



Truro Board of Selectmen Meeting Agenda

Tuesday, March 17th, 2015

Executive Session – 4:30pm

Regular Board of Selectmen Meeting-5:00pm

Selectmen's Chambers Town Hall 24 Town Hall Road, Truro

1. EXECUTIVE SESSION: *“Move that the Board of Selectmen enter into Executive Session in accordance with the provisions of Massachusetts General Law, Chapter 30A, section 21(a)number 3, to discuss strategy relative to pending litigation involving 25-27 Stephens Way, whereas discussion of these matters in open session would have a detrimental effect on the litigating position of the Town (and the Chair so declares it), and to reconvene in open session.”*

2. PUBLIC COMMENT

A. Open the Regular Meeting

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

3. PUBLIC HEARINGS

A. CONTINUED-The Truro Board of Selectmen will hold a public hearing on Tuesday, February 24, 2015 at 5:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro, at which time proposed changes will be made to the Canoe/Kayak/Raft-Daily Launch & Seasonal Fees; Ramp-Fee-Daily; Commercial Hauler Ramp-Seasonal & Single Launch Fees; & a Proposed Non-State Resident Daily Ramp Fee
Presenter: Tony Jackett-Harbor Master/Shellfish Warden & Pamet Harbor Commission
Comments from the public will be heard and all interested parties are urged to attend.

B. In accordance with an application filed on January 15, 2015 by Beau Gribbin, 563 Shore Road, North Truro, MA, for a Shellfish Aquaculture Grant, pursuant to the Aquaculture Grants Regulation, the Board of Selectmen will conduct a public hearing at the Truro Town Hall, 24 Town Hall Road, Truro MA on Tuesday, March, 17th, 2015 at 5:00 pm. The proposed grant is for 1 acre, grant #22 located in the Aquaculture Development Area as shown on plans submitted with the application on file in the Selectmen's office.
Presenter: Tony Jackett-Harbor Master/Shellfish Warden & Pamet Harbor Commission
Comments from the public will be heard and all interested parties are urged to attend.

C. The Truro Board of Selectmen will hold a Public Hearing on Tuesday, March 17, 2015 at 5:00 p.m. to hear the application of Johnson Golf Management Inc., d/b/a Highland Links Golf Course, Kelly Laramee, Manager and Owner of Record is requesting a New Seasonal –All Alcohol Pouring License (under MGL Chapter 138 § 12) with the Town of Truro. The premises location is 10 Highland Light Road, Truro, MA 02652.The hearing will take place at the Truro Town Hall, 24 Town Hall Road, Truro, MA, 02666.
Comments from the public will be heard and all interested parties are urged to attend.
Presenter: Kelly Laramee, President of Johnson Golf Management Inc.
Comments from the public will be heard and all interested parties are urged to attend.

4. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

A. Review and Approve Re-Appointment Eric Morea-Pamet Harbor Commission-three year term

B. Review and Approve & Interview Hannah King-Commission on Disabilities-three year term

5. TABLED ITEMS NONE

6. BOARD OF SELECTMEN ACTION

- A. Update on Ballston Beach Over wash
Presenter: Mark Borelli & Graham Giese of Coastal Studies
- B. Update on Assembly of Delegates
Presenter: Deb McCutcheon
- C. Vote to place and recommend Articles on Annual Town Meeting Warrant
Presenter: Jay Coburn
- D. Update on FY15 Board of Selectmen Goals and Objectives
Presenter: Rae Ann Palmer, Town Administrator
- E. Discussion of the FY16 Budget
Presenter: Rae Ann Palmer, Town Administrator
- F. Selection of Town Counsel
Presenter: Jay Coburn

7. CONSENT AGENDA

- A. Review & Approve & Authorize the Chair to sign
 - 1. Support letter for Friends of Herring River Grant Application to Massachusetts Environmental Trust
- B. Review & Approve 2nd Annual Request from Cape Abilities for *Light it Up Blue* Autism Awareness Month-Locations: Public Safety Facility and Town Hall
- C. Review and Approve Common Victualer (Food) Licenses: Whitman House Restaurant; Jams Inc; Highland Link Golf Course
- D. Review & Approve Draft Letter to MDAR Re: NSTAR/Eversource Herbicide use on Utility Rights-of-way
- E. Review & Approve Meeting Minutes: Feb. 10 & Feb. 17th (Town Counsel Interviews); Feb. 24th Regular Meeting

8. SELECTMEN REPORTS AND LIAISON REPORTS

9. NEXT MEETING AGENDA: March 24, 2015

10. TOWN ADMINISTRATOR'S REPORT



TOWN OF TRURO

Board of Selectmen Agenda Item

Continued to March 17, 2015

DEPARTMENT: Pamet Harbor Commission

REQUESTOR: Tony Jackett- Harbormaster/Shellfish Warden

REQUESTED MEETING DATE: February 24, 2015

ITEM[s]:

1. Public Hearing and review of proposed changes to the Canoe/Kayak/Raft-Daily Launch & Seasonal Fees; Ramp-Fee-Daily; Commercial Hauler Ramp-Seasonal & Single Launch Fees; & a Proposed Non-State Resident Daily Ramp Fee in the Pamet Harbor Rules & Regulations.
2. General discussion for alternative parking near Pamet Harbor

EXPLANATION: The Board of Selectman and the Finance Committee have requested a review of all fees charged by the Town. The Pamet Harbor Commission has prepared a schedule of new fees for public hearing and for review and approval by the Board of Selectman. The State Department of Fish and Game, Division of Public Access and the Town signed a Land Management Agreement which allows for the request to increase the proposed fees. The Pamet Harbor Commission will be available to discuss the fees and answer questions.

The Pamet Harbor Commission is seeking dialogue with the BoS for alternative parking to relieve pressure at Pamet Harbor to accommodate boaters during excessive demand, particularly when fish are plentiful and the launch facility is most desirable.

March 17, 2015:

Attached to this item is the requested information regarding revenues and expenditures. The revenue offset varies from year to year. The current year revenues appear to be very low, however, most revenue will be collected in April, May and June. Also attached is the Land Management Agreement with the State which prohibits the Town from charging different ramp fees for different types of usage except for the commercial haulers. Harbormaster Tony Jackett contacted the State and was told that the State will work with the Town on the proposed fee increases. There is some thought that the daily ramp fee proposed increase to \$15 may not be approved. An increase to \$12 may be more acceptable to the State.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The opportunity to increase revenue will be lost for the upcoming season.

SUGGESTED ACTION: *MOTION to approve to increase the proposed fee increases.*

ATTACHMENTS:

1. Public Hearing Notice
2. Fee structure of the current fees and the proposed increases.
3. Pamet Harbor Rules and Regulations
4. Pamet Harbor Statistics 2014
5. Land Management Agreement
6. Pamet Harbor Revenue & Expenditures



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Office of the Board of Selectmen

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

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

CONTINUED TO MARCH 17, 2015

**TOWN OF TRURO PUBLIC HEARING
AMENDMENTS TO THE FOLLOWING:**

**CANOE/KAYAK/RAFT-DAILY LAUNCH & SEASONAL FEES
RAMP FEE-DAILY
COMMERCIAL HAULER RAMP-SEASONAL & SINGLE LAUNCH FEES
PROPOSED NON-STATE RESIDENT DAILY RAMP FEE
IN THE PAMET HARBOR RULES AND REGULATIONS**

The Truro Board of Selectmen will hold a public hearing on Tuesday, February 24, 2015 at 5:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro, at which time proposed changes will be made to the Canoe/Kayak/Raft-Daily Launch & Seasonal Fees; Ramp-Fee-Daily; Commercial Hauler Ramp-Seasonal & Single Launch Fees; & a Proposed Non-State Resident Daily Ramp Fee in the Pamet Harbor Rules & Regulations. Copies of the fee amendments are available in the Selectmen's office at Town Hall and on the Town Website at www.truro-ma.gov.

Comments from the public will be heard, and all interested parties are urged to attend.

Jay Coburn
Chair Board of Selectmen
Town of Truro

PAMET HARBOR FEES
Proposed Fees

		Existing Fees
Mooring	Shallow – Seasonal	\$240.00
	Basin – Seasonal	\$360.00
Mooring Transient (rental) Daily		\$30.00
Mooring Line – Small Boat Seasonal		\$90.00
Canoe/Kayak/Raft	Daily Launch	\$6.00 current \$7.00 proposed
	Seasonal	\$35.00 current \$40.00 proposed
	Seasonal Rack	\$90.00
Ramp Fee	Daily	\$10.00 current \$12.00 proposed \$25.00 proposed [non-state resident]
	Seasonal	\$165.00 \$180.00 proposed
Commercial Hauler Ramp Fee	Seasonal	\$650.00 current \$700.00 proposed
	Single Launch	\$65.00 current \$70.00 proposed
Rule 26 – Unused Float Fee		180.00
Waiting List		Refer to §13

Approved by Pamet Harbor Commission on January 10, 2013

Approved by the Board of Selectmen on January 29, 2013 & February 26, 2013 [Seasonal Ramp Fee]



TOWN OF TRURO

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

PAMET HARBOR RULES AND REGULATIONS

Definitions

For the purpose of these rules and regulations, the following definitions shall apply;

- A. Mooring shall mean the actual block, weight, or physical structure to which lines or chains are affixed and rests on the sea floor.
- B. Moor shall mean the act of tying off or affixing a vessel to a fixed point, including but not limited to, a block, pier, float, or any other object capable of securing vessel from moving.
- C. Personal watercraft shall mean a vessel propelled by a water jet, pump, or other machinery as its primary source of motor propulsion, which is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel (323 CMR 4.02)
- D. Shallow water area shall mean the tidal area north of the channel.
- E. Deep water area shall mean the basin area south of the channel.
- F. Space shall refer to the designated area to which a vessel moors, i.e., the mooring space.

Rules

1. Violations of any of these rules or regulations will be subject to a maximum fine of \$50.00 for each offense, with the possibility of loss of mooring privileges, unless covered under other laws or regulations.
2. Absolutely no wake in the anchorage or mooring area. Speed not to exceed 5 mph, or the minimum speed required for steerage, whichever is less, from the entrance jetties, throughout the inner harbor, and up the Pamet River and its branches.
3. No swimming, SCUBA diving, snorkeling, or windsurfing in any of the Pamet's navigable waters and channels, unless prior approval of the harbormaster is granted.
4. Personal watercraft may only use the marked channels of the Pamet from the launching ramp through the jetties as a means to exit or enter the harbor.
5. Launching or recovering of any craft over any fence or guardrail in the harbor area without permission from the harbormaster is prohibited.
6. Boats must not be moored, or at anchor, in any channel or passage so as to interfere with the operation of the launching ramp area.
7. No one will be permitted to place or maintain a mooring within Pamet Harbor except in

accordance with, and fully subject to, these rules & regulations. All moorings must be placed under the supervision of the harbormaster. Moorings placed without the harbormaster's prior approval are subject to being moved on his order. Failure to do so will result in forfeiture of the mooring space. Any charges incurred by the harbormaster in moving the mooring shall be enforced by the Town against the mooring owner, as per MGL Ch. 91 Sec. 10A, Ch. 102 Sec. 21,24,& 28.

8. All boat owners will be limited to one mooring space, and that mooring space may only be used by the mooring owner or by persons approved in advance by both the owner and the harbormaster. The subleasing of any mooring, or space, will not be allowed.

9. All permits to moor or launch a boat or float in the Pamet Harbor will be for a specific boat or float, and only that boat or float, and only for the time period specified on the permit. All permits must be paid for in advance. Each boat and dingy must display its permit in a clear and visible manner.

9a. Pamet Harbor shall have two distinct seasons; a boating season, and an off season. The boating season commences on April 1st and ends on November 14th. All floats are to be placed in the Harbor by June 10th. By November 15th, all floats are to be removed from the basin and tackle marked with a buoy with the owner's name on it. Accordingly, all buoys in the shallow area are to be removed and replaced with a six inch net buoy with an assigned number. The removal of the floats and buoys are the responsibility of the mooring holder. Persons located in the basin area and wishing to upgrade will be placed on the top of the waiting list. Any float space which becomes available will be occupied in accordance with rule 13.

10. No mooring can be placed, or occupied, until the harbormaster has verified that the proper fee has been paid and a copy of the current boat registration is on file with the harbormaster. No boat shall be placed on any mooring unless the current registration sticker issued by the harbormaster is properly displayed.

11. Mooring owners shall be fully and exclusively responsible for maintaining their moorings, floats, and associated equipment and gear in good, safe, and serviceable condition.

12. The transfer of boats between moorings will not be permitted, except on specific approval of the harbormaster. In emergencies, however, the Town, (harbormaster, police, fire department), may move, or cause to be moved, any boat from its mooring to any other mooring place for the purpose of safety, specifically in the interest of the boat owner(s).

13. There shall be composed a Pamet Harbor mooring waiting list. The order of the list is determined by date of placement on the list, except for those previously placed on the basin waiting list by lottery conducted in 2002. These lottery participants shall have seniority over all others waiting for basin moorings, regardless of the dates they were placed on the list. A person need not hold a shallow water mooring to qualify for a basin mooring, but must be on the list and meet other requirements as stated below. All individuals who wish to remain on the waiting list must submit the required \$10.00 fee by June 30th of each year. Failure to respond shall result in the removal of the subject's name from the waiting list. This fee will be an annual fee required to

remain on the list. There will be a late fee period from July 1st – July 31st during which time failure to pay the required fee will result in a late fee of \$25.00. Failure to pay the waiting list fee by August 1st will result in removal from the list.

When a deep water spot opens up, (or one side of a float), the owner will then have the opportunity to choose from the first ten (10) people on the waiting list, and must do so within two (2) weeks from notification by the harbormaster. The person chosen must accept / decline within one (1) week. If the current float owner does not want any of the top ten (10) people, the float owner will then forfeit his / her mooring space and be required to leave the Harbor within seven (7) days. The person chosen from the waiting list, who accepts the deep water spot as outlined, will be required to provide proof of property damage and liability insurance to the float owner and harbormaster.

When a person from the shallow water moves to the deep water, the next person on the waiting list without any mooring will move to the new vacant mooring in the shallow water mooring field. If that person refuses the spot, he / she may remain on the waiting list, and the next person on the waiting list will be offered the vacant mooring.

