager, accountant and treasurer, secure office and meeting space for sub-grantee, training of sub-grantee staff, review of all program regulations, marketing materials and documentation including applications, closing documents, deed restrictions, etc., review of grant bank accounts, request for release of funds, project start-up including initial procurement and initial set up of OCDGMS system
- daily phone call(s) with sub-grantee to resolve program issues, client problems and construction questions. Monthly consultation with sub-grantee to include review of client matrix, oversight of all program activities, review and approval of all case files previous to closings and during construction, review of work write-ups, marketing, income qualification, beneficiary coordination, contractor selection, work inspection, and all other program implementation and follow-up issues
- daily or weekly input to OCDGMS system
- formal quarterly monitoring of sub-grantee to include review of all written materials and program files
- coordination of quarterly reports
- review and submission of any single case waivers or program amendments an extensions
- set up, advertise, and coordinate interim public hearing
- monthly audit of program bank account
- monthly drawdown, tracking of funds and preparation of warrant request for program funds
- assistance with subordination agreements
- coordination and representation in all funding source monitorings
- participation in town audit of grant programs
- completion of bid documentation, program procurement, hiring, and all other documentation required by the funding source or the Town
- coordination with other housing agencies
- coordination with other participating funding sources
- oversight and implementation of grievance procedure
- report to Boards of Selectmen at least twice during the grant period
- meeting with Town Manager regarding program issues

- meetings with local housing committees and housing authorities regarding program
- completion and/or oversight of all other administrative and program issues
- Final close-out of program including all funding source requirements and final monitoring of program

CHILDCARE SUBSIDY PROGRAM

- Program start-up
- Marketing of childcare subsidy program through the media, childcare providers, schools and the community
- Development and distribution of childcare flyers, applications, income documentation guidance
- Development of childcare provider rules and paperwork for acceptance and payment
- Regular meetings with childcare providers
- Income documentation of all applicants
- Assist families in completing applications and securing childcare
- Final approval of all applicants
- Training sessions for providers
- Regular monitoring of participant attendance
- Regular monitoring of childcare providers for licenses, adherence to program rules
- Emergency assistance to families in crisis regarding childcare needs
- Quarterly meeting with all providers
- Recruitment of providers and families in Community Development Advisory Committee
- Report to the Boards of Selectmen
- Quarterly Reports
- Participation in childcare meetings throughout the community

ATTACHMENT B:

SCHEDULE OF COMPENSATION

FY18 Application Preparation: \$3,000

Project start-up: approximately \$10,105 based upon salaries and reimbursable costs

- grant start-up which includes procurement of sub-grantee, sub-grantee and administration contracts, completion of special conditions, preparation and advertisement of environmental review, preparation and payment for publication of legal notices, meetings with town staff including town manager, accountant and treasurer, training of sub-grantee staff, review of all program regulations, marketing materials and documentation including applications, self-declarations, etc., review of program content and schedule, request for release of funds, project start-up including initial procurement and initial set up of OCDGMS system

Staff responsible: Grant Administrator, Staff Bookkeeper, Childcare Subsidy Coordinator, Clerk

Monthly grant administration: \$9,222 per month for 15 months (approximation, based upon salaries and monthly reimbursable costs)

- daily phone call(s) with sub-grantee to resolve program issues, marketing and client questions. Weekly meetings with sub-grantee to include review of client matrix, oversight of all program activities, review and approval of all case files previous to closings, review of marketing, income qualification, beneficiary coordination, consultant procurement, and all other program implementation and follow-up issues
- daily or weekly input to OCDGMS system
- formal quarterly monitoring of sub-grantee to include review of all written materials and program files
- coordination of quarterly reports
- review and submission of any program amendments or extensions
- set up, advertise, and coordinate interim public hearing
- monthly audit of bank account
- monthly drawdown, tracking of funds and preparation of warrant request for program funds
- coordination and representation in all funding source monitoring
- participation in town audit of grant programs
- completion of bid documentation, program procurement, hiring, and all other documentation required by the funding source or the Town

- oversight and implementation of grievance procedure
- report to all participating Boards of Selectmen at least twice during the grant period
- meeting with Town Manager monthly regarding program issues
- meetings with local housing committees regarding program
- day-to-day operation of childcare subsidy program
- completion and/or oversight of all other administrative and program issues.

Staff responsible: Grant Administrator, Staff Bookkeeper, Childcare Subsidy Coordinator, Clerk

Project close-out: \$8,346 (approximate, based upon salaries and final reimbursable costs)

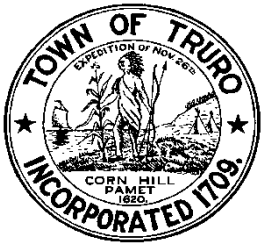
- Final close-out of program including all funding source requirements and final monitoring of program
- Participation in town audit for two fiscal years

Staff responsible: Grant Administrator, Staff Bookkeeper, Childcare Subsidy Coordinator, Clerk

Estimate is based upon grant administration salaries and reimbursement for line item expenses associated with the administration of this grant which will vary monthly based upon actual cost. Please see attached line item breakdown.

LINE ITEM BREAKDOWN OF PRICE PROPOSAL

TRURO FY18 CDBG Grant Administration			
Personnel:	Grant Administration	Childcare Subsidy	Total
Grant Administrator	\$45,000	\$0	\$45,000
Fiscal Administrator	\$34,800	\$0	\$34,800
Clerk	\$0	\$6,000	\$6,000
Childcare Subsidy Coordinator	\$0	\$29,250	\$29,250
Taxes & Fringe:			
Grant Administrator	\$15,300	\$0	\$15,300
Fiscal Administrator	\$12,410	\$0	\$12,410
Clerk	\$0	\$420	\$420
Childcare Subsidy Coordinator	\$0	\$7,020	\$7,020
Total Personnel	\$107,510	\$42,690	\$150,200
Program Delivery:			
Memberships/Publications	\$221	\$100	\$321
Training & Education	\$450	\$40	\$490
Travel	\$2,100	\$450	\$2,550
Accounting/disbursements	\$0	\$0	\$0
Legal Services	\$0	\$0	\$0
Advertising	\$650	\$300	\$950
Printing	\$0	\$350	\$350
Communications	\$250	\$525	\$775
Supplies & Materials	\$100	\$345	\$445
Maintenance & Repairs	\$0	\$0	\$0
Audit	\$0	\$0	\$0
Computer & related expenses	\$0	\$400	\$400
Equipment	\$0	\$0	\$0
Professional Services	\$0	\$300	\$300
Application Preparation (FY16)	\$3,000	\$0	\$3,000
Total Program Delivery	\$6,771	\$2,810	\$9,581
TOTAL PRICE PROPOSAL	\$114,281	\$45,500	\$159,781



