

**Truro Board of Selectmen Meeting
Tuesday, February 27, 2018
Selectmen's Chambers, Town Hall**

Members Present: Chair Paul Wisotzky; Maureen Burgess, Jay Coburn, Robert Weinstein, Janet Worthington

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

Chair Paul Wisotzky called the meeting to order and at 5:00 p.m.

PUBLIC HEARINGS

Captain's Choice Liquor License

Chair Wisotzky opened the public hearing for Captain's Choice.

Attorney Christopher Fiset, representing Christopher W. King of Captain's Choice, came forward to explain the request to change the license category for Captain's Choice from a Seasonal Wine and Malt license to a Seasonal All Alcohol liquor license. Susan Howe and Bruce Boleyn spoke in favor of approval. Abutters Claire Adams, Jules Grozier, James Freeman and Jennifer Wells opposed any change to the liquor license. Attorney Fiset addressed a parking issue, which has been brought to court. He noted that zoning allows for an All Alcohol license. Mr. Fiset answered questions from the Selectmen regarding the business, seating capacity, and parking. Janet Worthington noted that there is no seated bar inside the establishment; there is only table service. Owner Christopher King explained a plan he has for an outdoor service bar that would not have seating. Jay Coburn asked Mr. King if he would consider limited times for outdoor, late night hours. Attorney Fiset requested continuance of the hours that are now in effect.

Robert Weinstein moved to approve the change of license category for Captain's Choice Inc., located at 4 Highland Road, Unit D, from Seasonal Wine and Malt to Seasonal All Alcohol liquor license for submission to the Alcoholic Beverages Control Commission. Janet Worthington seconded, and the motion carried 5-0.

Continued Public Hearing on Proposed Changes for Pamet Harbor Fees

Vice-chair Maureen Burgess opened the second public hearing, a continuation from February 13, 2018, on proposed changes for Pamet Harbor Fees.

Chair Paul Wisotzky and Robert Weinstein recused themselves from the hearing.

Pamet Harbor Commission Chair Tim Silva, Harbor Master Tony Jacket and Pamet Harbor Commissioners Ricard Wood and Ray Cordeiro came to the table to explain the changes to the Pamet Harbor Fee Schedule and the addition of a Waterways User Permit Fee, which will be applied to all vessels on moorings, slips, docks, rack storage, launching ramps, piers or floats.

The Waterways User Permit Fee is in addition to a mooring permit fee. Because the state controls ramp fees, the Pamet Harbor Commission has been able to raise use fees commensurate with the level of services and parking provided. The increased fees will bring Pamet Harbor more in line with other communities and bring more revenue into the Budget. The Commissioners discussed proposed skiff fees in comparison to the neighboring towns. Robert Weinstein, speaking as a private citizen and a mooring holder at Pamet Harbor, said that the seasonal ramp fee should be reconsidered with attention to business users. Tim Silva said they will address ramp fees next year, but at present want to establish the Waterways User Permit Fee.

Ms. Burgess closed the public hearing. Jay Coburn moved to approve the proposed changes to the Pamet Harbor Fee Schedule and the Waterways User Permit Fee. Janet Worthington seconded, and the motion carried 3-0.

Robert Weinstein and Paul Wisotzky returned to the table.

COMMITTEE APPOINTMENTS

Part-Time Residents Advisory Committee

The Board interviewed two candidates for the Part-Time Residents Advisory Committee, Larry Pisapio and Julia Lester. Mr. Pisapio said he has been both a full-time and a part-time resident of Truro and could act as a bridge. He addressed the question on what he perceives as the biggest problem facing Truro. Ms. Lester gave her background and long-time connection to Truro. She said she would be available to attend meetings once a schedule is established.

The Selectmen will make a decision on appointments to the Part-Time Residents Advisory Committee after all the candidates have been interviewed.

Cable and Internet Advisory Committee

Scott Mather explained his interest in becoming a member of the Cable and Internet Advisory Committee. He has been working in the telecommunications for the past thirty years, he said. He discussed dealing with large communications companies.

Jay Coburn moved to appoint Scott Mather to a three-year term with the Cable and Internet Advisory Committee. The term will expire on June 30, 2021. Robert Weinstein seconded, and the motion carried 5-0.