The only exception to the waiting list policy will be if an owner gives his / her side of the float or mooring to an immediate family member which includes spouse, son, daughter, father, mother, brother or sister. A signed and notarized letter from the current owner authorizing the transfer will be required, and must be delivered to the harbormaster in order to take effect. No other exceptions will be permitted.

When a space becomes available in the tidal mooring area, the following procedure will take place; Prior to referring to the waiting list, the harbor master will inquire of those currently moored in the tidal area if they have any interest in moving into the newly vacated space. For example, if a space becomes available in the tidal area, those currently in the tidal area will have first preference of that tidal mooring before someone from the waiting list is issued a spot. The desire of a mooring holder to upgrade will be indicated on the mooring renewal form at the beginning of the season.

14. During the boating season, the mooring holder must use the mooring for a minimum of thirty (30) days. The time frame for this use requirement shall be between May 1 and November 1. For the purpose of complying with the thirty day use requirement, only the boat registered to the mooring, or float, will qualify.

14a. In the event a mooring holder fails to use his / her mooring for thirty (30) days during the season, or forfeits it as outlined in paragraph 13 above, the mooring owner: (a) may sell the mooring tackle to the next person assigned the same mooring space, or (b) must remove the mooring tackle within seven (7) days of being told to do so by the harbormaster. If the mooring tackle is not removed as directed, it shall be deemed to be abandoned and shall be removed by the harbormaster and such expense to be endured by the owner.

15. As stated in MGL Ch. 91 Sec. 10a, and Ch. 102 Sec.24, any vessel, unauthorized mooring or object constituting a hazard to navigation, and any vessel or object improperly secured,

swamped, sunk, washed ashore or found in a restricted area, may be removed or relocated by or at the direction of the harbormaster. The expense of such removal or relocation, and any liability incurred thereof, shall be the responsibility of the owner.

16. No pulpits or bow extensions are permitted on boats moored in the harbor. All exposed, elevated, or hazardous engine propellers and skegs will be covered so as to prevent damage to other boats. Engine propellers and skegs as used in this paragraph include those on outboard motors and I/O drives. The adequacy of covers used may be determined by the Harbor Master.

17. Use of harbor facilities will be at the owner's risk, including any sharing of float and mooring tackle. See paragraph 13 for additional insurance requirements.

18. No vessel, mooring or other object may be abandoned, sunk, or placed where it may constitute a hazard to navigation or other boats in the harbor.

19. A mooring plan of the Pamet harbor basin shall be maintained by the harbormaster. The harbormaster shall allow for the mooring of up to sixty-two boats in the Basin, a tidal basin measuring approximately 500' x 200' and bordered on the south by the inlet to Eagles Neck Creek, on the north by the channel of the Pamet inlet, on the east by the state boat ramp and the Pamet Yacht Club, and on the west by tidal marshlands of the Conservation Trust. The sixty-two boats shall be held by thirty-one mooring anchors, each one anchoring a rafting of two boats side by side. No two boats shall be moored on the same mooring, unless on a float, and no more than two boats shall be moored on one float. All floats and moorings shall be individually and positively identified (a) for floats; by displaying the owner's name and float number on the top of the surface of the float near the end, (b) for moorings; by attaching a tag engraved with the owner's name to the top of the mooring.

In the basin, each mooring must be situated a minimum of 55' from a neighboring mooring, and no moored boat shall exceed 28' in overall length (including bow and stern extensions - pulpits, swim decks, etc.) and no rafting float shall exceed a size of 24' x 4'6".

The only type of mooring anchor allowed shall be a concrete block. No mushroom or helical type screw shall be allowed, nor any automotive parts as radiators, engine blocks, or cement filled tires. Acceptable concrete blocks must not exceed 24" in height, but must have a minimum weight of 900 pounds for basin moorings, and 600 pounds for shallow water moorings.

In the basin, the length of anchoring chain must be twenty (20) feet, +/- one (1) foot, with the exact length being determined by a consultation of the respective boater and the harbormaster as to the specific basin location of the mooring. The chain used shall be five-eighths (5/8) inch. [Note:#19 Amended January 29, 2013 & February 26, 2013] No pennant from the buoy to the boat shall exceed three (3) feet, except with the specific permission of the harbormaster. Winter spar buoys shall float upright at all times and have a length deemed reasonable to locate the mooring without fouling the prop of a vessel underway in the basin. If the harbormaster determines that a mooring is insufficient for securing the boat, or is improperly rigged, the harbormaster shall notify the owner to correct the situation. Failure to do so within a time limit fixed by the harbormaster will result in the forfeiture and removal of the mooring as outlined in

Massachusetts General Laws, Chapter 102.

The initial assignment of mooring space was originally based upon the sixty-two boaters moored in the basin as of October 15, 1995. Subsequent to that date, there is no association of the mooring right with property ownership. When a property (boat, float, cement anchor, chain, etc.) is transferred, there shall be no promise made of the right to a mooring space going with it. Instead, the vacated space shall be assigned in accordance with the waiting list policy and these rules and regulations.

Any dispute on the assignment of mooring space by the harbormaster may be appealed in the following order: 1) directly to the Truro Town Administrator, 2) to the Truro Board of Selectmen, and 3) to the State Division of Waterways.

20. All moorings and tackle are to be inspected for wear every two (2) years by an individual chosen from the list of approved divers, or the harbormaster, as set forth by the Pamet Harbor Commission or the harbormaster. Documentation for such inspection shall be recorded with the harbormaster. Owners name to be marked on the mooring block.

21. In the shallow water mooring field, all mooring balls are to be 12", white with a blue stripe, and marked with the mooring number in 3" or larger black letters.

22. In the shallow water mooring field, all mooring lines shall consist of the following; a maximum of three (3) feet of 3/8" or 2" chain (depending on the size of the vessel), and a maximum of twelve (12) feet of 5/8" or 3/4" line.

23. The discarding of dead fish within the harbor, or beach area is discouraged.

24. No vessel shall be allowed to tie up at the town float in a manner as to hinder access without prior approval of the harbormaster.

25. Unless prior arrangements have been made with the harbormaster, all mooring fees must be paid by June 30th. A \$100.00 late fee will be added to all mooring fees paid after June 30th .

26. The following plan was designed to allow an individual to use a float on a short term basis when it is unoccupied by the float owner. An individual wishing to use a float must follow the rules listed below and **MUST HAVE PERMISSION FROM THE HARBORMASTER PRIOR** to using the float. Said individual must:

- A. Receive permission of float owner and harbormaster;
- B. Pay the required fee to the Town of Truro for use of the float; (an individual upgrading in the same mooring field will not be subject to the additional charge.)
- C. Sign a "Hold Harmless Agreement" releasing the Town and the float owner from any responsibility for any damage to vessels or property while float is being used;
- D. Notify the harbormaster of the dates he wishes to use the float;
- E. Sign a condition of use form;
- F. Vacate the float immediately upon request of the harbormaster and/or the float owner;
- G. Be responsible for maintaining a secure mooring and lines at all times and be responsible for

damage or injury caused by his/her vessel.

Use of floats may be limited to thirty days continuous use.

All float owners and renters must still comply with the Pamet Harbor Rules and Regulations, including the thirty day rule, unless waived by the harbormaster. They will provide the harbormaster with the dates the float is expected to be used.

Float owners are required to give at least three days' notice to individual who must vacate the float.

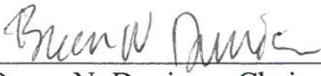
The rules regarding subleasing of floats or moorings will be strictly enforced. Any violations of the above rules may be considered as grounds for removal from the mooring field and/or wait list.

The Town will install four moorings to be rented on a daily/weekly basis. During periods in which these moorings are unoccupied, the Transient Use Program may be implemented.

27. The Town will have two dinghies available for public use. The boats are used at the users own risk. These boats must be returned to their mooring location and not left on the mooring or float of said user.

These regulations were amended by the Board of Selectmen at duly held public hearings on January 29, 2013 & February 26, 2013.

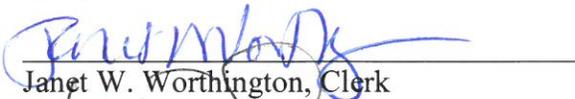
Copies of the Rules and Regulations may be obtained at the Truro Town Hall, 24 Town Hall Road, P.O. Box 2030, Truro, MA 02666.



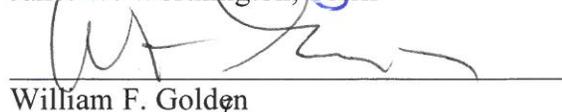
Breon N. Dunigan, Chair



Gary Palmer, Vice Chair



Janet W. Worthington, Clerk



William F. Golden



Jay Coburn

Board of Selectmen
Town of Truro

Agenda Item: 3A4

Statistics for 2014

From Source	Amount	Total
Daily Launch	2374	23,740
Daily Kayak	428	2,568
Season Launch	37	6,105
Season Kayak	3	120
Basin Moorings	48	17,280
Tidal Moorings	41	9,840
Wait List	70	700
Ice	310	620
Soda	200	300
Rule 26	009	1,620
Rental Daily	149	4,470
Small Boat Line	7	630
Kayak Rack	14	1,260
Commercial Ramp Daily	7	455
Commercial Ramp Seasonal	2	<u>1,300</u>
Total		71,008



LAND MANAGEMENT AGREEMENT

THIS LAND MANAGEMENT AGREEMENT (“Agreement”) is entered into pursuant to the authority of G.L. c.21A, §2(8) and §11B, on this 12th day of August, 20 14, by and between the Department of Fish and Game (“Department”) and the Town/City of Truro, acting by and through its Board of Selectmen/Aldermen and/or Mayor (“Municipality”).

IN CONSIDERATION of the construction, improvement or repair, maintenance and daily operation of the fishing and/or boating access facility located at: Depot Road, on Pamet Harbor, consisting of a boat ramp, boarding pier, gangway and floats and associated parking (“facility”), and in consideration of the mutual covenants contained herein, and for other good and valuable consideration with regard to the facility, the Department and the Municipality covenant and agree as follows:

1. The Department shall, subject to available funding and staff, undertake any repairs, replacement or reconstruction of the facility made reasonably necessary by the effects of weather or normal public usage, provided that prior to undertaking any such activities, the Department and the Municipality reach agreement on the percentage (%) of costs to be paid by the respective parties.
2. The Department shall provide the Municipality with a sign or signs which contain the provisions of 320 CMR 2.00, regulations governing the use of public access facilities, and a statement that the facility was constructed by the Department of Fish and Game, Office of Fishing and Boating Access.
3. The Municipality shall install and maintain the sign or signs provided pursuant to section 2 of this Agreement in a prominent and visible location at the facility.

4. The Municipality shall be responsible for the daily operation and maintenance of the facility including, but not limited to policing, trash and liter removal, and the overall preservation of the facility for use by the general public in accordance with G.L. c.131, §45.

5. The Municipality shall not use or permit to be used any parking spaces or open areas within the facility for purposes other than public access, or for purposes that are inconsistent with the provisions of 320 CMR 2.00 without the written permission of the Department. The Municipality further agrees that the car-top vehicle parking spaces shall be used on a first come, first serve basis for vehicles used only to launch car-top boats, except that single-car parking spaces, may be used by individuals who are holders of town mooring permits if such a parking space is available at the time. The layout of the trailer parking spaces shall be the layout existing on the date of this agreement.

6. Subject to the prior written approval of the Department, the Municipality may adopt a fee schedule and method of collecting such fees for the use of the facility.

(a) Fees charged by the Municipality for launching and parking of vehicles with trailers or car-top boats shall be the same for all citizens, and for each type of usage, except as otherwise provided for in §6(b) and 6(c) of this Agreement.

(b) Fees for out-of-state users may be no more than three (3) times the fee for in-state users for daily or seasonal use, unless federal monies were used in, or reimbursed for the construction or repair of said facility, in which case the fee shall be the same for all users.

(c) A separate fee for commercial haulers may be adopted by the Municipality for daily or seasonal use.

7. All fees collected by the municipality shall be used exclusively for the daily operation and maintenance of the facility. Upon request, the Municipality shall provide the Department with a certified accounting of the receipts and expenditures of all such fees.

8. Subject to the prior written approval of the Department, the Municipality may adopt reasonable management measures governing the use of the facility that are not inconsistent with the provisions of 320 CMR 2.00, or other applicable management measures as adopted by the Department.

9. It is the intention of the Department and the Municipality that this Agreement provide for the continued existence, preservation, operation and maintenance of the facility, and that such benefit exceeds to an immeasurable and unascertainable extent any consideration recited in this Agreement. Therefore, the parties agree that any payment of monies would be an inadequate remedy for a breach by either party to this Agreement, and said parties further agree that as an alternative or an additional remedy, specific performance of any covenant contained herein may be enforced against the breaching party.

10. This Agreement shall be in effect until mutually dissolved or modified in writing by the Department and the Municipality.

IN WITNESSES WHEREOF, the parties hereto have executed this Agreement on this
12th day of August, 2014.