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Gingerbread House and Babe's Restaurant business owners

REQUESTED MEETING DATE: October 23, 2018

ITEM: Approval of Renewal of Business Licenses:
Lodging License-Gingerbread House-42 Depot Road
Common Victualler License-Babe's Restaurant-63 Shore Rd

EXPLANATION: The Gingerbread House Lodging House License and Babe's Restaurant Common Victualler Licenses are under the authority of the Board of Selectmen as Local Licensing Authorities.

If you approve these licenses for renewal, the licenses will be issued only upon compliance with all regulations, receipt of the necessary fees, proof of taxes paid in full for the fiscal year and prior approval of the Food Service License by the Health Agent or Board of Health. There is no Board of Health Licenses issued to the Gingerbread House. The Food Service Licenses for Babe's Restaurant were issued 10/16/2018 by the Board of Health. There were no reported issues with these establishments in 2018.

Mass General Law	Licenses & Permits Issued by Board of Selectmen	Names of Businesses
Chapter 140 § 23	Lodging House License	Gingerbread House
Chapter 140 § 2	Common Victualler (Cooking, Preparing and Serving food)	Babe's Restaurant

IMPACT IF NOT APPROVED: The applicants will not be issued their Licenses to operate the Gingerbread House located at 42 Depot Road and Babe's Restaurant at 63 Shore Rd.

SUGGESTED ACTION: *MOTION TO approve the 2019 annual Lodging House License for the Gingerbread House and the 2018 seasonal Common Victualler License for Babe's Restaurant upon compliance with all regulations and receipt of the necessary fees.*

ATTACHMENTS:

1. Renewal Application for 2019: Gingerbread House
2. Renewal Application for 2018: Babe's Restaurant

RCVD 2018OCT11 PM3:34
ADMINISTRATIVE OFFICE
TOWN OF TRURO



TOWN OF TRURO

PO Box 2030, Truro MA 02666

Tel: 508-349-7004, Extension: 131 or 124 Fax: 508-349-5508

LICENSE APPLICATION: Condominiums, Cottage Colonies, Motels, Campgrounds, Lodging, Gas Station/Retail Service, Transient Vendor

Section 1 – License Type & Hours of Operation

Please check the appropriate box the best describes the license type(s).

New Renewal

FACILITY: # UNITS

HOURS OF OPERATION:

Motel _____

Annual Seasonal

Cottage Colony _____

Opening Date: _____

Condominium _____

Closing Date: _____

Campground _____

Days of the Week Open: 7 days

Lodging 4

Transient Vendor

Gas Station (*Please submit your Service Station Compliance Form & Third Part Underground Storage Tank Inspection Report (FP 289)*)

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) _____

Jane T. Ray The Gingerbread House
Print Name of Applicant Business Name

Jane T. Ray
Owner Name

42 Depot Road Truro MA PO Box 266 Truro MA 02666
Street Address of Business Mailing Address of Business

Business Phone Number info@gingerbreadhouse.truro.com
Business E-Mail Address

Section 3 –MANAGER INFORMATION

Check if New Manager (if checked, MUST submit Application to Name a Manager)

Name of Onsite Manager:

Name: Jane Ray Unit Number: _____

Mailing Address: same

Phone: (24 Hour Contact): same Email Address: same

Jane T. Ray
Manager's Signature (REQUIRED)

Name of Offsite Manager:

Name: Jane Ray Business Name: The Gingerbread House

Business Address: 42 Depot Rd.

Phone: (24 Hour Contact): same Email Address: same

Jane T. Ray
Manager's Signature (REQUIRED)

Name of Co- Manager:

Name: _____ Business Name: _____

Business Address: _____

Phone: (24 Hour Contact): _____ Email Address: _____

Co-Manager's Signature (REQUIRED)

Section 4 – ATTESTATION

Pursuant to M.G. L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all local state taxes required under law and the information I have provided is true and accurate. Any misstatement in this application, or violation of state or applicable town bylaws or regulations, shall be considered sufficient cause for refusal, suspension or revocation of the license.

Jane T. Ray
Signature of Applicant

Jane T. Ray
Print Name

10/11/18
Date

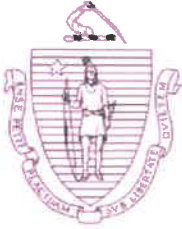
Additional Applications & Documentation

REQUIRED FOR ALL MOTELS, COTTAGE COLONIES, CONDOMINIUMS & CAMPGROUNDS

- Smoke detector/fire protection certification
- IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance
- IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit
- Business certificate with the clerk's office on site Truro Town Hall

ADDITIONAL (SEPARATE) APPLICATIONS THAT MAY PERTAIN TO YOUR OPERATION

- Application for Pool or Hot Tub Permit
 - Application to Name a Manager
 - Entertainment License
 - Application to sell Tobacco
 - Application for Food Service Permit
- (rev 9/2017)



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

RCUD 20180CT11 00934
 ADMINISTRATIVE OFFICE
 TOWN OF TRURO

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: Jane Roy dba The Gingerbread House
 Address: 42 Depot Rd P.O. Box 266
 City/State/Zip: Truro, MA 02666 Phone #: 508 3492596

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/ or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other Lodging

