

Truro Board of Selectmen  
Meeting Minutes – Wednesday, January 28, 2015  
Truro Town Hall, 5:00 p.m.

Members Present: Chair-Jay Coburn, Vice Chair-Paul Wisotzky, Clerk-Jan Worthington, Bob Weinstein, Maureen Burgess

Present: Town Administrator-Rae Ann Palmer

Chair Coburn called the meeting to order at 5:00 p.m. He announced the meeting was being recorded for broadcast on Truro TV channel 18, and asked if any audience members were recording. Hearing no response in the affirmative, he opened the meeting up for public comments.

Chair Coburn prefaced the meeting by announcing that the executive session was postponed until Thursday, January 29<sup>th</sup> at 4:00PM.

Selectman Weinstein wanted to take the opportunity to thank the members of the DPW and Public Safety Facility for the tremendous work they have been doing regarding storm Juno. Chair Coburn wished to recognize them by name: Jay Norton, Steven Aratare, Michael Kaelberer, Tim King, Mike Locke, Chris Lucy, Jim Nicholson, Leo Rose, Julius Smith, Jeff Souza and Peter Morris. Under Chief Takakjian; Sgts Holway and DeAngelo, Officers Valli, Raneo, Bayer, Rose, Bragdon, Hobbs, and Dispatchers Timothy Caldwell, Heidi Dyer, and Martha Wheeler. He was also very appreciative to the Truro Fire and Rescue Department, in particular; Lorne Russell, Laytin Reis, and a few others.

#### Public Hearings

**A. Review and Approve the following Aquaculture Development Area Grant Licenses:**

**Dan Smith of 32 Tom's Hill Road for 2 Acres: Grant #20 & #21**

**Mike Rego of 14 Arrowhead Road for 2 Acres: Grant #17 & #18**

**Steve Wisbauer of 4 Deer Path for 2 Acres: Grant #23 & #24**

Mr. Jackett explained that all three applicants are Truro residents, and are applying for 2 acres each. These are for bottom-culture only. Mr. Jackett answered some general questions for the Selectmen.

**Selectman Weinstein made a motion to approve the ADA Grant applications for Dan Smith (#20 & #21), Mike Rego (#17 & #18), and Steve Wisbauer (# 23 & #24).**

**Selectman Burgess seconded this motion.**

**So voted unanimously, 5-0.**

Selectman Wisotzky asked Mr. Jackett about an annual report the Board is supposed to receive on the status of grants, in totality. He also asked about individual reports from the grantees. Mr. Jackett explained that they hope to come before the Board again, to review the Shellfish Regulations, to approve the modified regulation for recreational fishing, to review the last applicant for an ADA grant, and he will also include the reports Selectman Wisotzky is asking about.

#### Board/Committee/Commission Appointments

**A. Review and Approve Roberta Lema as Finance Committee Representative to the Save Money and Reduce Trash/Pay as you Throw (SMART/PAYT) Committee.**

**Selectman Wisotzky made a motion to appoint Roberta Lema as Finance Committee Representative to the SMART/PAYT Committee.**

**Selectman Burgess seconded this motion.**

**So voted unanimously, 5-0.**

**B. Review and Approve Appointment to Truro Call Fire Department-Drew Toma.**

Ms. Palmer let the Board know that Mr. Toma is a Truro resident, and also an EMT. He is very interested in joining the Truro Call Fire Department.

**Selectman Burgess made a motion to approve the appointment of Drew Toma to Truro's Call Fire Department.**

**Selectman Weinstein seconded this motion.**

**So voted unanimously, 5-0.**

**Tabled Items**

**A. Development Agreement Bylaw (DAB) proposal for ATM 2015- WITHDRAW ITEM**

It is Chair Coburn's understanding that the Planning Board has withdrawn that item and will not be bringing that forward to the Town Meeting.