BY THE DEPARTMENT OF FISH AND GAME

Mary Griffin
Mary Griffin, Commissioner

John P. Sheppard
John P. Sheppard
Director of Fishing and Boating Access

BY THE MUNICIPALITY

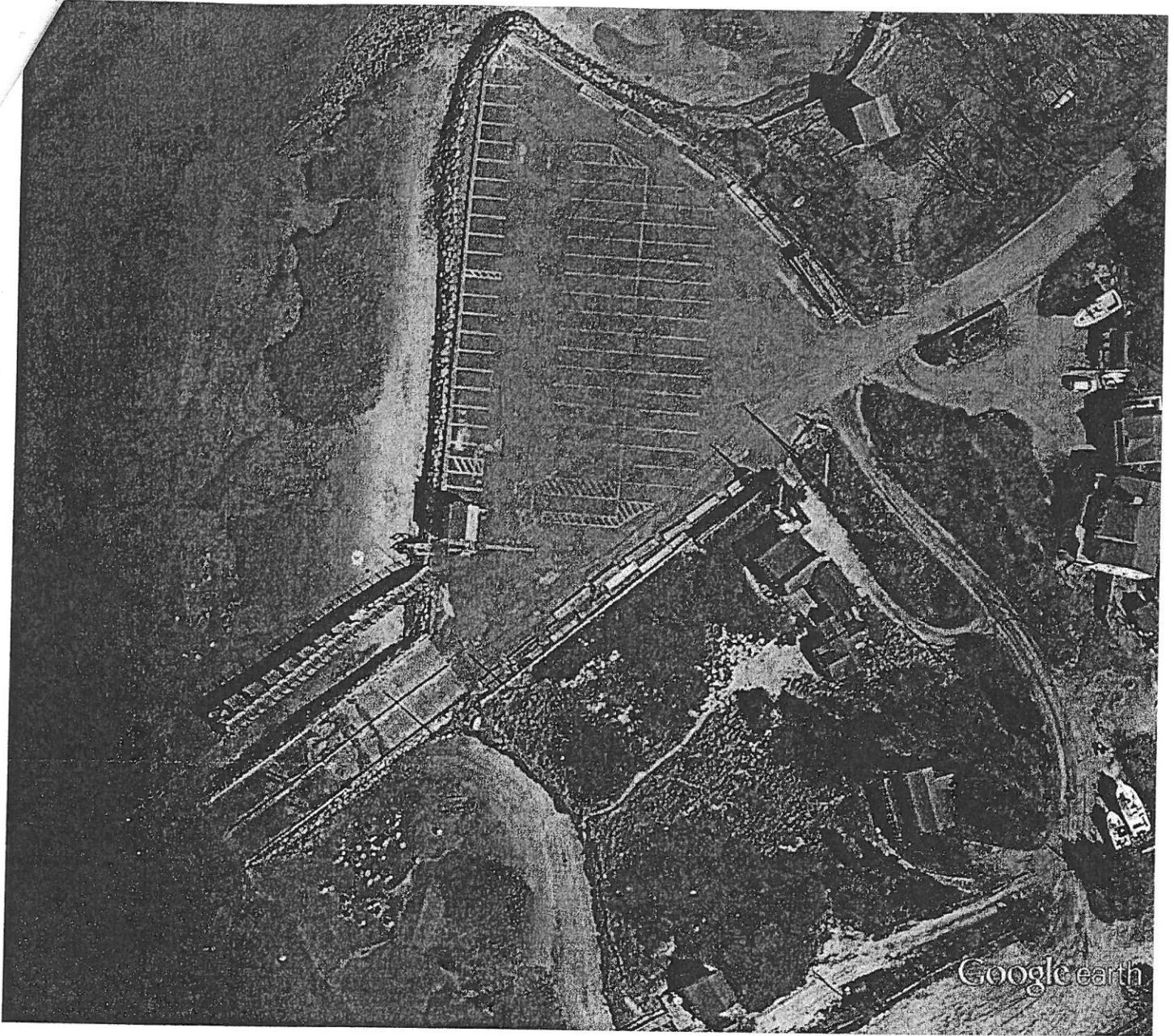
Board of Selectmen/Aldermen and/or Mayor

[Signature]
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Maureen Burgess

I, Cynthia Slade, Clerk of the Municipality, hereby certify that
the above named individual(s) currently hold(s) the office of Selectman
, and is/are authorized to sign this Agreement on behalf of
the Municipality.

[Signature]
TOWN/CITY SEAL



Google earth

7-16-14



Agenda Item: 3A6

Pamet Harbor -- 2013

Category	Fee	# sold	Gross Receipts
REVENUES:			
Daily Launch Fee	10.00	1,947	19,470.00
Kayak Launch Fee	6.00	453	2,718.00
Seasonal Launch Fee (@ old rate)	165.00	3	495.00
Seasonal Launch Fee	180.00	34	6,120.00
Seasonal Kayak Launch (@ old rate)	35.00	3	105.00
Seasonal Kayak Launch Fee	40.00	2	80.00
Basin Mooring Fee (@ old rate)	330.00	6	1,980.00
Basin Mooring Fee	360.00	41	14,760.00
Tidal Mooring Fee (@ old rate)	220.00	4	880.00
Tidal Mooring Fee	240.00	38	9,130.00
Commercial Ramp (Daily @ old rate)	65.00	6	390.00
Commercial Ramp Permit (Daily)	70.00	3	210.00
Commercial Ramp Permit (Sessonal)	650.00	1	650.00
Non-Commercial Ramp Permit (Sessonal)	70.00	0	0.00
Mooring Wait List Fee	10.00	66	660.00
Ice (Vending)	2.00	538	1,076.00
Soda	1.50	211	316.95
Rule 26 (@ old rate)	165.00	3	495.00
Rule 26 ("remainder")	163.00	1	163.00
Rule 26	180.00	0	0.00
Daily rental (@ old rate)	25.00	86	2,162.00
Daily rental	30.00	22	645.00
Small Boat Line	90.00	4	360.00
Kayak Rack Use Fee (@old rate)	80.00	2	160.00
Kayak Rack Use Fee	90.00	9	810.00
Other: Upgrade from Tidal to Basin Mooring	110.00	2	220.00
Other: Transient	25.00	12	300.00
Other: Return of Banks	100.00	3	300.00
Dingy Line	20.00	1	20.00
Boat Excise - GF & MWWIF			2,653.25
Boat Excise Penalties - MWWIF			520.68

Gross Receipt total: **67,849.88**

EXPENDITURES:

Salary, wages & OT	71,471.68
Purchased Services	1,717.99
Supplies	4,896.01
Intergovernmental Charges	0.00
Other/Unclassified Expenditures	505.00
Capital Purchases	0.00
Unemployment	2,713.00
Employee Benefits	0.00
Marina Pollution Liabiality - Owned Craft	500.00
Marina Liability Policy	2,994.00

Gross Expenses: **84,797.68**

% of PG Ops Expenses covered by
Revenues and GF transfer:

80.01%

Pamet Harbor -- 2014

Add'l revenue w/
approved fee
increases:

Category	Fee	# sold	Gross Receipts	
REVENUES:				
Daily Launch Fee **	10.00	1,988	19,880.00	3,976.00
Kayak Launch Fee	6.00	469	2,814.00	469.00
Seasonal Launch Fee	180.00	7	1,260.00	
Seasonal Kayak Launch Fee	40.00	0	0.00	0.00
Basin Mooring Fee	360.00	46	16,560.00	
Tidal Mooring Fee	240.00	37	8,880.00	
Commercial Ramp Permit (Daily)	70.00	4	280.00	
Commercial Ramp Permit (Seasonal)	700.00	0	0.00	
Mooring Wait List Fee	10.00	54	540.00	
Ice (Vending)	2.00	509	1,017.00	
Soda	1.50	119	178.00	
Rule 26	180.00	7	1,260.00	
Daily rental	30.00	85	2,550.00	
Small Boat Line	90.00	6	540.00	
Seasonal Kayak Rack Use Fee	90.00	15	1,350.00	
Other: Comm'l Daily Use Permit @ old rate	65.00	2	130.00	10.00
Other: Part'l Comm'l Ramp Permit	650.00	2	1,300.00	100.00
Other: Return of Banks	100.00	3	300.00	
Other: Seasonal Launch @ old fee	165.00	33	5,445.00	600.00
Boat Excise - GF & MWWIF			1,177.34	
Boat Excise Penalties - MWWIF			499.03	
			Gross Receipt total:	
			<u>65,960.37</u>	<u>5,155.00</u>

EXPENDITURES:

Salary, wages & OT	80,737.65
Purchased Services	3,721.05
Supplies	3,265.89
Intergovernmental Charges	0.00
Other/Unclassified Expenditures	788.22
Capital Purchases	0.00
Unemployment	8,419.00
Employee Benefits	0.00
Marina Pollution Liability - Owned Craft	500.00
Marina Liability Policy	2,994.00
	Gross Expenses:
	<u>100,425.81</u>

% of PG Ops Expenses covered by
Revenues and GF transfer:

65.68%

**Does not include proposal to charge \$25 for out-of-state ramp users

Pamet Harbor -- 2015 YTD

Category	Fee	# sold	Gross Receipts	Add'l revenue w/ approved fee increases:
REVENUES:				
Daily Launch Fee **	10.00	1,404	14,040.00	2,808.00
Kayak Launch Fee	6.00	364	2,184.00	364.00
Seasonal Launch Fee	180.00	0	0.00	
Seasonal Kayak Launch Fee	40.00	0	0.00	0.00
Basin Mooring Fee	360.00	8	2,880.00	
Tidal Mooring Fee	240.00	5	1,200.00	
Other: Transient (partial)	100.00	1	100.00	
Commercial Ramp Permit (Seasonal)	700.00	0	0.00	
Mooring Wait List Fee	10.00	25	250.00	
Ice (Vending)	2.00	275	550.00	
Soda	1.50	200	300.00	
Rule 26	180.00	3	540.00	
Daily rental	30.00	142	4,260.00	
Small Boat Line	90.00	1	90.00	
Seasonal Kayak Rack Use Fee	90.00	1	90.00	
Other: Comm'l Daily Use Permit @ old rate	65.00	5	325.00	25.00
Other: Part'l Comm'l Ramp Permit	650.00	1	650.00	50.00
Other: Wait List Late Fee	25.00	1	25.00	
Other: Seasonal Launch @ old fee	165.00	4	660.00	60.00
Other: Return of Banks	110.00	3	330.00	

Boat Excise - GF & MWWIF

Boat Excise Penalties - MWWIF 43.81

Gross Receipt total: * **28,474.00** **3,307.00**

EXPENDITURES:

Salary, wages & OT	59,167.54
Purchased Services	1,758.29
Supplies	3,450.94
Intergovernmental Charges	0.00
Other/Unclassified Expenditures	156.52
Capital Purchases	0.00
Unemployment	1,800.00
Employee Benefits	6,454.00
Marina Pollution Liability - Owned Craft	550.00
Marina Liability Policy	2,994.00

Subtract Shellfish warden salary (YTD) **7,186.86**

Gross Expenses: **69,144.43**

% of PG Ops Expenses covered by Revenues and GF transfer: **41.18%**

* Note: Bulk of revenue for SEASONAL use categories arrives between April 1 and June 30.

**Does not include proposal to charge \$25 for out-of-state ramp users



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Shellfish Department

REQUESTOR: Tony Jackett-Harbormaster/Shellfish Warden

REQUESTED MEETING DATE: March 17, 2015

ITEM: Application for a one acre [#22] shellfish aquaculture license in the Aquaculture Development Area.

EXPLANATION: The applicant is a local resident who is an owner operator of a fishing vessel he operates out of Provincetown. He wishes to diversify and grow shellfish to supplement the ever changing dynamics of the fishing industry. He has prepared a thorough and detailed application similar to those previously approved by the BoS. The applicant, Mr. Beau Gribbin, will be in attendance to answer questions.

FINANCIAL SOURCE (IF APPLICABLE): The applicant is the sole financial source.

IMPACT IF NOT APPROVED: The applicant is anxious to make arrangements to obtain seed and purchase gear for the upcoming season. Any delay could impact the ability to grow out shellfish optimally for the coming year.

SUGGESTED ACTION: *MOTION TO approve a Shellfish Grant for the one acre site #22 within the approved Aquaculture Development Area for Beau Gribbin.*

ATTACHMENTS:

1. Public Hearing Notice
2. Beau Gribbin's Application
3. ADA Grant Locations
4. Aquaculture Regulations



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Office of the Board of Selectmen

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 AQUACULTURE LICENSES

In accordance with an application filed on January 15, 2015 by Beau Gribbin, 563 Shore Road, North Truro, MA, for a Shellfish Aquaculture Grant, pursuant to the Aquaculture Grants Regulation, the Board of Selectmen will conduct a public hearing at the Truro Town Hall, 24 Town Hall Road, Truro MA on Tuesday, March, 17th, 2015 at 5:00 pm. The proposed grant is for 1 acre, grant #22 located in the Aquaculture Development Area as shown on plans submitted with the application on file in the Selectmen's office.

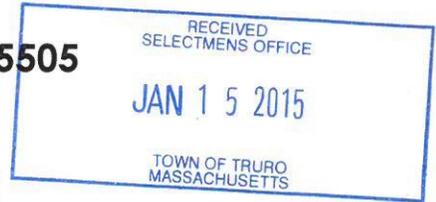
Jay Coburn, Chairman
Board of Selectmen
Town of Truro



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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



AQUACULTURE LICENSE APPLICATION

NAME OF APPLICANT: BEAU L Gribbin

STREET ADDRESS: 563 SHORE RD N. TRURO ma.

TELEPHONE: Personal Information Redacted E-MAIL ADDRESS: Personal Information Redacted

PROPOSED LOCATION OF THE LICENSE SITE: Describe below the specific measurements in feet of the desired area using land boundaries, when possible. Attach a sketch of a locus map indicating said boundaries and total square feet.

Description: Grant # 22

PREVIOUS AQUACULTURE EXPERIENCE: PRINCETOWN SHELL FISH

Grant holder LATE 80s) EARLY 90's WIPED OUT

Q.P.X. DISEASE. FULL TIME COMMERCIAL FISHERMAN

PROPOSED DEVELOPMENT PLAN: Describe in detail, your plans for development of Aquaculture and/or licensed site over a one, two and three-year term. Include the number of rafts/racks/floats, size, construction material, and square feet working area needed in the aquaculture area. Plans shall include shellfish by species, amount and sizes intended to be introduced to the waters and/or substratum. This plan is to be submitted as part of your application.

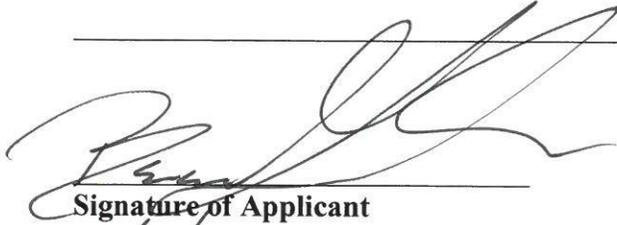
TYPES OF SHELLFISH TO BE RAISED: OYSTER'S / CLAM'S

METHOD OF PROPAGATION: BOTTOM CULTURE.

MEANS OF ACCESS: Boat.