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Liberty Mutual
 Insurer's Address: Box 8090
 City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: Dec. 19/2018

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: Jane T. Roy Date: 10/11/18
 Phone #: 508 349 2596

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____



TRURO FIRE RESCUE
Truro Public Safety Facility
344 Route 6 Truro, MA 02666

FIRE PROTECTION SYSTEMS ANNUAL TEST REPORT
RCVD 2018 APR 23 AM 10:15
ADMINISTRATIVE OFFICE
TOWN OF TRURO

BUSINESS NAME: The Gingerbread House

OWNER/MANAGER: Jane Ray

ADDRESS: 42 Depot Rd. PO Box 266 Truro, MA 02666

PHONE #: 508 349 2596 NUMBER OF UNITS: 4

CONTACT PERSON: Jane Ray

ADDRESS: same

TESTING COMPANY: Carter Kane Electrician

TESTING ELECTRICIAN/TECHNICIAN: Carter Kane

COMPANY PHONE #: ⁵⁰⁸⁻349-6283 HOME PHONE #: 508-349-0451

LICENSE #: 36076E

The fire protection system (s) including, but not limited to, (Sprinkler Systems) (Range Hood Systems) (Fire Extinguishers) (Type I II III Fire Alarm Systems) (C.O. Detectors) at the above mentioned business address, were tested, (CERTIFIED) the add parts of the systems, were found to be, or corrected to be, fully operational.

COMMENTS: Tested all smoke + Co detectors in all BLDGS.
All tested O.K.

DATE OF CERTIFICATION: 4/18/18 BY: Carter Kane
Signature of Licensed Electrician

THIS REPORT MUST BE FILLED OUT AND SUBMITTED, PRIOR TO THE ISSUANCE OF, OR RENEWAL OF A LICENSE TO OPERATE WITHIN THE TOWN OF TRURO.



TOWN OF TRURO

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

TAX STATUS REQUEST FOR LICENSING

Date 10/12/2018

Request is coming from the Selectmen's Office

Owner's Name JANE RAY

Business Name Gingerbread House

Business Address 42 Depot Rd.

Map and Parcel 50-99

Please verify whether the Real Estate and Personal Property taxes to this property are up to date for the current fiscal year.

Current through FY 2018

Molly Stevens
Tax Collector's Signature

10/12/2018
Date



Number: 2018-103B

Fee \$50.00

Town of Truro Board of Health

24 Town Hall Road, Truro, MA 02666

Permit To Operate As A Food Caterer

In accordance with provisions of Chapter 111, Section 127A of the Massachusetts General Laws, Regulations established by the Massachusetts Department of Public Health (105 CMR 590.00) and the provisions of Chapter 111, Section 31 of the Massachusetts General Laws, Regulations established by the Truro Board of Health (Section X) a permit is hereby issued to:

Veruschka Boespflug, mgr.



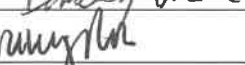

Whose place of business is: **Babe's Bakery**

Type of business and any restrictions **Food Caterer**

To operate a food establishment in **Truro**

Permit Expires: **December 31, 2018**

Date Issued:

Truro Board of Health Agent



Number: 2018-103C

Fee \$10.00

Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Bakery License

This is to Certify that **Veruschka Boespflug, mgr.,d/b/a Babes' Bakery Inc.**
63 Shore Rd

IS HEREBY GRANTED A LICENSE

For **a bakery**

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires
December 31, 2018 unless sooner suspended or revoked.

Date

Mark N. Potts

Janet A. Potts
Truro, MA

Truro Board of Health Agent

Juan Silva

Number: 2018-103A

Fee \$75.00

Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Permit To Operate A Food Establishment

In accordance with Regulations promulgated under authority of Chapter 111, Section 127A of the General Laws a Permit is hereby granted to:

Whose place of business is **Veruschka Boespflug, mgr., d/b/a Babe's Bakery**
63 Shore Rd

Type of business and any restrictions **Restaurant**

To operate a food establishment in **Truro**
(City or Town)

Permit Expires: **December 31, 2018**

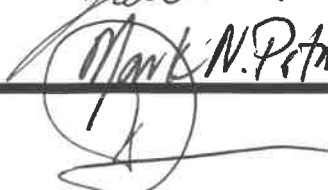
Date Issued:

Seating: 48

Francis Rose

Truro

Truro Board of Health Agent

Jason Silva
Mark N. Petry


#508487
7457



Town of Truro Board of Health

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 131 Fax: 508-349-5508
Email: abeebe@truro-ma.gov or adavis@truro-ma.gov

\$ PAID
4524

75 FS
50 CV
50 CAT
10 BAK

\$ 185

HEALTH DEPARTMENT
TOWN OF TRURO

JUN 21 2018

RECEIVED BY:

APPLICATION FOR FOOD SERVICE - COMMON VICTUALER

2018-103

New Renewal

Section 1 - License Type

Type of License: Food Service Common Victualer

Type of Food Service Establishment:

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast w/Continental Breakfast
- Catering
- Manufacturer of Ice Cream/Frozen Dessert
- Bakery

Section 2 - Business/Owner/Manger Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

Business Name: BABE'S BAKERY, INC

Owner Name: CLAUDIA BOESPFLUG Email Address: VERUSCHKE@GMAIL.COM

Mailing Address: PO BOX 352 N. TRURO

Phone No: 508-487-7457 / [REDACTED]

Person Directly Responsible for Daily Operations: (Owner, Person In Charge, Supervisor, Manager)

Name: VERUSCHKA CLAUDIA BOESPFLUG Email Address: VERUSCHKE@GMAIL.COM

Mailing Address: PO BOX 352 N. TRURO MA

Phone No: 508-487-7457 24 Hour Emergency: [REDACTED]

+ TERRENCE JOHNSON [REDACTED]

Section 3 - Business Operation Details

Number of Seats: Inside: 36 Outside: 12 Number of Employees: 2

Length of Permit: Annual Seasonal Operation

Hours of Operation: 7 To 12

Days Closed Excluding Holidays: SEASONAL No

If Seasonal: Approximate Dates of Operation: 07/30/18 To 10/30/18

Jennifer Edgar

choke saver: Terence Johnson

Certified Food Manager(s) (attach copy): (at least 1 full-time equivalent PER SHIFT required)

Jennifer Edgar

Allergen Awareness Certification (attach copy): 15 MINUTES - ONLINE SERVSURE.