**B. Final Recommendations (#6,#7, #8, #9) from the Charter Review Committee on the Truro Town Charter MOVE FOR ACTION**

Robert Panessiti, Charter Review Committee member, was present before the Board of Selectmen. Selectmen Coburn reminded the Board what the remaining changes pertained to and that there was guidance from Town Counsel that the changes would be consistent with the "weak Chief" statute. Selectmen Wisotzky asked about Article 8; {5-5-5}; 5-4-2 referring to the list of positions that the Town Administrator supervises. He asked if the changes were made in the Charter, in that section, then updates should also made to the list of positions. Mr. Panessiti, explained that with all the various changes before them, the Charter Review Committee chose major items that would have greater impact for the town. Selectmen Wisotzky asked that the section {5-4-2} not be referred to until the list was amended. Selectmen Coburn agreed that the removal of that reference would be best. Selectmen Wisotzky explained that he wanted to remove the confusion from the language. There was a brief discussion as to the best language to be implemented with regards to {5-5-5} referencing {5-4-2}. Selectmen Coburn proposed that the Board of Selectmen place Articles 6, 7, 8 and 9 on the Warrant pending edits to (#8) that would be discussed at a future meeting. Selectmen Coburn asked if the Board of Selectmen was comfortable with language as follows, "The Town Administrator shall provide direction to all department heads and officials as well as the Police Chief and Fire Chief." Selectmen Wisotzky indicated that "officials" is referenced (4 times) in the Charter.

Selectmen Coburn advised that the "Town Administrator" is going to regularly provide supervision to all Department heads, and the Police Chief and Fire Chief. Mr. Panessiti noted that the challenge is in defining what an "official" is and striking it would still allow for the Fire and Police Chief to report to the Town Administrator. Selectmen Coburn reiterated that they do not need as a Board to decide on final language this evening but revisit it at a later meeting addressing that "officials" are not defined, and section 5-4-2 lists Department Heads that don't exist and language in which the Police Chief and Fire Chief in day to day operations answers to the Town Administrator.

Selectmen Weinstein in referencing Town Counsel's letter in terms of "direction" and "policy"; he added that "policy" should be clarified from the "day to day operations" and should be said clearly if that is

with the Town Administrator. He suggested also that there be consistency in the document for greater clarity. He was comfortable for continued revisions as long as the Board of Selectmen were clear as to what they were relinquishing. Selectmen Worthington agreed that the clarification needs to be implicit in the document. Mr. Panessiti stated that his concern was that the Board of Selectmen will lose sight of the bigger picture as being involved in day to day operations of a department like the Fire department can be problematic. He further stated that it was not the intention of the Charter Review Committee to rewrite the Charter but to take out any ambiguity and clarify it. He stated concern over the past practice oversight of public safety departments.

Selectmen Wisotzky spoke to the questions before the Board of Selectmen; 1) broad policy changes in the Charter, and 2) what is the language that is going to frame that policy change. He stated that the language is to be crafted by the Charter Review Committee but he was in favor of the policy changes. Selectmen Weinstein agreed that it is not the role of the Board of Selectmen to take on crafting the new language and warned that this would need to be clear for Town Meeting. Selectmen Worthington reiterated that this was a change of direction by which the town is run and it needs to be clear for Town Meeting. Mr. Panessiti agreed to the implication of the change but added that there can be checks and balances in place that assist with these changes. He added that these governance changes will correct the amount of money being spent by the Town.

Selectmen Wisotzky added that incremental changes must provide clarity not confusion as parts are interconnected in the Charter. He explained the risk of changing one aspect that is general and broad and not the other and eliminating Section 4-5-2. Mr. Panessiti added that there will always be some level of ambiguity. He asked for clarification that the Charter Review Committee is to bring language forward that does not conflict with other parts of the Charter; the major issue being defining "officials" or striking "officials". Selectmen Coburn stated that there are recommendations before them for 6, 7, and 9, with revisions to #8 still needing clarification. **Selectmen Coburn asked for a motion for inclusion of Article 6, 7, and 9 in the Annual Town Meeting Warrant. Selectmen Wisotzky so moved. Selectmen Burgess seconded. So voted unanimously 5-0.**

Selectmen Coburn requested that the Charter Review Committee return with revised language with the consensus of the Board that they feel comfortable going with a recommendation of the Police Chief and Fire Chief under the supervision of the Town Administrator. Selectmen Worthington stated that she understands the reason for the changes but was not there yet as far as being comfortable with it.