Town of Truro
Aquaculture license application
Page 2

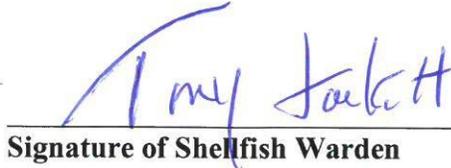
EQUIPMENT TO BE USED: CAGE'S - COVERED bottom RACEWAYS



Signature of Applicant

1/5/15

Date



Signature of Shellfish Warden

January 13, 2015

Date

The following information must be included in this application in accordance with the Aquaculture Regulations:

1. Detailed site plan including latitude and longitude of corners (metes and bounds)
2. Geophysical characteristics
3. Benthic habitat conditions
4. Proposed species, quantities and densities
5. Proposed physical structures
6. Proposed method and details of access to the site

The following documents must be submitted with this application in accordance with the Aquaculture Regulations:

1. Copy of Notice of Intent submitted to the Conservation Commission, or Municipal Wetlands Permit or determination of non-applicability
2. Copy of application to the Corps of Engineers, Section 404 permit or Programmatic General Permit

Beau Gribbin
PO Box 1851
Provincetown, Ma. 02657

Corner buoy/marker:

Anchor mooring block with chain and ½" sinking line to marker with swivel

Trawl setup:

Mainline/buoyline and 6' crate to main trawl line. All ½" minimum sinking line with 500lb swivel at each crate with anchor

Winter:

Any vertical lines removed and trawl setup anchored securely to bottom

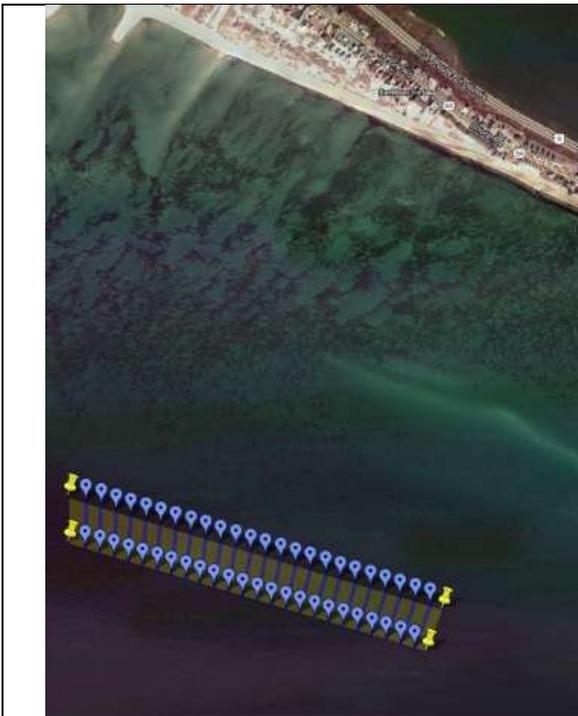
Bottom planting:

Quahogs
~~Oysters~~ will be ground planted with protective mesh anchored to bottom

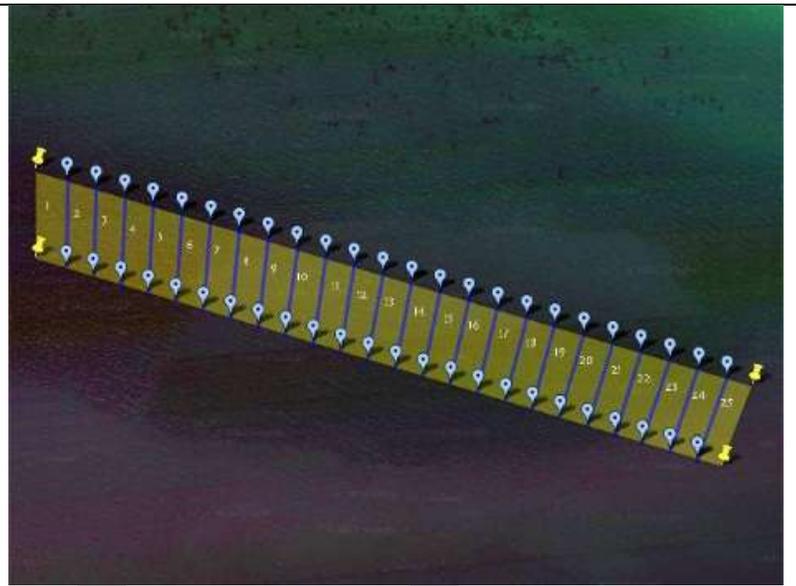


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Subject to Approval of the Army Corp of Engineers



Grant Area Overview



Grant Detail

Locations of Area and Grants

<p><u>Aquaculture Development Area</u> NW: 42° 2' 56.3" N 70° 8' 51.6" W SW: 42° 2' 52.7" N 70° 8' 51.6" W NE: 42° 2' 47.5" N 70° 8' 12.3" W SE: 42° 2' 44.2" N 70° 8' 14.0" W</p>	<p><u>Grant Area 1 DANA PAZOLT</u> NW: 42° 2' 56.3" N 70° 8' 51.6" W SW: 42° 2' 52.7" N 70° 8' 51.6" W NE: 42° 2' 55.948" N 70° 8' 50.028" W SE: 42° 2' 52.36" N 70° 8' 50.096" W</p>	<p><u>Grant Area 2 DANA PAZOLT</u> NW: 42° 2' 55.948" N 70° 8' 50.028" W SW: 42° 2' 52.36" N 70° 8' 50.096" W NE: 42° 2' 55.596" N 70° 8' 48.456" W SE: 42° 2' 52.02" N 70° 8' 48.592" W</p>
<p><u>Grant Area 3 DANA PAZOLT</u> NW: 42° 2' 55.596" N 70° 8' 48.456" W SW: 42° 2' 52.02" N 70° 8' 48.592" W NE: 42° 2' 55.244" N 70° 8' 46.884" W SE: 42° 2' 51.68" N 70° 8' 47.088" W</p>	<p><u>Grant Area 4 DANA PAZOLT</u> NW: 42° 2' 55.244" N 70° 8' 46.884" W SW: 42° 2' 51.68" N 70° 8' 47.088" W NE: 42° 2' 54.892" N 70° 8' 45.312" W SE: 42° 2' 51.34" N 70° 8' 45.584" W</p>	<p><u>Grant Area 5 DANA PAZOLT</u> NW: 42° 2' 54.892" N 70° 8' 45.312" W SW: 42° 2' 51.34" N 70° 8' 45.584" W NE: 42° 2' 54.54" N 70° 8' 43.74" W SE: 42° 2' 51" N 70° 8' 44.08" W</p>
<p><u>Grant Area 6 JEFFREY SOUZA</u> NW: 42° 2' 54.54" N 70° 8' 43.74" W SW: 42° 2' 51" N 70° 8' 44.08" W NE: 42° 2' 54.188" N 70° 8' 42.16" W SE: 42° 2' 50.66" N 70° 8' 42.576" W</p>	<p><u>Grant Area 7 JEFFREY SOUZA</u> NW: 42° 2' 54.188" N 70° 8' 42.16" W SW: 42° 2' 50.66" N 70° 8' 42.576" W NE: 42° 2' 53.863" N 70° 8' 40.596" W SE: 42° 2' 50.32" N 70° 8' 41.072" W</p>	<p><u>Grant Area 8 JEFFREY SOUZA</u> NW: 42° 2' 53.863" N 70° 8' 40.596" W SW: 42° 2' 50.32" N 70° 8' 41.072" W NE: 42° 2' 53.484" N 70° 8' 39.024" W SE: 42° 2' 49.98" N 70° 8' 39.568" W</p>
<p><u>Grant Area 9 WILLIAN & CHERYL SOUZA</u> NW: 42° 2' 53.484" N 70° 8' 39.024" W SW: 42° 2' 49.98" N 70° 8' 39.568" W NE: 42° 2' 53.132" N 70° 8' 37.452" W SE: 42° 2' 49.64" N 70° 8' 38.064" W</p>	<p><u>Grant Area 10 WILLIAM & CHERYL SOUZA</u> NW: 42° 2' 53.132" N 70° 8' 37.452" W SW: 42° 2' 49.64" N 70° 8' 38.064" W NE: 42° 2' 52.78" N 70° 8' 35.88" W SE: 42° 2' 49.3" N 70° 8' 36.56" W</p>	<p><u>Grant Area 11 CHRIS COSTA</u> NW: 42° 2' 52.78" N 70° 8' 35.88" W SW: 42° 2' 49.3" N 70° 8' 36.56" W NE: 42° 2' 52.428" N 70° 8' 34.308" W SE: 42° 2' 48.96" N 70° 8' 35.056" W</p>
<p><u>Grant Area 12 CHRIS COSTA</u> NW: 42° 2' 52.428" N 70° 8' 34.308" W SW: 42° 2' 48.96" N 70° 8' 35.056" W NE: 42° 2' 52.076" N 70° 8' 32.736" W SE: 42° 2' 48.62" N 70° 8' 33.552" W</p>	<p><u>Grant Area 13 SHAWN COSTA</u> NW: 42° 2' 52.076" N 70° 8' 32.736" W SW: 42° 2' 48.62" N 70° 8' 33.552" W NE: 42° 2' 51.724" N 70° 8' 31.163" W SE: 42° 2' 48.28" N 70° 8' 32.048" W</p>	<p><u>Grant Area 14 SHAWN COSTA</u> NW: 42° 2' 52.076" N 70° 8' 32.736" W SW: 42° 2' 48.62" N 70° 8' 33.552" W NE: 42° 2' 51.724" N 70° 8' 31.163" W SE: 42° 2' 48.28" N 70° 8' 32.048" W</p>

<p><u>Grant Area 15</u> FRANK CARPENTER NW: 42° 2' 51.372" N 70° 8' 29.592" W SW: 42° 2' 47.94" N 70° 8' 30.544" W NE: 42° 2' 51.02" N 70° 8' 28.02" W SE: 42° 2' 47.6" N 70° 8' 29.04" W</p>	<p><u>Grant Area 16</u> FRANK CARPENTER NW: 42° 2' 51.02" N 70° 8' 28.02" W SW: 42° 2' 47.6" N 70° 8' 29.04" W NE: 42° 2' 50.668" N 70° 8' 26.448" W SE: 42° 2' 47.26" N 70° 8' 27.536" W</p>	<p><u>Grant Area 17</u> MIKE REGO NW: 42° 2' 50.668" N 70° 8' 26.448" W SW: 42° 2' 47.26" N 70° 8' 27.536" W NE: 42° 2' 50.316" N 70° 8' 24.876" W SE: 42° 2' 46.92" N 70° 8' 26.032" W</p>
<p><u>Grant Area 18</u> MIKE REGO NW: 42° 2' 50.316" N 70° 8' 24.876" W SW: 42° 2' 46.92" N 70° 8' 26.032" W NE: 42° 2' 49.964" N 70° 8' 23.304" W SE: 42° 2' 46.58" N 70° 8' 24.528" W</p>	<p><u>Grant Area 19</u> LINDELL & SMALL NW: 42° 2' 49.964" N 70° 8' 23.304" W SW: 42° 2' 46.58" N 70° 8' 24.528" W NE: 42° 2' 49.612" N 70° 8' 21.732" W SE: 42° 2' 46.24" N 70° 8' 23.024" W</p>	<p><u>Grant Area 20</u> DAN SMITH NW: 42° 2' 49.612" N 70° 8' 21.732" W SW: 42° 2' 46.24" N 70° 8' 23.024" W NE: 42° 2' 49.26" N 70° 8' 20.16" W SE: 42° 2' 45.9" N 70° 8' 21.52" W</p>
<p><u>Grant Area 21</u> DAN SMITH NW: 42° 2' 49.26" N 70° 8' 20.16" W SW: 42° 2' 45.9" N 70° 8' 21.52" W NE: 42° 2' 48.908" N 70° 8' 18.588" W SE: 42° 2' 45.56" N 70° 8' 20.016" W</p>	<p><u>Grant Area 22</u> Beau Gribbin NW: 42° 2' 48.908" N 70° 8' 18.588" W SW: 42° 2' 45.56" N 70° 8' 20.016" W NE: 42° 2' 48.556" N 70° 8' 17.016" W SE: 42° 2' 45.22" N 70° 8' 18.512" W</p>	<p><u>Grant Area 23</u> STEVE WISBAUER NW: 42° 2' 48.556" N 70° 8' 17.016" W SW: 42° 2' 45.22" N 70° 8' 18.512" W NE: 42° 2' 48.204" N 70° 8' 15.444" W SE: 42° 2' 44.88" N 70° 8' 17.008" W</p>
<p><u>Grant Area 24</u> STEVE WISBAUER NW: 42° 2' 48.204" N 70° 8' 15.444" W SW: 42° 2' 44.88" N 70° 8' 17.008" W NE: 42° 2' 47.852" N 70° 8' 13.872" W SE: 42° 2' 44.54" N 70° 8' 15.504" W</p>	<p><u>Grant Area 25</u> STEPHEN WISBAUER NW: 42° 2' 47.852" N 70° 8' 13.872" W SW: 42° 2' 44.54" N 70° 8' 15.504" W NE: 42° 2' 47.5" N 70° 8' 12.3" W SE: 42° 2' 44.2" N 70° 8' 14" W</p>	

Subject to Approval of the Army Corp of Engineers

DRAFT



TOWN OF TRURO

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

REGULATIONS FOR AQUACULTURE LICENSES

Adopted by the Board of Selectmen March 20, 2012
with amendments through May 22, 2013; April 8, 2014

GENERAL

The following regulations are promulgated in compliance with MGL Ch 130 ss 57-68 for the establishment of Aquaculture License Sites within the boundaries of the Town of Truro. These regulations are in addition to other shellfish regulations approved by the Board of Selectmen (Board). Compliance with relevant statutes and regulations will ensure the orderly and successful implementation of the polices established by the Board in conjunction with the Massachusetts Division of Marine Fisheries (Division).