Jennifer Edgar

Has your menu changed from last year? Yes No

If yes please attach copy of menu or provide description of food to be prepared and sold:

Section 4 - Attestation

Attestation

I, the undersigned, attest to the accuracy of the information provided in this application and further agree to allow the regulatory authority access to the food service establishment as specified under § 8-402.11. I affirm that the food establishment operation will comply with 105 CMR 590.000, Truro Board of Health Regulation Section X, Food Service Regulations and all other applicable laws. Pursuant to MGL Ch. 62C § 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid state and local taxes required by law.

Signature of Applicant:

Jennifer Edgar

Date:

06/21/2018

Application Checklist:

Food Service Permit Application

Smoke Detector/Fire Protection Certification

Workers Compensation Affidavit/Certificate of Insurance

Copy of Inspection of Kitchen Equipment: Commercial Hood and Ventilation System Report

Copy of Service report of mechanical washing equipment (Dishwasher)

Copy of ServSafe Certification and Allergy Awareness

9/11 9/14 - 2018

Copy of Choke Saver (for food service establishment w/seating capacity of 25 or more)

FOR HEALTH DEPARTMENT USE ONLY

Comments: _____

Review by _____

Date _____

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

JENNIFER EDGAR

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)–Conference for Food Protection (CFP).

13482798

CERTIFICATE NUMBER

5159

EXAM FORM NUMBER

4/9/2016

DATE OF EXAMINATION

4/9/2021

DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.



#0655

Sheridan Brown
Sheridan Brown
DVP, National Restaurant Association Solutions

In accordance with Maritime Labour Convention 2006, Regulation ADM N 06B-2013 (Regulation 3.2, Standard A3.2)
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National Restaurant Association® and the arc design are trademarks of the National Restaurant Association.
All documents cannot be reproduced or altered.
112250



Contact us with questions at 175 W Jackson Blvd, Ste 1500, Chicago, IL 60604 or ServSafe@restaurant.org

CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: JENNIFER EDGAR

Certificate Number: 2268164

Date of Completion: 3/28/2016

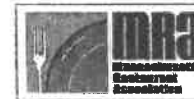
Date of Expiration: 3/28/2021



The above-named person is hereby issued this certificate for completing an allergen awareness training program recognized by the Massachusetts Department of Public Health in accordance with 105 CMR 590.009(G)(3)(a).

This certificate will be valid for five (5) years from date of completion.

Issued By:



Massachusetts Restaurant Association
333 Turnpike Road, Suite 102
Southborough, MA 01772
508-303-9905
www.marcestaurantassoc.org



800.765.2122
www.restaurant.org

8/21/18
OK hi
2020
ECS



EMERGENCY CARE & SAFETY INSTITUTE

Certificate of Completion

The Education Center, below, verifies that
Terence Johnson
 has successfully completed the knowledge and skill evaluations for the
Emergency Care & Safety Institute Course.

Adult, Child, Infant CPR & AED	August 04, 2018	August 04, 2020	EDSJK2051802
Course Name	Course Completion Date	Recommended Renewal Date	Student Authorization Number
Cape Cod CPR & First Aid Training	508-364-4750	Chris Abramo	0115VHXF41ZC
Education Center	Education Center Phone Number	Instructor Name	Instructor ID Number
info@CapeCPR.com			
Education Center Email	This certificate does not guarantee, or indicate performance or suggest any form of licensure. Skills deteriorate rapidly when not used. Renewals within 180 days of expiration are required.		

X This certificate is valid only if the course was completed in accordance with the current international consensus guidelines for cardiopulmonary resuscitation (CPR) and emergency cardiac care (ECC).

Course: Adult, Child, Infant CPR & AED		
Name: Terence Johnson		

Student Authorization #: EDSJK2051802
 Education Center: Cape Cod CPR & First Aid Training
 Education Center Email: info@CapeCPR.com
 Education Center Phone #: 508-364-4750
 Instructor Name: Chris Abramo
 Instructor ID #: 0115VHXF41ZC

The Education Center verifies that the above has successfully completed the knowledge and skill evaluations for the
Emergency Care & Safety Institute Course.

August 04, 2018	August 04, 2020
Course Completion Date	Recommended Renewal Date

The ECSI course meets the most current international consensus guidelines on cardiopulmonary resuscitation (CPR) and emergency cardiac care (ECC).

To verify course completion, visit www.ECSIinstitute.org and enter the above student authorization number.

ECSI Phone Number: (800) 71-ORANGE www.ECSIinstitute.org



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017

www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: BABE'S BAKERY INC.

Address: 69 SHORE RD

City/State/Zip: N. TRURO MA 02692 Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am an employer with 1 employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: FIRESIDE INSURANCE, INC.

Insurer's Address: 10 SHANK PAINTER CWN POB 760

City/State/Zip: PROVINCETOWN MA 02666 02657-076

Policy # or Self-ins. Lic. # SEE ATTACH Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 06/04/2018

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/18/2018

PRODUCER FIRESIDE INSURANCE AGENCY INC #10 Shank Painter Cmn POB 760 Provincetown, MA 02657-0760 (508) 487-9044		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED BABES, INC. PO BOX 352 NO. TRURO, MA. 02652		INSURERS AFFORDING COVERAGE	NAIC #
		INSURER A: NORFOLK & DEDHAM INS CO	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE	\$
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
						MED EXP (Any one person)	\$
						PERSONAL & ADV INJURY	\$
						GENERAL AGGREGATE	\$
						PRODUCTS - COM/OP AGG	\$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALLOWED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE	\$
						AGGREGATE	\$
							\$
							\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below OTHER	Y/N <input checked="" type="checkbox"/> N	08-24-17	08-24-18	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	\$ 100,000
						E.L. DISEASE - EA EMPLOYEE	\$ 100,000
						E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