### **Board of Selectmen Action**

#### **A. Board of Selectmen vote to open the Warrant for the 2015 Annual Town Meeting**

Selectmen Coburn stated that the Warrant needs to be opened for the Annual Town Meeting. Ms. Palmer added that the date in the motion needs to be changed to the morning of January 29<sup>th</sup> leaving it open the appropriate number of days. **Selectmen Weinstein made a motion to open the Warrant for the 2015 Annual Town Meeting on January 29<sup>th</sup>, 2015 at 8:00am. Selectmen Coburn interjected with the closing of the Warrant on March 1<sup>st</sup> at 4pm. Selectmen Wisotzky seconded the motion. So voted unanimously 5-0.**

#### **B. Review and Approve Annual Town Report Cover & Dedication Page**

Town Administrator Palmer stated that there was a proposal before the Board of Selectmen to use a collection of the Truro Farmers' Market pictures for the cover with a dedication to Paul Morris for his years of service. Selectmen Weinstein advocated for one of the beach photographs. Selectmen Worthington agreed with the dedication to Paul Morris and to have the cover represent a photograph of Ballston beach as he had worked for many years on the beach. **Selectmen Worthington moved to approve a photograph of Ballston Beach for the cover of the Town report and to dedicate the Annual Town Report to Paul Morris. Selectmen Weinstein seconded the motion. So voted unanimously 5-0.**

**C. Review and Approve Bike and Walkways Committee's Request for letter to go to Mass Department of Transportation (MASSDOT) regarding designated Bike Lanes for State Highway Route 6 and Authorize the Chair to sign**

Karen Snow, came before the Board of Selectmen on behalf of Cathy Haynes, Chair of the Bike and Walkways Committee. Ms. Snow discussed the history of the proposed letter to MASSDOT. She explained the request which is to ask the MASSDOT to convert the break down lanes into bike lanes, with proper signage, markings, with a consistent 5 foot width for the lane. She explained problem areas along Route 6. Ms. Snow added that if the markings and signage were adequate it would increase the safety for the cyclists that are using the breakdown lane. Selectmen Worthington asked if there has been any discussion to date with MASSDOT. Ms. Snow spoke of a regional meeting that had taken place but MASSDOT had not seen the letter formally. Selectmen Weinstein cited #8 (in the letter) with regards to not driving in the breakdown lane, noting that it should be clear that vehicles are not to drive in the breakdown lane. Ms. Snow responded that they could change the language that it is not a break down lane anymore but rather a bike lane. She asked if #8 should be revised to state "update signage along Route 6", and "do not drive in the bicycle lane". Selectmen Coburn added that this letter would be a starting point. Ms. Snow added that the width is in place and no repaving would be necessary. It was noted that one person with the MASSDOT stated that on road planning should be looked into before off road planning.

Selectmen Burgess noted the hard work and dedication of the Committee. **Selectmen Wisotzky made a motion to send a letter to MASSDOT regarding designating bike lanes for the state highway (Route 6) from the Eastham and Wellfleet Town Line to the Shore Road exit in North Truro. Selectmen Burgess seconded the motion. So voted unanimously 5-0.** Ms. Snow stated that she would send the letter with the revisions (date and #8) for signature and mailing.