1. Shellfish licenses may be awarded to Truro residents who can show to the satisfaction of the licensing authority that they are bona fide domiciled residents of the Town of Truro.
2. Applications desiring a license shall be required to complete and submit all information required on the Town's approved application form.
3. License applications shall be considered on a first-come, first-served basis within the limitations of acceptable and available areas. The Shellfish Warden shall make recommendations to the Shellfish Advisory Committee on those areas. The Board of Selectmen may issue a moratorium on license approvals at any time this action is deemed appropriate and in the best interest of the town.
4. Licenses approved shall be subject to certification by the Division of Marine Fisheries in compliance with Chapter 130 of MGL and 322 CMR 7.01 (4) and be licensed by the Army Corps of Engineers in compliance with Section 404 of the Army Corp of Engineers.

APPLICATION

Applications for aquaculture licenses shall be submitted on the Town's Application for Shellfish License form. Each application shall include, but not be limited to, the following items, as promulgated by the Division of Marine Fisheries:

- 1.) Detailed site plan including latitude and longitude of corners (meters & bounds)
- 2.) Geophysical site characteristics
- 3.) Benthic habitat conditions
- 4.) Proposed species, quantities and densities
- 5.) Proposed physical structures

- 6.)Proposed method and details of access to the site
- 7.)Evidence of Municipal Wetlands permit or determination of non-applicability
- 8.)Evidence of application for Corps of Engineers, section 404 Permit or Programatic General Permit

5. For the license application within the designated Aquaculture Development Area (ADA) designated by the Board of Selectmen the application shall provide the exact location of the individual one acre site or sites and acreage which is requested.

After consultation with the Shellfish Advisory Committee, the Shellfish Warden may recommend a different size grant than that for which an applicant has applied depending on the Warden's assessment of the applicant's experience, resources, available time to farm and his/her best estimate of the overall demand for the sites. License sites will require approval from the Board of Selectmen.

6. Following receipt of the acceptable and complete license application, the Board of Selectmen shall establish a public hearing date. At least fourteen (14) days prior to the hearing the Board shall take necessary action to publish a legal notice before the hearing in a newspaper with local distribution. In addition, a hearing notice shall be posted at the Town Hall and two other places in Truro.

7. The license permit application may be subject to review by the Shellfish Warden, the Shellfish Advisory Committee and by the Truro Conservation Commission,

8. The Board of Selectmen shall hold a public hearing and either tentatively approve or deny the license.

A. If the license site has been inactive for a period of more than two years the Shellfish Warden shall make an inspection of the license area together with the Division of Marine Fisheries which shall prepare a written report on the standing shellfish within the license area in order to determine productivity of the site

B. If the license is approved, the Selectmen shall issue a license permit and license number in accordance with established regulations. Final location of the license is subject to decision by the Board.

9. First-time license application may be approved for a two-year period. The license holder shall provide information concerning license activities. An effort toward production is required. Subsequent license renewals may be for five-year periods. Renewal applications for initial two-year licenses may be made for five-year periods. Renewal applications for initial two-year licenses may be requested during the second year of operation. Renewal applications for established licenses may be made at any time following the first three years prior to the end of the five-year period. Renewals shall be subject to approval by the Board of Selectmen with recommendations by the Shellfish Warden.

10. Annual reporting shall be completed on forms provided by the Shellfish Warden to each license holder on or before December 31 of each year for the previous year's effort. Within a reasonable amount of time, the Shellfish Warden shall review the license report submitted by the license holders and submit a copy of said report to the Board of Selectmen. The license holder shall produce documents at the request of the Shellfish Warden showing shellfish purchase and sales slips.

11. Each license shall be reviewed annually by the Board of Selectmen and the Shellfish Warden involving a review of the license holder's yearly production report. If it cannot be shown by the license holder that a reasonable amount of shellfish has been produced on the license area during the preceding year the license may be deemed forfeited by the Board of Selectmen. As a minimum for the purposes stated a reasonable amount shall not be less than the statutory requirements as set forth by Section 65 of MGL Chapter 130. Applicant shall be responsible for state reports.

REQUIREMENTS

12. Licenses shall not be transferred or sublet; the license is to be worked by the license holder and immediate family; exceptions may be permitted for reasons of hardship. Employees of the license holder may be permitted to conduct aquaculture operations with the permission of the Shellfish Warden.

13. It is the responsibility of the license holder to comply with all relevant sections of the General laws; Division of Marine Fisheries regulations and the Department of Public Health regulations regarding handling transport and sale of shellfish grown on the license site including permits for possession of seed and sale and processing as described in 105 CMR 533 and 322 CMR 15.

14. It shall be unlawful for the license holder to take seed shellfish from any waterway in the Town of Truro without written permission from the Board of Selectmen. {Amended 05-22-13}

15. It shall be unlawful for any license holder to transfer to or from the licensed site any contaminated shellfish. Any Shellfish transferred to a licensed site must come from the hatcheries certified by the Division as disease- free.

16. The Town Shellfish Warden shall be notified prior to any transfer of shellfish, stating that the location and name of the company from which the shellfish are purchased, the date of the transfer and proof of certification.

17. The Town of Truro reserves the right to obtain samples of any shellfish from the license area for the purpose of certified testing for disease.

18. The Shellfish Warden shall have authority to inspect the license area including the contents of all boxes or other containers at any time.

19. The license holder shall assume liability for all boxes, racks, etc used in shellfish farming. If any boxes, rack, etc. are moved by a storm or other event to a location off the licensed site, it shall be the responsibility of the license holder to remove it. If within three weeks the license holder has not complied with this requirement, the Town, through the Shellfish Warden may cause such boxes, racks, etc. to be removed and may bill the license holder. For purposes of identification, each box, rack, etc. used by the individual license holder shall bear the Truro Aquaculture license site number. When a license is discontinued or terminated for any reason, the license holder shall be required to remove all boxes, racks, pens, boundary markers, etc from the waters and substratum within thirty (30) days of the license expiration date. Any and all equipment not removed within thirty (30) days may be recovered by the Town through the Shellfish Warden at the license holder's expense.

20. License holders shall be responsible for affixing permanent markers to the four corners of their licensed site after the license is issued. Each marker shall display the number of the license site, as prescribed by the Board in compliance with the statutory requirements.

21. Inasmuch as this ADA lies within a Critical Habitat area for marine mammals all floating gear which is affixed to the bottom shall be in compliance with the provisions and requirements of the Massachusetts Division of Marine Fisheries. This shall include marker buoys, and their attachment lines. There shall be compliance with any Department of Marine Fisheries or NOAA Regulations promulgated in the future to further the goals of the Federal Marine Mammal Protection Act. 22. A five foot long sleeved enclosure shall be installed immediately below the buoy on any permanent mooring line and marker buoy lines (not gangions) to prevent entanglement with sea turtles between May 15th and December 31st.

23. For retrieving fixed gear on bottom one line per acre with a 600 lbs. breakaway link or ROABS (ropes of appropriate breaking strength per ALWTRP) to shellfish bags, cages, or containers at the shallowest depth of the lease for the purposes of retrieving marketable product.

24. An area of twenty five (25) feet inside the perimeter of the license site abutting another site shall remain unobstructed for passage of others.

25. Should license boundary disputes arise among license holders, they shall first take their dispute to the Shellfish Warden for resolution. Should this prove unresolved, the Board of Selectmen may require an engineered survey of the licenses in question. Such survey would be performed at the license holder's expense.

26. No persons may moor a vessel within twenty-five (25) feet, at rest, of a licensed site area.

FEES

27. An annual license fee of \$25.00 per acre shall be paid by the license holder, payable on or before April 1 of each year. If the fee is not paid within six months after it becomes due the license shall be forfeited.

28. The license holder shall acquire performance insurance for the value of \$200 per acre of licensed area or part thereof to ensure compliance with Section 20 regulations. { Amended 05-22-13 }

29. A \$25 application fee for the public hearing shall be payable at the time of submission of the application to the Board.

30. A fee of \$25 per acre or part thereof shall be payable at the time of license approval. An annual license fee of \$25.00 per acre shall be paid by the license holder, payable on or before April 1 of each year thereafter. If the fee is not paid within 6 months after it is due, the license shall be deemed forfeited.

31. Other fees may apply for the issuance of State or Federal permits.

Submitted for consideration by Truro Shellfish Advisory Committee, February 21, 2012. Went into effect March 20, 2012; amended May 22, 2013; amended April 8th, 2014

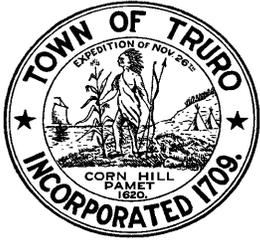
Jay Coburn, Chairman

Breon N. Dunigan, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

Paul Wisotzky
Board of Selectmen
Town of Truro



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Licensee Johnson Golf Management dba Highland Links Golf Course

REQUESTED MEETING DATE: March 17, 2015

ITEM: Public Hearing to approve as Local Licensing Authority for the Town of Truro a new seasonal pouring all alcohol license for the Highland Links Golf Course café located at 10 Highland Light Road.

EXPLANATION: The Selectmen's office received an application on February 13, 2015 from Kelly Laramee, President and Owner of Johnson Golf Management Inc., dba Highland Links Golf Course for a seasonal all alcohol pouring license. This license once approved would be a Seasonal All Alcohol Pouring License (April 1st – January 15th). Once this request is reviewed and approved at a duly held Board of Selectmen Meeting the ABCC application will be mailed to the State for final approval. In addition, Form 43 (ABCC) is in the signature file for your signature once an approval vote is made. The ABCC will return this document stamped APPROVED or I will be contacted with a request for additional information from the applicant.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *MOTION TO Approve Kelly Laramee, President and Owner of Johnson Golf Management Inc. dba Highland Links Golf Course for a seasonal all alcohol pouring license located at 10 Highland Light Road, Truro.*

ATTACHMENTS:

1. Public Hearing Notice
2. ABCC Application (Confidential)
3. Police Chief Review
4. Form 43 for LLA signature
5. Licensing Department letter to applicant regarding 30 days
6. Email response to Licensing Department-approval of March 17 hearing date



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

NEW SEASONAL ALL ALCOHOL POURING LICENSE

Please be advised that the Truro Board of Selectmen will hold a Public Hearing on Tuesday, **March 17, 2015 at 5:00 p.m.** to hear the application of Johnson Golf Management Inc., d/b/a Highland Links Golf Course, Kelly Laramée, Manager and Owner of Record is requesting a New Seasonal –All Alcohol Pouring License (under MGL Chapter 138 § 12) with the Town of Truro. The premises location is 10 Highland Light Road, Truro, MA 02652. The hearing will take place at the Truro Town Hall, 24 Town Hall Road, Truro, MA, 02666. Comments from the public will be heard and all interested parties are urged to attend.

Jay Coburn, Chairman
Board of Selectmen
Town of Truro



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

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

To: Chief Kyle Takakjian, Truro Police Department
 From: Nicole Tudor, Executive Assistant
 Date: February 19, 2015
 Re: Johnson Golf Management Inc., Highland Links Golf Course- 10 Highland Light Road,
 Truro, MA 02652
New Seasonal –All Alcohol-On Premise Pouring License

On an ABCC (Alcoholic Beverages Control Commission) application from Johnson Golf Management Inc., d/b/a Highland Links Golf Course, Kelly Laramée, Manager and Owner of Record is requesting a New Seasonal –All Alcohol Pouring License (per MGL Chapter 138 § 12) with the Town of Truro.

Included please find the accompanying ABCC application as submitted by the applicant that will be provided to the Alcoholic Beverages Control Commission once the Board of Selectmen/Local Licensing Authority review and approve the application at a duly held public hearing on March 17, 2014.

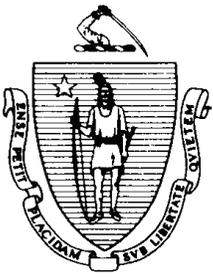
Please kindly review for purposes of approval with the Local Licensing Authority (BOS) this request for a new Seasonal All Alcohol Pouring license to ensure that the safety and well-being of the public will be protected.

Please provide any comments below:

POLICE DEPARTMENT REVIEW:

Date: 2/19/15

Signature: Kyle Takakjian
 Kyle Takakjian
 Police Chief



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

Agenda Item: 3C4

**FORM 43
 MUST BE SIGNED BY LOCAL LICENSING AUTHORITY**

ABCC License Number

City/Town

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee EIN of Licensee

D/B/A Manager

ADDRESS CITY/TOWN: STATE ZIPCODE

Seasonal All Alcohol Restaurant

Annual or Seasonal Category: (All Alcohol-Wine & Malt Wine, Malt & Cordials) Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Two story building, 1st floor consists of a pro shop, food & beverage area on an adjacent deck. Second floor consists of offices, exit and entrance located in front and rear. Located on Highland Light Road Truro, MA.

Application Filed: Advertiser: A butters Notified: Yes No

Date & Time Date & Attach Publication

Licensee Contact Person for Transaction Phone:

ADDRESS CITY/TOWN STATE ZIPCOD

Remarks:

The Local Licensing Authorities By: _____

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

ABCC Remarks: _____



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Office of the Board of Selectmen

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

February 20, 2015

CERTIFIED MAIL RECEIPT: 7014 1200 0001 3756 0634

REGULAR MAIL

EMAIL: klaramee@johnsongolfmanagement.com

To: Kelly Laramee, President
Johnson Golf Management, Inc.
P. O. Box 1659
Harwich, MA 02645

RE: Golf Course Liquor License

Dear Ms. Laramee:

The Board of Selectmen's office received an application, dated February 13, 2015, for a new, seasonal, on-premises, all-alcoholic beverages license for the Highland Links Golf Course. For a variety of reasons, the Board of Selectmen is not scheduled to meet again until March 17, 2015. That date is awkward because, ordinarily, the Board of Selectmen should act on a liquor license application within thirty days, and the March 17 date is just past that period. If the Board of Selectmen does not act within thirty days, there seems to be no penalty, and the application is not deemed to be either approved or denied by default. Nonetheless, because the Board should act within thirty days or such time as the parties agree, I am writing now to ask whether you will agree to allow the Board to schedule its hearing for your application for its next scheduled meeting date of March 17, 2015. Please let me know so that I can advise the selectmen.

Certainly, if you have any questions, please feel free to contact me.

Yours truly,

Nicole Tudor
Executive Assistant

From: klaramee@johnsongolfmanagement.com <klaramee@johnsongolfmanagement.com>
To: ntudor@truro-ma.gov **Cc:** Noelle Scoullar <nscoullar@truro-ma.gov>, jason laramee
Date: 02/23/2015 12:42 PM
Subject: Re: Golf Course Liquor License

Hi Nicole,

The date of March 17, 2015 for the Board of Selectmen meeting is agreeable.