RESTAURANT /
69 SHORE RD
NORTH TRURO, MA. 02652

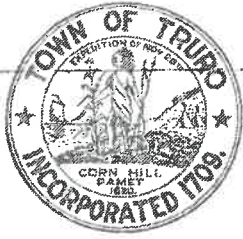
CERTIFICATE HOLDER

TOWN OF TRURO
LICENSING DEPT.
TOWN HALL
TRURO, MA. 02666

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



TRURO FIRE RESCUE
Truro Public Safety Facility
344 Route 6 Truro, MA 02666

**FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT**

BUSINESS NAME: BABE'S BAKERY, INC

OWNER/MANAGER: CLAUDIA BOESPFLUG

ADDRESS: 69 SHORE RD N TRURO MA 02652

PHONE #: 508 487 7457 NUMBER OF UNITS: _____

CONTACT PERSON: VERUSCHKA BOESPFLUG

ADDRESS: PO BOX 352 NORTH TRURO MA 02652

TESTING COMPANY: RALPH J PERRY

TESTING ELECTRICIAN/TECHNICIAN: MIKE HOLUBESKO

COMPANY PHONE #: 775 3473 HOME PHONE #: _____

LICENSE #: 5342

The fire protection system (s) including, but not limited to, (Sprinkler Systems) (Range Hood Systems) (Fire Extinguishers) (Type I II III Fire Alarm Systems) (C.O. Detectors) at the above mentioned business address, were tested, (CERTIFIED) the add parts of the systems, were found to be, or corrected to be, fully operational.

COMMENTS: _____

DATE OF CERTIFICATION: 10/20/18 BY: mm fl

Signature of Licensed Electrician

**THIS REPORT MUST BE FILLED OUT AND SUBMITTED, PRIOR TO THE ISSUANCE OF,
OR RENEWAL OF A LICENSE TO OPERATE WITHIN THE TOWN OF TRURO.**

RALPH J. PERRY

96 Falmouth Rd. (Route 28) • Hyannis, MA-02601 • Phone: (508) 775-FIRE • Ma. Lic. #017 D.O.T. # A-850

18553

SYSTEM INSPECTION REPORT #1 MAIN

Name BAGE'S

Date 6/20/18 Next Insp. Due 6/19

Address 69 SMOKE RD

Model # 2.5 Mfg. RL

TRURO

of Tanks 1 Wet Dry

Bill To _____

Annual Semi _____ Recharge _____ New _____

Contact V. CRUSCHKA Phone 407-7457

Fusible Links: 360 3 450 _____ Other _____ Seals 7

Hood needs to be cleaned _____ Refuses Inspection _____

Fuel Shut Off: _____ Gas Electric _____ Caps _____

Grease accumulation: Excessive _____ Heavy _____ Moderate _____

Ansul Cart: Single _____ Double _____ N2 _____ CO2 _____

Filters need to be cleaned: _____ Type BAFFLE

RG/PC Cart: 16gm CO2 _____ 12gm CO2 _____

Cooking appliance location: Left to right: 4 BURN/2 BURN/GRID

Ralph J. Perry must be notified if there is any change/movement in cooking equipment.

- | | | | |
|--|-------------------------------------|--|-------------------------------------|
| 1. Are all appliances covered by nozzles | <input checked="" type="checkbox"/> | 17. Clean nozzles no. of <u>2</u> duct + plenum <u>4</u> appliance | <input checked="" type="checkbox"/> |
| 2. Are hood and duct covered by nozzles | <input checked="" type="checkbox"/> | 18. Replace fusible links / Mfg. date <u>18</u> | <input checked="" type="checkbox"/> |
| 3. Check positioning of nozzles | <input checked="" type="checkbox"/> | 19. Check cable, nut, and S-hook movement | <input checked="" type="checkbox"/> |
| 4. Hood and duct penetration sealed | <input checked="" type="checkbox"/> | 20. All piping secured | <input checked="" type="checkbox"/> |
| 5. Is system U.L. 300 | <input checked="" type="checkbox"/> | 21. All filters in place | <input checked="" type="checkbox"/> |
| 6. Proper clearance flame to filters | <input checked="" type="checkbox"/> | 22. Cartridge/N2 reinstalled/Safety pin removed | <input checked="" type="checkbox"/> |
| 7. Nozzle seals in place | <input checked="" type="checkbox"/> | 23. System reset and operational | <input checked="" type="checkbox"/> |
| 8. Are there seal tites in place | <input checked="" type="checkbox"/> | 24. All yellow seals in place | <input checked="" type="checkbox"/> |
| 9. Pressure gauges in proper range | <input checked="" type="checkbox"/> | 25. Service and certification tag on system | <input checked="" type="checkbox"/> |
| 10. Check cartridge weight | <input checked="" type="checkbox"/> | 26. Portable extinguishers up to code | <input checked="" type="checkbox"/> |
| 11. Hydrotest due | <u>26</u> | 27. Class K extinguisher and placard installed | <input checked="" type="checkbox"/> |
| 12. Inspect cylinder liquid and mount | <input checked="" type="checkbox"/> | 28. Reviewed automatic & manual operation of system w/customer | <input checked="" type="checkbox"/> |
| 13. Test for proper operation from terminal link | <input checked="" type="checkbox"/> | 29. Exhaust fan working | <input checked="" type="checkbox"/> |
| 14. Test remote manual operation | <input checked="" type="checkbox"/> | 30. Customer instructed on required monthly inspection of system | <input checked="" type="checkbox"/> |
| 15. Micro switch in place | <input checked="" type="checkbox"/> | 31. Customer performing monthly inspection | <input checked="" type="checkbox"/> |
| 16. Gas valve in place and working | <input checked="" type="checkbox"/> | | |

Recommendation: _____

Non-compliance issued: **Yes / No Reason** _____

*Non-Compliance systems/or systems with discrepancies may fail to extinguish/suppress a fire.