**Consent Agenda**

- A. Review & Approve Meeting Minutes: 1) Jan. 12, 2014 (Budget); 2) Jan 13, 2014 (Regular)**
- B. Review & Approve and Authorize the Chair to sign:**
  - 1. Fire Systems Inc. Service Agreement**
  - 2. Completed Staging Permits-Safe Harbor Environmental (Gordon Peabody) 1) 33 Cooper Rd. 2) 32 Cooper Rd. 3) 2 Heron Lane, 4) 4 Heron Lane, 5) 39 Bay View Rd.**
- C. Review and Approve the Bailey Boyd Agreement with the Town of Truro & Truro Recreation for the Childcare Grant Subsidy Program and Authorize the Vice-Chair, Paul Wisotzky to sign.**
- D. Review and Approve the 2014 Alcoholic Beverages Control Commission Annual Report**
- E. Review, Approve and Authorize sale of a renewal BAN for the Fire Engine Urban with Cape Cod Five Cents Savings Bank**

Chair Coburn wishes to hold Item C (Review/Approval of Bailey Boyd Agreement).

Selectman Burgess made a motion to approve the consent agenda as printed, with the exception of item C which has been held.

Vice Chair Wisotzky seconded this motion.

So voted unanimously, 5-0

Vice Chair Wisotzky made a motion to approve the Bailey Boyd agreement with the Town of Truro & Truro Recreation for the Childcare Grant Subsidy Program, and authorize the Vice Chair to sign.

Selectman Burgess seconded this motion.

So voted, 4-0-1 (Selectman Coburn abstained)

### **Selectmen Reports and Liaison Reports**

Selectman Worthington- She is wondering if they could get a group report about Ballston Beach from the Conservation Commission. She would like someone from the Conservation Commission to come to their next meeting, along with Jay Norton (DPW Director), to get a review of what's happened.

Selectman Worthington also made note of the retirement of Sergeant David Silvia from the Truro Police Department; she believes he is done at the end of this month. She would like to thank him for all the years he has given to the Town, and wishes him well.

Vice Chair Wisotzky- He would like the Beach and Recreation Director added to the group of people involved in the conversation about Ballston Beach, and possibly someone from the National Seashore.

Selectman Weinstein- He talked about the meeting held with the Pay as You Throw/SMART Committee.

David Quinn, from the Cape Cod Cooperative Extension, attended this meeting. Mr. Quinn did a slideshow presentation, and answered questions. The meeting was also attended by Truro's Health Agent, Pat Pajaron and DPW Director, Jay Norton. The Committee is in the information gathering stage. Selectman Weinstein suggested to Mr. Norton that he need not "reinvent the wheel". Mr. Norton is going to be visiting Wellfleet, since they are well into their first year of trying the PAYT approach.

Selectman Weinstein is more than willing to share any information he gathers with his colleagues.

Selectman Weinstein also reminded the Board that he would like to have a discussion regarding Policy Memorandum #54 (Standards of Professional Conduct) placed on a future Board of Selectmen agenda.

Selectman Burgess-Since their last meeting, Selectman Burgess and Selectman Worthington conducted their Selectmen Hours. She will be out of the country from February 25<sup>th</sup> through March 8<sup>th</sup>.

Chair Coburn- Chair Coburn will not be at the March 10<sup>th</sup> Board of Selectmen meeting. He is planning on attending the conference sponsored by the Cape Cod Commission on designing solutions for clean water. That conference will be held on February 25<sup>th</sup> and 26<sup>th</sup> in Hyannis. He will also be participating in a meeting of the Cape Cod Commission February 3rd, to look at revising the policy plan. Chair Coburn reported on the meeting held with Town Administrators and Chairs of Board of Selectmen from Wellfleet, Truro and Provincetown. There is a consensus to look at opportunities around Fire Services, and DPW assessing. Ms. Palmer has suggested quarterly meetings with Town Administrators and selective Department Heads.