Thank you

Kelly Laramee

On February 20, 2015 at 4:39 PM Nicole Tudor <ntudor@truro-ma.gov> wrote:

Hello Kelly,

Please find a letter attached to your attention. I will also mail it to your home address in Harwich.

Please kindly respond via email or in letter form.

Thank you, Nicole

Nicole Tudor
Selectmen's Office
Executive Assistant
Board of Selectmen Secretary
Truro Town Hall
24 Town Hall Rd
PO Box 2030
Truro, MA 02666
Phone: (508)349-7004 Ext 10
Fax: (508)349-5505
Email: ntudor@truro-ma.gov

From: thetownoftruro@gmail.com
To: ntudor@truro-ma.gov
Sent: Fri, 20 Feb 2015 16:22:55 -0500
Subject: Message from Mail Room KM_C364e



TOWN OF TRURO

Board of Selectmen Agenda Item

BOARD/COMMITTEE/COMMISSION: Board of Selectmen - Boards and Committees/Commission Appointments

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: Board of Selectmen Meeting March 17th, 2015

ITEM: Approval of Eric Morea's application to serve for three year full term membership with Pamet Harbor Commission.

EXPLANATION:

Eric Morea submitted an application to serve that the Selectmen's office received on February 23rd for the Pamet Harbor Commission* ; it has been endorsed by the Chair of the Pamet Harbor Commission.

* In accordance with the Charter passed at ATE, April 22, 1992, Chapter 4-3-2, and Chapter 6, Chapter 6-4-1, the **Board of Selectmen** shall be the appointing authority. Meetings on the 2nd Thursday at 7:00 pm at the PSF.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: If the appointment is not approved there will be a vacancy on the Pamet Harbor Commission.

SUGGESTED ACTION: *MOTION TO appoint Eric Morea to the Pamet Harbor Commission as full member for a three year term ending June 30, 2018.*

ATTACHMENTS:

1. Application to Serve –Eric Morea



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: Eric Morca HOME TELEPHONE: Personal Information Redacted

ADDRESS: 2 Joseph's Rd WORK PHONE: Personal Information Redacted

MAILING ADDRESS: P.O. Box 505 E-MAIL:

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

SPECIAL QUALIFICATIONS OR INTEREST: on for last 8 year's

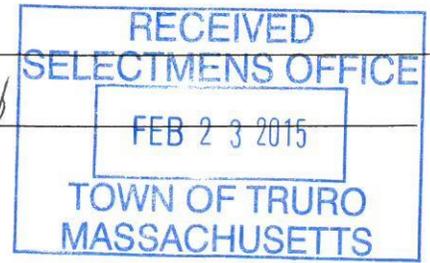
COMMENTS: Harbor Comsity

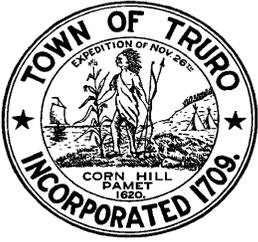
SIGNATURE: [Signature] DATE: Feb 27 2015

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

SIGNATURE: [Signature] DATE: 2/1

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





TOWN OF TRURO

Board of Selectmen Agenda Item

BOARD/COMMITTEE/COMMISSION: Board of Selectmen - Boards and Committees/Commission Appointments

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: Board of Selectmen Meeting March 17th, 2015

ITEM: Approval of Hannah King's application to serve for three year full term membership with Commission of Disabilities.

EXPLANATION:

Hannah King submitted an application to serve that the Selectmen's office received on February 26th for the Commission on Disabilities*; it has been endorsed by the Chair of the Commission on Disabilities.

*Passed at STM, Art. 11, June 30, 1992. In accordance with Public Law 101.336, commonly called the Americans with Disabilities Act of 1990. Appointments made by the **Board of Selectmen**. Meetings held 1st Fridays at 3:00 pm at the COA. **ATM 4/11/00 increased membership by (2), for a total of (7).**

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: If the appointment is not approved there will be a vacancy on the Commission on Disabilities.

SUGGESTED ACTION: *MOTION TO appoint Hannah King to the Commission on Disabilities as full member for a three year term ending June 30, 2018.*

ATTACHMENTS:

1. Application to Serve –Hannah King
2. Endorsement from Chair of Commission on Disabilities



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: Hannah King HOME TELEPHONE: Cell Personal information Redacted

ADDRESS: 270 Rt 6 WORK PHONE: _____

MAILING ADDRESS: PO Box 189 E-MAIL: Personal information Redacted

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

Disabilities Committee

SPECIAL QUALIFICATIONS OR INTEREST: MA Special Education

Special Education teacher

RECEIVED
SELECTMENS OFFICE

FEB 26 2015

TOWN OF TRURO
MASSACHUSETTS

COMMENTS: _____

SIGNATURE: Hannah King DATE: 2/26/15

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

SIGNATURE: _____ DATE: _____

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

From:
To: ntudor@truro-ma.gov **Cc:** nscoullar@truro-ma.gov
Date: 02/27/2015 04:25 PM
Subject: Re: Application to Serve-Commission on Disabilities

Dear Nicole and Noelle,

I would be delighted to have Hannah King join the Commission on Disabilities. As a special education teacher, I'm sure she'll have much to contribute, and she was recommended by Amy Rogers, whose opinion I highly respect.

Susan

-----Original Message-----

From: Nicole Tudor <ntudor@truro-ma.gov>
To: Susan Howe/Commission on Disabilities
Cc: Noelle Scoullar <nscoullar@truro-ma.gov>
Sent: Fri, Feb 27, 2015 2:16 pm
Subject: Application to Serve-Commission on Disabilities

Hello Susan!

When you have a moment would you kindly respond as Chair to the attached application to serve; either in response to this email or on the application directly. We anticipate having the applicant at the March 17th Board of Selectmen meeting.

Thank you!

Nicole

Nicole Tudor
Selectmen's Office
Executive Assistant
Board of Selectmen Secretary
Truro Town Hall
24 Town Hall Rd
PO Box 2030
Truro, MA 02666
Phone: (508)349-7004 Ext 10
Fax: (508)349-5505
Email: ntudor@truro-ma.gov

From: thetownoftruro@gmail.com
To: ntudor@truro-ma.gov
Sent: Thu, 26 Feb 2015 16:13:50 -0500
Subject: Message from Mail Room KM_C364e



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator

REQUESTED MEETING DATE: March 17, 2015

ITEM: Update on Ballston Beach Over wash Study

EXPLANATION: Mark Borrelli and Graham Giese from the Center from Costal Studies will attend the meeting to provide additional information about the study to be completed regarding Ballston Beach.

The following are questions and responses in bold that were asked by Selectman Wisotzky and answered by Mr. Borrelli:

1. What is the new data?
The 'new data' is from this year's overwash. The data you saw at the meeting was the Park's data and we couldn't use that, as they collected different data at different locations than we would.
2. What are the unanswered questions that we need new data to answer?
How much sand was deposited this year, where and how does that relate to the 2013 event, what changed, and how will that effect the next overwash event(s), etc.
3. How far can the existing data take us?
We don't have 2015 data, so without it, not real far.
4. What are the research questions?
How much sand was deposited in 2013 vs 2015. how big were the respective storms. Does it take a weaker storm to move sand into the area (i.e. can more over wash be expected) or does it take stronger and stronger storms to over wash, in which case there will be fewer and fewer over wash events. where did the sand get deposited this time relative to 2013. if this a trend, will it keep going down the parking lot or will it now go back into the marsh and flood those areas, as the 2013 over wash did or is a new location the 'low spot' etc.

SUGGESTED ACTION: *Discussion Item*

ATTACHMENTS:

1. February 10, 2015 Agenda Item Summary



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator

REQUESTED MEETING DATE: February 10, 2015

ITEM: Ballston Beach Overwash

EXPLANATION: During winter storm Juno there was another breach of Ballston Beach which, as I have recently learned, is accurately termed an over wash. The Town DPW Director, Health/Conservation Agent, Assistant Town Administrator/Planner, Recreation and Beach Director, & Police Chief and I met with representatives of the National Sea Shore and the Provincetown Center for Coastal Studies. Also in attendance were Selectpersons Burgess and Worthington and Conservation Commission member Peter Romanelli.

Here is what we know:

- The over wash area is larger than the 2013 event and extends into the Town parking area.
- It is not currently overtopping, water is not currently flowing through the over wash fan.
- The dune restoration in 2013 was not adequate to prevent future over washes; the height and slope were restricted by the National Heritage and Endangered Species Program (NHESP). The restoration as completed required 4,000 cubic yards of sand. For perspective, a dump truck holds 10-15 cubic yards.
- The Army Corps of Engineers completed a study in 1998 to assess the alternatives for managing the upper Pamet to accommodate future over washes.
- There appears to be no flooding of the properties along the Pamet River valley.
- All homeowners have been notified of steps to take to protect their wells and septic systems in the event of flooding.
- Should a well head be submerged in flood waters, there is a risk of bacterial contamination, more so than saltwater intrusion. As indicated in the 1998 report the Cape Cod Commission hydrologist determined that the thickness of the fresh water lens in the Pamet Valley is more than 120 feet which helps to provide a buffer for salt water intrusion. (See attached article Truro's Upper Pamet River: Environmental History and Future Prospects, J.W. Portnoy, page 7.)
- The over washes are occurring as a result of natural geological processes and the intensity of recent storms; the marsh landward of the barrier beach and the Pamet River, with restricted tidal flow, are related to this issue.

Here are the questions that require further investigation:

- Should the barrier beach remain in its current state and what are the consequences?
- Should the Town continue to do short term repairs of the dune?
- How is flooding of the Pamet River valley controlled to protect private property and Town infrastructure?
- What is the best long term solution?

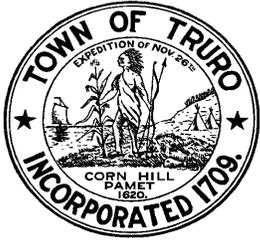
Staff recommendations for next steps:

1. Contract with the Provincetown Center for Coastal Studies to complete an analysis and make recommendations regarding the barrier beach (Ballston).
2. Engage all State and Federal stakeholders in the process.
3. Update the Army Corps of Engineers 1998 study.
4. Determine short term solution, identify funding.
5. Identify responsible parties for longer term study of the connected system.
6. Identify funding to complete analysis/study.
7. Develop communication plan to keep citizens informed.

SUGGESTED ACTION: *Motion to authorize the Town Administrator to identify funding to contract with the Provincetown Center for Coastal Studies to make recommendations regarding Ballston Beach and to authorize the chair to sign a contract for the services.*

ATTACHMENTS:

1. National Seashore Photos of 2015 Overwash
2. Ballston Beach Over Wash Illustration of 2013 and 2015 over washes
3. Article: Truro's Upper Pamet River: Environmental History and Future Prospects, J.W. Portnoy,



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator *on behalf of* Deborah L. McCutcheon, Truro Delegate to the Assembly of Delegates

REQUESTED MEETING DATE: March 17, 2015

ITEM: Presentation of Annual Report

EXPLANATION: Truro's representative to the Barnstable County Assembly of Delegates will provide a report.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *None Required*

ATTACHMENTS:

1. Annual Report of the Assembly of Delegates

Agenda Item: 6B1

ASSEMBLY OF DELEGATES

Deborah L. McCutcheon, Truro Delegate

The Barnstable County Assembly of Delegates is the legislative arm of Barnstable County Government, providing the checks and balances for the Executive Branch, the County Commissioners. My third term as your representative began on January 7, 2015, when I was again sworn in as Truro's delegate. At that time I was also elected Deputy Speaker of the Assembly of Delegates. Ron Bergstrom of Chatham was again sworn in as Speaker of the Assembly. Most votes in the Assembly, including all that deal with appropriations or legislative enactments, are proportionate, that is, the weighted vote for each town is that town's percentage share of the population of Barnstable County. Truro is the smallest town on the Cape, by population, and has a weighted vote of .9 percent, that is, "nine tenths of one percent." As a comparison, the Town of Barnstable and the Town of Falmouth are the two largest on the Cape, with 20.92 percent and 14.61 percent, respectively.

In addition to enacting the annual County Budget, the Assembly is responsible for passing upon all regulations or ordinances, including those recommended for adoption by the Cape Cod Commission. Over the last several years the Assembly has acquiesced in the budget promulgated by the County Commissioners, and has passed the entire budget, without change, even though serious questions were raised as to the expenditures and particularly as revenues from the Registry and other sources have been declining. For the current fiscal year, FY 2015, the Assembly, for the first time in many years, refused to approve the increase in county tax sought by the Commissioners for individual communities in Barnstable County. The increase, set at 2.5%, was described by the Chief Financial Officer as an "entitlement" which was conceded to be unnecessary, and admittedly sought because it was permitted. The Assembly cut the increase from the budget, and eliminated an equivalent amount of expenses, returning a balanced budget to the Commissioners.

In the Commissioner's meeting to discuss the Assembly's refusal to approve the income increase, at least two of the Commissioners indicated that their displeasure should be lodged against the delegate from Truro, as it was she who proposed the budget cut. This proposed retribution was protested at the next Assembly meeting, and action as proposed by those Commissioner's was not forthcoming.

A change in the composition of the Board of Commissioners was achieved in the November 2014 election, with a member of the Assembly, Leo Cakounas of Harwich, elected to the County-wide position, defeating the candidate endorsed by the majority party and setting a precedent for change in the Board of Commissioners.

The start of the 2015 year, with a new Assembly, and new membership on the Board of Commissioners holds the promise of revitalizing open debate on county expenditures and income, and bodes well for the future of the Assembly and of our county governance structure. One interesting additional fact: as this report was written, the Inspector General announced a new inquiry, joined by the Attorney General, into the propriety of actions by the Cape Light Compact and by CVEC, particularly as to the “mil adder” tax, which is collected from individual customers of Cape Light Compact. If you have questions or want to know more about our County Government, please feel free to contact your delegate at dmccutcheon@barnstablecounty.org.