Discrepancies or deficiencies _____

Ralph J. Perry is not a hood/duct service company. Any discrepancies should be addressed by a qualified hood/duct company.

Extinguisher Inspections: 3 Light Inspections: _____ Total # of Ext: 3 Ext. due service: _____ Service Chg: _____ Cond. Test: _____
RECHARGES / SERVICE **NEW EXTINGUISHERS**

Drychem 2.5lb _____ 5lb. _____ 10lb. _____ 20lb. _____ 6 year _____ Hydro _____

Drychem 2.5lb _____ 5lb. _____ 10lb. _____ 20lb. _____

PW _____ K Class _____ 6L _____ 2.5G _____ Hydro _____

PW _____ K Class _____ 6L _____ 2.5G _____

Halotron 2.5lb. _____ 5lb. _____ 11lb. _____ 15.5lb _____ 6 year _____ Hydro _____

Halotron 2.5lb. _____ 5lb. _____ 11lb. _____ 15.5lb _____

CO2 5lb. _____ 10lb. _____ 15lb. _____ 20lb. _____ Hydro _____

CO2 5lb. _____ 10lb. _____ 15lb. _____ 20lb. _____

Parts: Service Collar _____ Oring _____ Pull Pin _____

Batteries: _____ Bulbs _____ Misc. _____

FIRE EXTINGUISHERS ARE IN COMPLIANCE WITH NFPA 10 CODE YES NO _____

Comments: _____

Am. L.L.
Service Technician

5242
Lic. #

Customer's Authorized Representative

Email

Please read the Customer Acknowledgment on reverse side before signing.

On this date, the above system was tested and inspected in accordance with procedures of the current NFPA 17A AND 96 edition and the manufacturers manual at time of installation and was operating according to these procedures with the results indicated above.

On this date, the above fire extinguishers and fire equipment were inspected or serviced in accordance with procedures of the NFPA 10 and the manufacturers manual, with the results indicated above.

The above service technician certifies that the system/extinguishers were personally inspected and found conditions to be as indicated above.

A copy of this report will be forwarded to the local fire department.

RALPH J. PERRY, INC.

96 Falmouth Rd. (Route-28) • Hyannis, MA 02601 Phone: (508) 775-FIRE • Ma. Lic. #017 D.O.T. # A-850

SYSTEM INSPECTION REPORT #2 PREP

18553

Name BABE'S

Date 6/20/18 Next Insp. Due 6/19

Address 69 SHORE RD

Model # 2.5 Mfg. RG

TRURO

of Tanks 1 Wet X Dry _____

Bill To _____

Annual X Semi _____ Recharge _____ New _____

Contact _____ Phone _____

Fusible Links: 360 2 450 _____ Other _____ Seals 7

Hood needs to be cleaned _____ Refuses Inspection _____

Fuel Shut Off: _____ Gas X Electric _____ Caps _____

Grease accumulation: Excessive _____ Heavy _____ Moderate _____

Ansul Cart: Single _____ Double _____ N2 _____ CO2 _____

Filters need to be cleaned: _____ Type BAFFLE

RG/PC Cart: 16gm CO2 UNIVERSAL CARTRIDGE

Cooking appliance location: Left to right: 6 BURN

- 2.56 RG RECHARGE VALVE
- HYDROTEST REBUILD KIT

Ralph J. Perry, Inc. must be notified if there is any change/movement in cooking equipment. HP HOSE 1-LABOR

- | | | | |
|--|---|---|---|
| 1. Are all appliances covered by nozzles | / | 17. Clean nozzles no. of <u>2</u> duct <u>1</u> plenum <u>4</u> appliance | / |
| 2. Are hood and duct covered by nozzles | / | 18. Replace fusible links / Mfg. date <u>18</u> | / |
| 3. Check positioning of nozzles | / | 19. Check cable, nut, and S-hook movement | / |
| 4. Hood and duct penetration sealed | / | 20. All piping secured | / |
| 5. Is system U.L. 300 | / | 21. All filters in place | / |
| 6. Proper clearance flame to filters | / | 22. Cartridge/N2 reinstalled/Safety pin removed | / |
| 7. Nozzle seals in place | / | 23. System reset and operational | / |
| 8. Are there seal tites in place | / | 24. All yellow seals in place | / |
| 9. Pressure gauges in proper range | / | 25. Service and certification tag on system | / |
| 10. Check cartridge weight | / | 26. Portable extinguishers up to code | / |
| 11. Hydrotest due <u>30</u> | / | 27. Class K extinguisher and placard installed | / |
| 12. Inspect cylinder liquid and mount | / | 28. Reviewed automatic & manual operation of system w/customer | / |
| 13. Test for proper operation from terminal link | / | 29. Exhaust fan working | / |
| 14. Test remote manual operation | / | 30. Customer instructed on required monthly inspection of system | / |
| 15. Micro switch in place | / | 31. Customer performing monthly inspection | / |
| 16. Gas valve in place and working | / | | / |

Recommendation: _____

Non-compliance issued: Yes / No Reason _____

*Non-Compliance systems/or systems with discrepancies may fail to extinguish/suppress a fire.

Discrepancies or deficiencies _____

Ralph J. Perry, Inc. is not a hood/duct service company. Any discrepancies should be addressed by a qualified hood/duct company.