### **Next meeting agenda: February 10, 2015**

- Discussion on Ballston Beach
- Draft policy on the replacement of police vehicles
- Discussion on Policy Memoranda
- Review Selectmen Goals
- Final Budget

- Update from Deborah McCutcheon regarding Assembly of Delegates
- Review and approve Water Resources Oversight Committee Phase II, Authorize Chair to sign agreement
- Police Chief Quarterly Report
- Miscellaneous items on Consent Agenda

**Town Administrator’s Report**

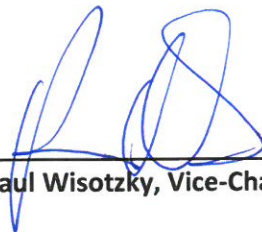
- Jack Dolan has reviewed some of the Police Chief’s recommendations and would like to have a second meeting to discuss with Selectmen Burgess/Wisotzky.
- Ms. Palmer wanted to publicly thank Selectman Worthington, members of the Chamber, Selectman Weinstein and Selectman Burgess for the reception held at Montano’s. She feels truly welcomed.
- Focus has been on storm Juno all week. Ms. Palmer stated that Truro’s DPW, Fire and Police Departments did a fabulous job.
- She has held initial conversations with Chief Takakjian, Pat Pajaron, and Jay Norton regarding Ballston Beach. A staff meeting will be convened to discuss next steps. Deborah McCutcheon will be brought into the conversation as well. Surveying needs to take place to determine Town vs. Seashore property. (Selectman Wisotzky added that there should not be an assumption that the dune will be restored. He would like to place back on the table the question of whether they restore the dune or not.) Ms. Palmer stated that whatever is done with the flapper valve and Ballston Beach, the impact on wells and septic systems must be considered. She and Jay Norton are cognizant of this.
- She had the opportunity to listen to the new Governor of Massachusetts speak at the MMA Conference she attended. She mentioned his statement of not cutting local aid to balance the budget, and also his release of the Chapter 90 money and receipt of more.

**Selectman Wisotzky made a motion to adjourn at 6:34PM.**

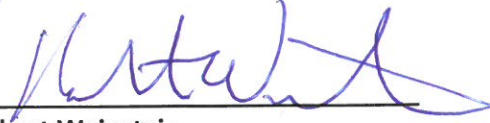
**Selectman Burgess seconded this motion.**

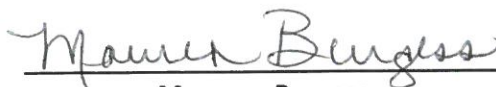
**So voted unanimously, 5-0.**

  
 Jay Coburn, Chairman

  
 Paul Wisotzky, Vice-Chairman

  
 Janet W. Worthington, Clerk

  
 Robert Weinstein

  
 Maureen Burgess  
 Board of Selectmen  
 Town of Truro

### Documents Used

3A Agenda request SAC ADA Applications  
3A1 ADA PH Dan Smith-Mike Rego-Steve Wisbauer  
3A2a Dan Smith Application ADA  
3A2b Mike Rego Application ADA  
3A2c Steve Wisbauer Application ADA  
3A3 Aquaculture locations 1-27-2015  
3A4 2014 Regulations for the Aquaculture Development Area  
3A5 SAC Minutes Nov. 4, 2014  
3A6 Scott Lindell Email and Current ADA License  
4A Agenda Request Roberta Lema on SMART/PAYT  
4A1 Application to Serve Roberta Lema  
4B Agenda Request Fire Department  
5b Agenda Request Charter Review Committee  
6A ATM Warrant  
6A1 FY2016 Municipal Calendar  
6B Agenda Request 2014 ATR Cover and Dedication Page  
6C1 Letter to BoS from BWWC Chair  
6C2 MassDot Letter  
6C3 2011 Cape Cod Commission Transportation  
7A1 BoS Budget Minutes 1-12-2015  
7A2 15-01-13BOS Min  
7B1 Agenda Request Fire Systems Service Agreement  
7B1 Fire Systems Agreement  
7B2 Agenda Request Staging Permit  
7B2a Staging Permit Applications Gordon Peabody  
7C Agenda Request Kelly Clark Bailey Boyd  
7C1 Provider DHCD Contract FY14  
7D Agenda Request ABCC 2014 Annual Report  
7D1 ABCC Annual Report  
7D2 ABBC Notice for the Annual 2014 report  
7E Agenda Request Treasurer's Office  
7E1 Treasurer BAN288 Fire Engineer Documents