Deborah L. McCutcheon
Truro Delegate and Deputy Speaker
Barnstable County Assembly of Delegates



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator

REQUESTED MEETING DATE:

ITEM: Board of Selectman review and vote to determine support of the articles as presented in the attached draft 2015 Annual Town Meeting Warrant.

EXPLANATION: In accordance with the Truro Town Charter, Chapter 2 § 3-8, Any article sponsored by a multi-member body shall state in the warrant the sponsor's recommendation and recorded vote before it shall be acted upon by the Town Meeting. Any article not receiving a recommendation as required by this provision may only be considered and acted upon only with the approval, by two-thirds vote, of the Town Meeting, unless otherwise provided by the General Laws.

The draft warrant and comments from Town Counsel are attached for review and action. The Town Counsel comments were inserted into the draft warrant for discussion purposes. There is one Community Preservation Act article (Article C, Section Three) that Town Counsel has determined is not legal and is pending a recommendation from the Community Preservation Committee. There is one personnel bylaw that is pending further discussion with Labor Counsel (Article L). The warrant must be completed and prepared for printing no later than March 25, 2015.

SUGGESTED ACTION: *Motion to recommend Articles to the 2015 Annual Town Meeting.*

ATTACHMENTS:

1. Draft of Proposed 2015 Annual Town Meeting Warrant
2. Letter from Town Counsel Veara with comments on the proposed warrant.



DRAFT – 031215

Warrant

**Truro Annual Town Meeting
April 28, 2015, 6:00 pm
Truro Central School**

&

**Annual Election Ballot
7am to 8pm
Tuesday, May 12, 2015
Truro Community Center**

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

**Transportation will be available for our senior citizens by the Council on Aging.
Reservations must be made in advance by calling #508-487-2462, ext. 20.**

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. 10 or ext. 24

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Annual Town Election
Posting of the Warrant and Ballot
Appendix A – Non-Union Compensation for FY2015 and FY2016
Appendix B – FY2016 Omnibus Budget

Message from the Board of Selectmen

Dear Truro Voter:

DRAFT

DRAFT

Terms Used In Municipal Finance

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

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

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

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

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

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

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

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

CMR – Code of Massachusetts Regulations.

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

COLA – Cost of Living Adjustment

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

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

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

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

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

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

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

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

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

PROPOSITION 2½ TERMS

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

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

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

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

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

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

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

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

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

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

Fiscal Year 2016

Five Year Capital Improvement Plan

In accordance with the requirements of the Truro Charter (Paragraph 7-2-6), the Board of Selectmen respectfully present for your review the FY 2016 Five Year Capital Improvement Plan. The expenditures listed are presented to give an updated overview of the projects and capital needs planned for the future. Attempts to define the future, while prudent from a planning point of view, must be fully recognized as “best estimates” that will be subject to continual change as each capital question moves forward.

During the calendar year 2003, the Town consolidated all long-term debt, including certain Cape Cod Land Bank acquisitions, into one general obligation bond, and refinanced the debt during a period of low interest rates, saving the Town almost \$500,000.00 over the life of the bond; thus concurrently improving its Standard & Poor’s Bond Rating three (3) levels to an A+ rating. The attached “previously committed long-term debt” schedule, and the new “previously committed Land Bank debt” schedule, reflects that refinancing. Today, Truro is the proud owner of a new bond rating. The Town’s bond rating now is an “AA+” after a 2014 review by Standard and Poor.

Commencing with the FY2002 Municipal Operating Budget, the Town approved a new procedure to incorporate safety and other high priority capital items in the operating budget, up to a maximum expenditure amount to be set annually. Concerted effort has been focused on gradually increasing the annual appropriation for priority capital items to insure sufficient budget capacity to develop and maintain a realistic upgrade and/or replacement schedule for the town’s rolling stock of vehicle, equipment and machinery. If an item does not succeed in being placed in the operating budget for purchase through this Operating Capital Account, Budget Line Item #01-133-5800, then the capital item may be funded in a different manner.

As one alternative, the Capital Improvement Fund (approved by Article 17 of the April 11, 2000, Annual Town Meeting) may be used. The Capital Improvement Fund is a special revenue fund authorized by a Home Rule Petition to the Legislature and the Governor, and which requires approval by a two-thirds vote at Town Meeting (similar to the Stabilization Fund) for appropriation. There is a balance of \$249,856.00 in the Capital Improvement Fund after the 2014 Annual Town Meeting approved the use of \$95,000 to air condition the gymnasium in Truro Central School. Two other ways to acquire a capital item individually require either a separate article specifying use of other available funds, or a Capital Exclusion Article, on the Town Meeting Warrant. The Capital Exclusion Article is considered to be a so-called "menu-override," requiring a majority vote at both Town Meeting and at the next referendum.

For FY2016, most of the safety and high priority capital needs are included in the Operating Capital Account budget request. Two items will appear as Capital Exclusion appropriations and several other FY2016 requested capital items have been deferred to FY 2017, or later.

FIVE YEAR CAPITAL IMPROVEMENT PLAN

**Debt figures include principal and interest

PREVIOUSLY COMMITTED LONG TERM DEBT**	FY2016	FY2017	FY2018	FY2019	FY2020
<u>Year committed/amount/repayment</u>					
TRURO PUBLIC LIBRARY (Note 1)	\$65,000	\$63,000	\$00.00	\$00.00	\$00.00
1999/\$1,108,708/20 - paid in full FY2017					
TOWN HALL REHABILITATION (Note 2)	\$211,000	\$205,000	\$194,000	\$188,000	\$182,000
2002/\$3,258,360/20 - paid in full FY2023					
SEWER (MWPAT) (Note 3)	\$11,000	\$11,000	\$11,000	\$11,000	\$11,000
2003/\$197,404/19 - paid in full FY2021					
COMMUNITY CENTER (Note 4)	\$287,000	\$278,000	\$269,000	\$255,000	\$247,000
2006/\$3,735,000/20 - paid in full FY2026					
HARBOR JETTY REPAIR	\$125,000	\$120,000	\$115,000	\$00.00	\$00.00
2009/\$1,100,000/10 - paid in full FY2018					
SUB TOTAL	\$699,000	\$677,000	\$589,000	\$454,000	\$440,000
PREVIOUSLY COMMITTED LAND BANK DEBT** (Note 5)	FY2016	FY2017	FY2018	FY2019	FY2020
<u>Year committed/amount/repayment</u>					
Morea Property	\$18,000	\$18,000	\$17,000	\$16,000	\$16,000
2002/\$312,000/17 - paid in full FY2020					
Meldahl Property	\$60,000	\$58,000	\$56,000	\$54,000	\$52,000
2001/\$860,000/17 - paid in full FY2020					
Poor Property (Note 6)	\$140,000	\$135,000	\$130,000	\$125,000	\$115,000
2005/\$1,500,000/13 - paid in full FY2020					
SUB TOTAL	\$218,000	\$211,000	\$203,000	\$195,000	\$183,000
NEW AND POTENTIAL CAPITAL PROJECTS**					
<u>Year to Commit/Amount/Repayment</u>	FY2016	FY2017	FY2017	FY2019	FY2020
New DPW Facility Land Acquisition/Trade & Building Construction (Note 7)	\$00.00	\$319,000	\$311,000	\$303,000	\$296,000
2017/\$3,700,000/20 - Paid in full FY 2037					
SUB TOTAL	\$00.00	\$319,000	\$311,000	\$303,000	\$296,000
TOTAL	\$917,000	\$1,207,000	\$1,103,000	\$952,000	\$919,000

NOTES

1. The total project borrowed reflects a Commonwealth Board of Library Commissioners grant of \$640,000 and the receipt of donations in excess of \$400,000 to offset the total cost.
2. The total project amount borrowed has been reduced by receipt of a Small Cities Grant in the amount of \$312,000
3. MA Water Pollution Abatement Trust loan. This is a no interest loan. Septic betterment receipts used to repay the debt.
4. The total project amount borrowed has been reduced by the receipt of donations in the amount of \$223,000
5. On May 10, 2005 the Town completed acceptance of Section 298/Chapter 149 of the Acts of 2004 which replaces the Cape Cod Land Bank with the Community Preservation Act (with modifications).
6. The Poor Property is the last Land Bank Acquisition
7. The DPW facility project is included for long range planning purposes only. Any such increase in the Town's long term debt is not recommended until such time as other long-term debt has retired. The Town is in the early stage of identifying a site for the project.

CAPITAL IMPROVEMENT BUDGET FY2016- FY2019

Projected Capital Needs

Includes equipment, technology and other Departmental capital requests exceeding \$5,000

DEPARTMENT ITEM REQUESTED	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<u>INFORMATION SYSTEMS (IS)</u>					
Ceiling mount projector, connect booth, wired mics, screen (A)	\$15,000				
<u>BUILDING/HEALTH/CONSERVATION</u>					
High Density File Storage System	\$41,000				
<u>ACCOUNTING</u>					
Req/PO Software	\$15,000				
<u>DPW</u>					
Zero-turn mower					\$12,000
Rough terrain lawn mower					\$18,000
Dump truck, plow and sander	\$120,000				
Brush cutter/mower			\$80,000		
Pick-up truck		\$36,000			
One ton dump truck			\$70,000		
Rubber Tire Loader				\$120,000	
<u>TRANSFER STATION</u>					
Transfer trailer				\$75,000	
Recycling compactor		\$60,000			
Roll-off trailer					\$100,000
Compactor			\$80,000		
Portable Scales and Software	\$30,000				
<u>PUBLIC BUILDING MAINTENANCE</u>					
Public Safety Building siding and trim			\$60,000		
Town Hall interior painting		\$22,000			
Library roof				\$65,000	
Town Hall Siding and Trim				\$30,000	
Community Center Carpet Replacement					\$20,000
Community Center Interior Painting					\$22,000
<u>COUNCIL ON AGING</u>					
Ford FLEX Passenger Vehicle		\$32,000			
<u>RECREATION AND BEACH DEPARTMENT</u>					
Four-Wheel-Drive Vehicle Replacement		\$35,000			
Study for Addition to Recreation Lounge			\$50,000		
ATV		\$10,000			
Community Center Splash Pad				\$25,000	
Community Center Shade Sail		\$10,000			
Snow's Fieldhouse: Finished Basement				\$50,000	
Snow's Field: Gen. Imp. (playground, grading, gate, fence, etc.)			\$50,000		

DEPARTMENT ITEM REQUESTED	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Sedan Vehicle Replacement				\$25,000	
<u>FIRE AND RESCUE</u>					
Defibrillator Replacement (B)	\$78,000				
Replace 480: F350/F450 Utility Brush Response Vehicle		\$60,000			
Ambulance			\$200,000		
Equipment replacement/Acquisition, as need determines				\$50,000	
<u>LIBRARY</u>					
Replace part of bookshelves in Children's Room	\$5,000				
Replace bathroom and kitchen vanities	\$10,000				
Replace carpet on lower level		\$25,000			
Reconfigure space to create a young adult area		\$15,000			
Carpet in Children's room		\$12,000			
Replace carpet in main area (not children's room)			\$25,000		
Reconfiguration of library space				\$50,000	
<u>POLICE</u>					
Police Cruisers (2)	\$71,000		\$70,000	\$66,200	\$66,655
Police Cruiser (1)		\$31,500			
Replace portable radios (6)		\$20,400	\$20,400	\$20,400	
Police Firing Range					\$250,000
<u>HARBOR OPERATIONS/SHELLFISH WARDEN</u>					
26 Foot boat and engine					\$65,000
Upweller			\$5,000		
Float and Poles				\$6,000	
<u>SCHOOL</u>					
Technology update	\$17,000	\$17,500	\$17,500	\$17,500	\$17,500
Repaint Steel (Exterior)	\$40,000				
Refurbish Playground (B)	\$125,000				
Repaint West Side of School		\$25,000			
Reseal Parking Lots/Playground		\$40,000			
Repaint East Side of School			\$25,000		
Repaint South Side of School				\$25,000	
<u>TOTAL</u>	\$567,000	\$451,400	\$752,900	\$625,100	\$571,155

(A) To be funded using PEG Access Funds

(B) This will appear as Capital Exclusion Articles (Article)

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 Community Center on Tuesday, April 28, 2015 at 7:00 pm, then and there, to vote on the following articles:

ARTICLE 1: AUTHORIZATION TO HEAR THE REPORTS OF MULTI-MEMBER BODIES

Town Counsel: Lawful Article

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2014 Annual Town Report, or take any other action relative thereto. ***Requested by the Board of Selectmen***

Board of Selectmen Recommendation:

Comment: Customary Article

ARTICLE 2: AUTHORIZATION TO SET THE SALARY OF THE BOARD OF SELECTMEN

Town Counsel: Lawful Article

To see if the Town will vote to determine and set the following as the salary for the Board of Selectmen, who shall receive for Fiscal Year 2016: Board of Selectmen 5 @ \$3,000.00 = \$15,000.00, or take any other action relative thereto. ***Requested by the Finance Committee***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: Customary article

ARTICLE 3: AUTHORIZATION TO SET THE SALARY OF THE MODERATOR

Town Counsel: Lawful Article

To see if the Town will vote to determine and set the salary for the Town Moderator, who shall receive for Fiscal Year 2016: Moderator @ \$150.00

Or take any other action relative thereto. ***Requested by the Board of Selectmen***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: Customary article

ARTICLE 4: AMENDMENTS TO THE FY2015 OPERATING BUDGET

Town Counsel: Lawful Article

To see if the Town will vote to appropriate from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money necessary to supplement the operating/or capital budgets of the various Town departments for the current fiscal year 2014-2015 (FY2015), or take any other action relative thereto. ***Requested by the Board of Selectmen***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