Extinguisher Inspections: _____ Light Inspections: _____ Total # of Ext: _____ Ext. due service: _____ Service Chg: _____ Cond. Test: _____

RECHARGES / SERVICE

NEW EXTINGUISHERS

Drychem 2.5lb _____ 5lb. _____ 10lb. _____ 20lb. _____ 6 year _____ Hydro _____

Drychem 2.5lb _____ 5lb. _____ 10lb. _____ 20lb. _____

PW _____ K Class _____ 6L _____ 2.5G _____ Hydro _____

PW _____ K Class _____ 6L _____ 2.5G _____

Halotron 2.5lb. _____ 5lb. _____ 11lb. _____ 15.5lb _____ 6 year _____ Hydro _____

Halotron 2.5lb. _____ 5lb. _____ 11lb. _____ 15.5lb _____

CO2 5lb. _____ 10lb. _____ 15lb. _____ 20lb. _____ Hydro _____

CO2 5lb. _____ 10lb. _____ 15lb. _____ 20lb. _____

Parts: Service Collar _____ Oring _____ Pull Pin _____

Batteries: _____ Bulbs _____ Misc. _____

FIRE EXTINGUISHERS ARE IN COMPLIANCE WITH NFPA 10 CODE YES K NO _____

Comments: _____

mm dl

5342

Service Technician

Lic. #

Customer's Authorized Representative

Please read the Customer Acknowledgment on reverse side before signing.

On this date, the above system was tested and inspected in accordance with procedures of the current NFPA 17A AND 96 edition and the manufacturers manual at time of installation and was operating according to these procedures with the results indicated above.

On this date, the above fire extinguishers and fire equipment were inspected or serviced in accordance with procedures of the NFPA 10 and the manufacturers manual, with the results indicated above. The above service technician certifies that the system/extinguishers were personally inspected and found conditions to be as indicated above.

A copy of this report will be forwarded to the local fire department.

DELUXE FOR BUSINESS 1-800-888-6327

OCT 12 2018

RECEIVED BY



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

TAX STATUS REQUEST FOR LICENSING

Date 10/11/2018

Request is coming from the Selectmen's Office _____ Health Office X

Owner's Name Claudia Boespflug

Business Name Babe's Bakery

Residential Address 63 Shore Road

Map and Parcel 36-78

Please verify whether the Real Estate and Personal Property taxes to this property are up to date for the current fiscal year.

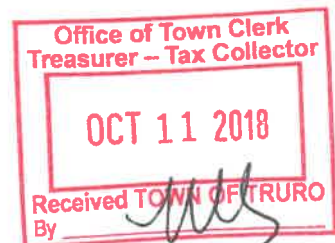
Current through FY 18

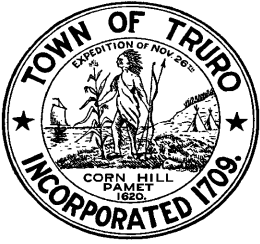
Molly Stevens

Tax Collector's Signature

10/11/18

Date





TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Treasurer's Office

REQUESTOR: Cynthia Slade, Treasurer

REQUESTED MEETING DATE: October 23, 2018

ITEM: Bond Anticipated Note XXX (RENEWAL)

EXPLANATION: Bond Anticipation Note XXX: Consisting of Fire Engine Urban \$60,000; Landfill Capping \$180,000; Renews 11/3/2018. We do not have the results of the note sale at this time; however, due to the timing of the renewal, it must be authorized and signed by 11/2/2018. Since the Board is not meeting again until November 7th, staff is requesting that the Board authorize the note in advance. If the results are not available until after the meeting, you will have to stop in and sign the document. The Town's financial advisors are handling the sale and will work to get the Town the best possible rate.

FINANCIAL SOURCE (IF APPLICABLE): Note XXX to payoff, Note 294

IMPACT IF NOT APPROVED: The town has a legal obligation to pay this debt for these issues; renewing the short-term note allows us to budget and 'pay down' over several years rather than going through the expense of a long-term debt sale.

SUGGESTED ACTION: *Motion to approve the sale of the Bond Anticipation Note (XXX) for \$240,000.00 for the period 11/3/2018-11/2/2019 at the rate of 0.00%.*

ATTACHMENTS:

1. To be supplied Tuesday, October 23, 2018 by 12 noon if available.

DRAFT

**Truro Select Board Meeting
Wednesday, October 9, 2018
Truro Town Hall**

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

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

Chair Robert Weinstein called the meeting to order at 5:00 p.m. Tim McCarthy indicated that he was recording the meeting for LIP TV.

PUBLIC COMMENT

Dave DeWitt thanked Karen Tosh and the Planning Board for their work developing the marijuana bylaw.

APPOINTMENT OF COUNSEL FOR HERRING RIVER RESTORATION PROJECT

Town Manager Rae Ann Palmer introduced two attorneys for the Selectmen to interview as possible counsel representing Truro for the Herring River Restoration Project. David Lurie of Lurie Friedman LLC went first. He reviewed his experience in land use cases. He expressed his interest in the Herring River Restoration Project. In response to Selectmen's questions, he discussed: working on inter municipal matters; approaching the project by resolution without litigation involved; the time his small firm could offer; negotiation of his rates; the timeline he had provided; protection of Truro while keeping the project going; and his observations on the phases with a view towards liability. Chair Weinstein added information on the interests of the two towns and the Cape Cod National Seashore. Mr. Weinstein clarified that, despite a misconception, he supports the project. He commented on Attorney Lurie's knowledge of the MOU's for the project. Mr. Lurie expanded upon Truro's issues with the plan. Attorney Lurie discussed his experience with dispute resolution through mediation.

Attorney Barry Fogel of Keegan Werlin LLC introduced himself as the head of its Environmental, Municipal and Land Use Group. He reviewed his career and relevant environmental and inter municipal cases he had handled. He explained his approach to dealing with Truro's needs while avoiding disputes. He said he will provide his municipal rates, but he was not presenting them for the public record. Selectmen asked him several questions. He responded with: his ideas to get the project moving forward; providing monitoring and mitigation; a general statement on governance and MOU's; following rules and regulations; evolution of the Herring River Restoration Project; dealing with road engineering; and the availability of Keegan Werlin.

Robert Weinstein suggested that the Board take the decision under advisement and not take a vote at the meeting. He suggested an executive session for further discussion.

Paul Wisotzky moved to table making the decision on an attorney to represent Truro for the Herring River Restoration Project. Maureen Burgess seconded, and the motion carried 5-0.