BOARD OF SELECTMEN ACTION

Barnstable County Human Rights Commission

Laurie Veninger, Truro Representative to the Barnstable County Human Rights Commission (BCHRC), read her report to the Board of Selectmen. She outlined activities of the BCHRC during 2017, mentioned future efforts, and requested that the Board let the County Commissioners and Assembly of Delegates know that Human Rights Commission services are appreciated and should be continued. Jay Coburn suggested preparing a letter of support for the BCHRC.

Cannabis Businesses

Town Manager Rae Ann Palmer discussed the next steps for cannabis businesses in Truro. She said that the Planning Board had voted to request that a Warrant Article be prepared for Annual

Town Meeting to approve a temporary moratorium on marijuana businesses in Truro. The Moratorium would allow the Planning Board time to develop a Truro Zoning Bylaw to regulate cannabis businesses. Town Counsel has recommended that the Article address both medical and retail marijuana businesses. Ms. Palmer is working with Town Counsel on the Article. The Planning Board needs to hold a public hearing for the Zoning Bylaw.

Maureen Burgess moved to refer to the Planning Board the proposed Zoning Bylaw on marijuana businesses. Robert Weinstein seconded, and the motion carried 5-0.

David DeWitt, Chair of the Agricultural Commission, asked for clarification about the Town Meeting at which the Zoning Bylaws would be presented. The April 2018 Annual Town Meeting will be considering a moratorium. A future Town Meeting would consider Zoning Bylaws that govern cannabis businesses. Howland Howard, a Truro resident and a member of a recreational marijuana enterprise seeking to set up a business in town, discussed the potential benefits to Truro.

FY19 Omnibus Budget

Town Manager Rae Ann Palmer and Town Accountant Trudi Brazil reviewed the Fiscal Year 2019 Budget, having a grand total of \$19,418,732. Ms. Palmer noted expanded services that are included in the Budget. The Budget will not require an override. More money is being placed in the Other Public Employee Benefit's (OPEB) line. The Stabilization Fund will be increased, she said. Money will also be added to the Capital Stabilization Fund and another million dollars to stabilize the tax rate. Replacement of the Library roof and replacement of the Swap Shop are being planned. Capital exclusions will be needed for these and a Fire Department truck. The Affordable Housing Trust Fund will receive additional money. The septic system at the Beach Office needs to be replaced, Ms. Palmer said.

The Budget vote will be taken when the Selectmen make their Town Warrant recommendations.

Opioid Lawsuit Agreement

Rae Ann Palmer explained the KP Law effort with a consortium of law firms to assist in the recovery of municipal costs resulting from the opioid crisis. It is similar to a class action suit and would not cause the Town to incur any costs.

Jay Coburn moved to authorize the Town to enter into a civil suit against those legally responsible for the wrongful distribution of prescription opiates and to authorize the Chair to sign the letter of engagement with KP Law. Maureen Burgess seconded, and the motion carried 5-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 1. Application for a Curb Cut Permit-123 Shore Road
 2. Application for a Curb Cut Permit-67 Old Kings Highway
 3. Event Notification from the National MS Society Bike Ride
 4. Event Notification from for Wounded Warriors Bike Ride
- B. Review and Approve Access Easement Deed for 10 Edgewood Way (held pending Town Counsel Comments)

- C. Review & Approve Draft Letter to MDAR Re: Eversource Herbicide use on Utility Rights-of-Way
- D. Review & Approve Common Victualer License for Box Lunch-300 Route 6-Truro
- E. Review and Approve Board of Selectmen Minutes: February 13, 2018 and February 20, 2018 Work Session

Robert Weinstein questioned the curb cut request for 67 Old King's Highway. Adam Thomas, owner of the property, explained his efforts to obtain the curb cut. He had constructed the driveway first. Then he applied for his permit to construct his house. He did not have a written confirmation that Old King's Highway was not a Town road as he had believed. The Building Commissioner has informed him that he needs a Town road curb cut approval in order to get his Certificate of Occupancy for his new residence. Mr. Weinstein said his objection was about process. He was not blaming the homeowner in having the curb cut request submitted after the fact.

Jay Coburn moved to approve the Consent Agenda as printed. Robert Weinstein seconded, and the motion carried 5-0 with abstentions by Mr. Coburn and Mrs. Weinstein from voting on the minutes of February 13, 2018.