BOARD OF SELECTMEN ACTION***Cape Light Compact Presentation***

Maggie Downey, Cape Light Compact Administrator, gave a PowerPoint presentation, providing an update on the Compact's proposed 2019-2021 Three-Year Energy Efficiency Plan in advance of the October 31, 2018 filing deadline with the Department of Public Utilities. She began with an overview of the Cape Light Compact (CLC). She reviewed the Calendar of Events and welcomed feedback through an online survey at www.capelightcompact.org/eeplan. CLC offers programs for residential homes, income eligible, and commercial & residential buildings. Program enhancements and statistics on income verification offerings were included in the presentation. Ms. Downey explained the battery storage system that is now offered. Kristen Reed, who has used CLC, stated that they do follow-up visits. Ms. Downey explained the advantages and limitations of cold climate heat pump technology. From the audience, Christopher Clark requested information on geo-thermal systems. Ms. Downey said they are not yet cost effective.

Aquaculture Shellfish Grant License

Dan Smith now qualifies for a five-year lease for his Beach Point shellfish grant. Truro *Regulations for Aquaculture Licenses* allows for 5-year renewals after first-time licenses. Mr. Smith said he has had no problems with his two grants. He is interested in expanding the variety of shellfish on his grant. He has submitted all reports and complied with all regulations. He takes pride in the oyster production he has achieved. Janet Worthington congratulated him and thanked him for his work on the Shellfish Committee. Kristen Reed added her support.

Maureen Burgess moved to renew the two-acre tidal grant license to Dan Smith, located off Beach Point Landing for a term of five (5) years ending October 9, 2023. Janet Worthington seconded, and the motion carried 5-0.

House Size Bylaw and Marijuana Bylaw Report & Referral

Rae Ann Palmer said that the Planning Board had made its report and referral of two bylaws; Residential House Size and Marijuana. There will be a work session with Town Counsel available before the Selectmen need to vote on the bylaws. Paul Wisotzky asked about Petitioned Articles which are being prepared for Special Town Meeting. Rae Ann Palmer said they will require a public hearing. There will be a brief regular meeting before the work session in order to schedule the hearing. Board members will submit any questions they have before the meeting next week.

Paul Wisotzky moved to table a motion on Residential House Size and Marijuana bylaws. Maureen Burgess seconded, and the motion carried 5-0.

Warrant Articles for Special Town Meeting

Town Manager Rae Ann Palmer reviewed the eight Warrant Articles for Special Town Meeting. She explained the plan for the Capital Improvement Trust Fund and Capital Stabilization Fund. The Capital Improvement Trust Fund money can be moved for transfers for a beach shed, boilers at the School and into the Capital Stabilization Fund. Another Operating Budget transfer is from unspent HVAC ductwork cleaning to public safety doors. The culvert appropriation line has

money that can be transferred to a Culvert Fund for the Little Pamet and other culverts. Article 6 requests acceptance of a change in Mass General Law for PEG access and cable. Lastly, the zoning bylaws and Petitioned Articles are in the draft Warrant.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: Curb Cut Application for Pamela Blair, 6 Castle Road
- B. Review and Approve Reappointments and New Appointments to: Disabilities Commission – Hannah King, Charter Review Committee – Jay Coburn
- C. Review and Approve Board of Selectmen Minutes: September 25, 2018

Janet Worthington asked about including appointments in the Consent Agenda.

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

SELECTMEN REPORTS AND TOWN MANAGER'S REPORT

Paul Wisotzky had attended the Local Comprehensive Planning Committee meeting. They are developing an RFP for a consultant, he said. He and Janet Worthington offered condolences to the Williamson family for the loss of their son.

Maureen Burgess attended final meeting of Part-Time Residents Advisory Council, who seek to be on the agenda for the second Selectmen's meeting in June. They are planning a meet and greet at the Truro Vineyard early next summer. Rae Ann Palmer had more information on this planned outreach event. Ms. Burgess said the Council has a membership issue because of absences. She also reported on the meeting demonstrating call boxes for the beaches.

Kristen Reed gave her condolences for the loss of Ross Williamson. She has contacted Lisa Sette from the Center of Coastal Studies about giving a presentation on seals. She had referred to Janet Worthington someone with a question about creating a Friends of the Pamet Harbor. She thanked Wellfleet for a trauma and stress presentation to be held October 12 at the Wellfleet Senior Center in response to the recent fatality from the shark attack in Wellfleet.

Town Manager Rae Ann Palmer discussed the Talk-a-Phone call box demonstration for the beaches. These are based on Internet or cellular phones. Since Truro does not have good service for either of these, she is looking into satellite service. The NPS Superintendent and other Towns are considering getting fiber. A new cell tower on the ocean side would likely have to be built by the Town. If installed, call boxes would provide instant access. The Town continues to work on improving the emergency response procedure for the beaches.

SELECTMEN COMMENTS

Chair Weinstein extended condolences to Williamson family and thanked emergency responders for their rescue efforts. He had done a driving survey with DPW Director Jarrod Cabral to locate North Pamet Road trees that are threatening the power lines. Mr. Weinstein thanked the company responsible for the resurfacing of a number of roads in Town.

NEXT MEETINGS

Rae Ann Palmer reviewed agenda items for the next meetings:

Tuesday, October 16, 2018 - 2 p.m. work session for bylaw review and a brief regular meeting;
Tuesday, October 23, 2018 – public hearing for 2 Higgins Hollow Rd. electric service by Ever Source, votes on Warrant Articles, possible seal presentation, and a pinning ceremony for new firefighters.

ADJOURNMENT

Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 7:17 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 10/9/18

1. Cape Light Compact PowerPoint presentation
2. Dan Smith's shellfish grant application papers
3. Memos from Jessica Bardi, Interim Planner on proposed zoning bylaws
4. House Size Bylaw proposed amendments
5. Marijuana Bylaw proposal
6. List of Proposed 2018 Special Town Meeting Warrant Articles
7. Curb Cut Application for Pamela Blair, 6 Castle Road
8. Appointment papers for Disabilities Commission – Hannah King and Charter Review Committee – Jay Coburn