SELECTMEN REPORTS AND TOWN MANAGER'S REPORT

Robert Weinstein shared information from the last Cape Cod Municipal Planning Organization (MPO) meeting. He said the Transportation Improvement Program (TIP) Phase 2 bike lane design had been submitted; there were no solutions for the junction of Rte. 6 and Shore Rd., where the highway change from two four lanes; and there is no plan for a third bridge over the Cape Cod Canal. Instead the Army Corps of Engineers will be performing maintenance work in the Canal corridor. He recommended attendance at a March meeting of the DOT, MPO and the Army Corps of Engineers on these plans which will impact the entire Cape. He has submitted plans with visuals to the Town Manager, who will make them available to interested citizens. Mr. Weinstein also said the new Cape Cod Commission Director of the Regional Transit Authority has shown support for Resilient Communities and trolleys for beaches in Cape towns.

Paul Wisotzky thanked Rae Ann for her State of the Town presentation. He said that he and Ms. Palmer had met with David Panagore and Cheryl Andrews from Provincetown to plan the joint meeting of Selectmen scheduled for March 20, 2018 at the Community Center. He asked that Truro participation in the Pilgrim 400 event, now in the planning stages, be placed as a future agenda item. Mr. Wisotzky reported on attending a Housing Authority meeting and making a site visit to the Cloverleaf property.

Maureen Burgess had attended a meeting of the Water Resources Oversight Committee that concerned Innovative/Alternative Technology septic systems and a discussion of old cesspools still in use.

Town Manager Rae Ann Palmer discussed: planning for the Pilgrim 400 event; a new configuration for media equipment in the Selectmen's Chambers; prospective candidates for the Fire Department; and the Planning Board public hearing for Zoning bylaw changes for condominium conversion, house size and some housekeeping items.

SELECTMEN COMMENTS

Jay Coburn reflected on the challenges and rewards of serving as a Selectman for the past six years. He announced that he will not be seeking another term, but he promised to stay involved in Town efforts.

AGENDA FOR NEXT MEETINGS

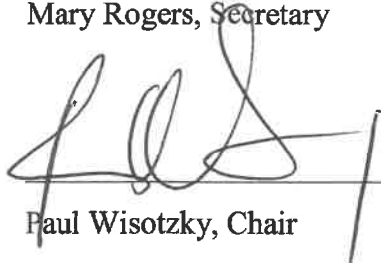
Town Manager Rae Ann Palmer discussed the agenda for upcoming meetings:
Tuesday, March 13, 2018 – Introducing new police officers; an applicant for the Part-Time Residents Advisory Committee; a presentation by Kristi Senatori of the Cape Cod Commission; starting the review of Warrant Articles, a renewal of Jobi Pottery’s license; and the easement deed for 10 Edgewood Way
Tuesday, March 20, 2018 – work session at 5 p.m. and the joint meeting with the Provincetown Town Manager and Selectmen at 6 p.m.

ADJOURNMENT

Robert Weinstein moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 7:12 p.m.


Respectfully submitted,

Mary Rogers, Secretary




Paul Wisotzky, Chair


Maureen Burgess Vice-chair



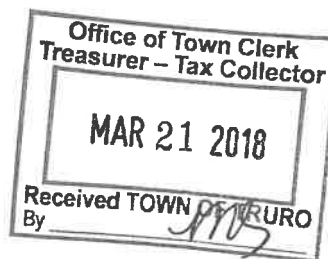
Jay Coburn



Janet Worthington



Robert Weinstein, Clerk



Public Records Material for 2/27/18

1. Captain's Choice licensing materials
2. Fee Schedule and Waterway User Fees for Pamet Harbor
3. Application papers for Larry Pisapio and Julia Lester Veninger
4. Application materials from Scott Mather
5. FY19 Budget
6. LP Law Opioid Lawsuit
7. Application for a Curb Cut Permit-123 Shore Road
8. Application for a Curb Cut Permit-67 Old Kings Highway
9. Event Notification from the National MS Society Bike Ride
10. Event Notification from for Wounded Warriors Bike Ride
11. Access Easement Deed for 10 Edgewood Way
12. Draft Letter to MDAR Re: Eversource Herbicide use on Utility Rights-of-Way
13. Application for Common Victualer License for Box Lunch-300 Route 6-Truro

Service bar

Jan mentioned not talking about a sit-down bar. About serving at tables.