FROM	TO	AMOUNT
Free Cash	Fire Department Payroll	\$107,000
<i>To pay for coverage 24 hours per day, seven days per week.</i>		
Free Cash	Pamet Harbor Ops – Capital: Security Camera	\$7,500
<i>To purchase and install cameras to provide additional security at the harbor.</i>		
Free Cash	Snow Removal Budget (FY '15 Deficit)	\$55,000
<i>To pay for unanticipated snow and ice removal for FY2015</i>		
Free Cash	Town Administrator Purchase of Services Budget (Ballston Beach Related Design & Engineering)	\$10,000
<i>To provide the necessary engineering and design services to complete the recommendations for the over wash problems at Ballston Beach.</i>		
Free Cash	Transfer Station Supply Budget (Recycling Bins)	\$7,500
<i>To purchase the necessary bins to assist with single source recycling at the Transfer Station</i>		
Re-appropriate FY '13 Op Cap Encumbered Balance re: Public Safety Facility Exterior Painting Project	Transfer Station Purchase of Services Budget (Tipping Fees)	11,596.09
<i>To cover increased costs of taking trash to the Covanta facility.</i>		
Re-appropriate FY '15 T/S Capital Balance re: Purchase of Transfer Trailer	Transfer Station Purchase of Services Budget (Tipping Fees)	\$18,189.00
<i>To cover increased costs of taking trash to the Covanta facility.</i>		
TOTAL		\$216,785.09

ARTICLE 5: FY 2016 OMNIBUS BUDGET APPROPRIATION

Town Counsel: Lawful Article

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Seventeen Million, Seven Hundred Ninety-five Thousand, Eight Hundred Fifty-five dollars and twenty-five cents (\$17,795,855.25) to defray the expenses and charges of the Town of Truro in Fiscal Year 2016 (the period from July 1, 2015 through June 30, 2016), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

Source	Amount
Raise through taxation	\$16,886,480.25
Transfer from Beach Receipts Reserved for Appropriation	\$280,000.00
Transfer from Golf Receipts Reserved for Appropriation	\$100,000.00
Transfer from Pamet Harbor Receipts Reserved for Appropriation	\$65,000.00
Transfer from Recreation Receipts Reserved for Appropriation	\$15,500.00
Transfer from Conservation Commission Receipts Reserved for Appropriation	\$5,000.00
Transfer from Fund Balance Reserved for Overlay Released by the Assessors	\$138,800.00
Transfer from Educational/Governmental Programing Access Fund	\$78,050.00
Appropriate within the Septic Betterment Program Fund	\$10,400.00
Appropriate within the Community Preservation Act Fund	\$216,625.00
TOTAL	\$17,795,855.25

Or take any other action relative thereto. *Requested by the Board of Selectmen*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

***Comment:** The proposed Fiscal Year 2016 Operation Budget can be found after the text of the Annual Town Meeting Warrant as Appendix B. The Budget Format contains the expenditure figures for the Fiscal Year 2014, appropriation figures for Fiscal Year 2015, and request for Fiscal Year 2016 from respective departments, the Finance Committee’s recommendations and the Board of Selectman’s recommendations. Please refer to the Selectmen’s Letter to the voters on Page 1 and the Finance Committee’s letter to the voters on Page 3.*

ARTICLE 6: TRANSFER OF FUNDS FROM FREE CASH

Section One: To Reduce or Stabilize the FY 2016 Tax Rate

Town Counsel: Lawful Article

To see if the Town will vote to transfer One Million Three Hundred Thousand dollars (\$1,300,000.00) from Free Cash to reduce or stabilize the Tax Rate, or to take any other action relative thereto.

Requested by the Board of Selectmen

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: Customary Article.

Section Two: To the OPEB Trust Fund

Town Counsel: Lawful Article

To see if the town will vote to transfer the sum of Three Hundred Thousand dollars (\$300,000.00) from free cash to the Other Post-Employment Benefits (OPEB) Trust Fund, or take any other action relative thereto. *Requested by the Board of Selectmen*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: This is a Customary Article that began at the 2014ATM. This year's proposal is to transfer three hundred thousand dollars (\$300,000).

ARTICLE A: Placeholder if Needed for \$\$ Articles

Requested by

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment:

ARTICLE B: Placeholder if Needed for \$\$ Articles

Requested by

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment:

ARTICLE C: COMMUNITY PRESERVATION ACT

Town Counsel: Lawful Article

Section One: Habitat for Humanity of Cape Cod, Inc. - Land Acquisition (Community Housing)

To see if the Town will vote to appropriate the sum of Two Hundred Sixty-Five Thousand dollars (\$265,000.00) exactly including Fifty Thousand Three Hundred Sixty-one dollars (\$50,361.00) exactly from Community Preservation Act Reserve for Community Housing, Fifty-three Thousand Ninety-four dollars (\$53,094.00) exactly from Projected Fiscal 2016 Community Preservation Act Revenues and One Hundred Sixty-one Thousand Five Hundred Forty-five dollars (\$161,545.00) exactly from Undesignated Community Preservation Act Fund Balance to purchase a buildable lot suitable for Affordable Housing or take any other action relative thereto. *Requested by Habitat for Humanity of Cape Cod, Inc.*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Community Preservation Committee Recommendation: 7-0-0 in favor

Comment: *Habitat for Humanity seeks to purchase land in Truro and then use their tried –and-true “sweat equity” model for a qualified homeowners to build new affordable homes, deed restricted affordable in perpetuity. Habitat works closely with the buyers, providing significant home buyer counseling and works hand in hand through the mortgage and closing process. The target date for completion of a new Habitat home is late 2017 or early 2018. Habitat for Humanity of Cape Cod has a proven success record in Truro.*

Section Two: Phase 3 Preservation of the Truro Meeting House (Historic Preservation)

Town Counsel: Lawful Article

To see if the Town will vote to appropriate Two Hundred Sixty-four Thousand Seven Hundred Ninety dollars (\$264,790.00) exactly including Fifty-three Thousand Ninety-four dollars (\$53,094.00) exactly from the Fiscal Year 2016 Projected Community Preservation Act Fund Revenues and Two Hundred Eleven Thousand Six Hundred Ninety-six dollars (\$211,696.00) exactly from Undesignated Community Preservation Act Fund Balance for the final phase of the complete restoration of the Truro Meeting House or take any other action relative thereto. ***Requested by Friends of the Truro Meeting House***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Community Preservation Committee Recommendation: 7-0-0 in favor

Comment: *Final Phase Funding will complete the preservation of Truro’s oldest historic landmark. Previous phases on priority construction work moved forward on schedule. Final Phase Preservation of the Old Congregational Meeting House (Truro Meeting House) focuses on finishing the foundations, replacement of rotted sills and timbers, making the crawl space more accessible and venting the crawl space. The Friends of the Truro Meeting House have reached out to broaden public support and continue fundraising to bring additional contributions to the project. Note: The CPC has voted that no funds can be drawn from this grant until the Historic Preservation Deed restriction is approved, executed and recorded against the property.*

Section Three: Highland House Museum Architectural Drawings (Historic Preservation)

Town Counsel: Not Lawful

To see if the Town will vote to appropriate the sum of Ten Thousand dollars (\$10,000.00) exactly from the Community Preservation Act Undesignated Fund Balance to create architectural drawings of Highland House for use in developing plans for historic preservation of the museum or take any other action relative thereto. ***Requested by Truro Historical Society***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Community Preservation Committee Recommendation: 6-0-1

Comment: *The architectural drawings are to be used to support grant applications and related historic preservation activities leading to the historic rehabilitation of the museum. The full set of drawings, showing interior and exterior views of the building will demonstrate to the public how the building will serve the museum’s needs while maintaining its historic integrity. The Truro Historical Society is in active negotiation with the National Park Service to secure a long-term lease*

for the building.

Section Four: Beach Access Materials (Recreation)

Town Counsel: Lawful Article

To see if the Town will appropriate the sum of Twenty-two Thousand Fifty-nine dollars (\$22,059.00) exactly from Community Preservation Act Undesignated Fund Balances to purchase not more than six (6) handicap access mats for use at Corn Hill Beach and Head of the Meadow Beach or take any other action relative thereto. *Requested by Truro Commission on Disabilities*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Community Preservation Committee Recommendation: 7-0-0 in favor

***Comment:** Access mats, such as “Mobi Mats” or similar products would enable visitors to get closer to the water. This type of beach access materials have become popular with able bodied as well as disabled beach goers and define an approved route to beaches, protecting plants and wildlife. Additional access material at Head of the Meadow Beach will create a “T” so that users can go left or right and allow the mobility impaired to stay on the mats away from oncoming traffic. Also, additional materials at Corn Hill Beach will extend access beyond the boardwalk and form an L shape allowing users to get off the main path and also out of the way of ORVs entering the beach. These materials are generally easily maintained, dismantled and stored at the end of the beach season.*

Section Five: Participation in the Purchase of Two Lots at Edgewood Farm to be Protected by a Deed Restriction in Perpetuity (Open Space)

Town Counsel: Lawful Article

To see if the Town will vote to appropriate the sum of Forty Thousand dollars (\$40,000.00) exactly from Community Preservation Act Undesignated Fund Balance in exchange for a Conservation Deed Restriction which will prohibit development of these parcels or take any other action relative thereto. *Requested by Truro Conservation Trust*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Community Preservation Committee Recommendation: 7-0 in favor

***Comment:** The Truro Conservation Trust proposes to purchase two lots to preserve 3.77 acres of pristine woodlands of Edgewood Farm. The Trust’s intent is to create walking trails from the abutting Town-owned Open Space land to the highest elevation in the Edgewood Farm lots. The entire price of the two lots is \$536,000 which the Truro Conservation Trust hopes to cover through the Massachusetts LAND Grant program. The lots will be held in conservation in perpetuity.*

Section Six: Administrative Percentage

Town Counsel: Lawful Article

To see if the Town will appropriate the sum of Twenty-six Thousand Five Hundred Forty-seven dollars (\$26,547.00) exactly from FY 2016 Projected Community Preservation Act Revenue for the administrative expenses of the Community Preservation Committee or take any other action relative thereto. *Requested by Community Preservation Committee*

Finance Committee Recommendation:
Board of Selectmen Recommendation:
Community Preservation Committee Recommendation: 6-0 in favor

Comment: *The request this year is for the full 5% allowed by the Community Preservation Act and the Truro Bylaws. This is to cover expenses for a consultant to manage CPC operations as well as legal expenses, membership in the Community Preservation Coalition, printing, advertising and supplies. Any money remaining unspent at the end of Fiscal Year 2016 will be applied to the Community Preservation Act Undesignated Fund Balance.*

ARTICLE D: AUTHORIZATION TO EXPEND FUNDS IN ANTICIPATION OF REIMBURSEMENT FOR STATE HIGHWAY ASSISTANCE AID

Town Counsel: Lawful Article

To see if the Town will vote to authorize the Town Treasurer, under the direction of the Board of Selectmen and under the authority of Massachusetts General Laws Chapter 44 Sections 6 and 6A, as amended, to borrow a sum of money; to appropriate this sum for work on roads located on the state Primary System as approved by the Massachusetts Highway Department; to authorize, under the direction of the Board of Selectmen and the Town Administrator, the expenditure of these funds in anticipation of state reimbursement; and to accept any and all state highway assistance funds authorized by the Legislature under the provisions of Chapter 45 of the Acts of 2005, and any other different or subsequent legislation, and as approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program, or to take any other action relative thereto.

Requested by the Town Administrator

Finance Committee Recommendation:
Board of Selectmen Recommendation:

Comment: *Customary Article*

ARTICLE F: CAPITAL EXCLUSION TO PURCHASE DEFIBRILLATORS

Town Counsel: Lawful Article

To see if the Town will vote to raise and appropriate the sum of Seventy-eight Thousand dollars (\$78,000.00) to purchase replacement defibrillators, and for the payment of all other costs incidental and related thereto; to authorize the Town Administrator to solicit bids, to enter into contracts and to expend this money for this purpose; to meet this appropriation, to seek, accept and expend any funds or grants which may be available to defray a portion of the project's cost; and to provide that no sums shall be expended hereunder unless and until the Town shall have voted to exclude the amounts needed from the limitations imposed by Chapter 59, Section 21C(i½) of the General Laws (Proposition 2½), or to take any other action relative thereto. *Requested by the Board of Selectmen*

Finance Committee Recommendation:
Board of Selectmen Recommendation:

Comment: *In order for the Capital Exclusion to be finalized, the request must be approved by a majority of voters here and at the Annual Town Election on May 12, 2015.*

ARTICLE G: CAPITAL EXCLUSION TO REFURBISH THE TRURO CENTRAL SCHOOL PLAYGROUND

Town Counsel: Lawful Article

To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty-five Thousand dollars (\$125,000.00) to refurbish the playground at the Truro Central School, and for the payment of all other costs incidental and related thereto; to authorize the Town Administrator to solicit bids, to enter into contracts and to expend this money for this purpose; to meet this appropriation, to seek, accept and expend any funds or grants which may be available to defray a portion of the project's cost; and to provide that no sums shall be expended hereunder unless and until the Town shall have voted to exclude the amounts needed from the limitations imposed by Chapter 59, Section 21C(i½) of the General Laws (Proposition 2½), or to take any other action relative thereto. *Requested by the Board of Selectmen*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

School Committee Recommendation:

Comment: In order for the Capital Exclusion to be finalized, the request must be approved by a majority of voters here and at the Annual Town Election on May 12, 2015.

ARTICLE I: TRANSFER OF FUNDS FROM STABILIZATION FUND TO EMPLOYEE BENEFITS ACCOUNT

Town Counsel: Lawful Article

To see if the Town will vote to transfer the sum of Fifty Thousand dollars (\$50,000.00) from the Stabilization Fund, if required, to an account designated to pay the unused sick and vacation time benefits for employees that retire, and to vote to appropriate for redeposit into the Stabilization Account the transferred funds unused at the end of the fiscal year 2016, or to take any other action relative thereto. *Requested by the Town Administrator and Town Accountant*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: Several Town employees with long years of service are near retirement. This transfer would help mitigate the impact of pay outs those employees will receive for unused sick and vacation time when they retire. Our hope is to continue to reserve funds annually for this purpose as more employees reach retirement. Any amount not used will be returned to the Stabilization Fund at the close of the fiscal year.

ARTICLE J: POND ROAD EASEMENT

Town Counsel: Lawful Article

To see if the Town will vote to authorize the Board of Selectmen to grant, in consideration of the payment of no less than Five Thousand dollars (\$5,000.00), an appurtenant easement to Richard Balzer and Patricia Bellinger on and along the "Shell Drive" which is shown on the "Consolidation Plan of Land in Truro Made for Riding Lights, LLC" recorded in the Barnstable County Registry of Deeds Plan Book 627 on Page 47, which begins at Pond Road, crosses the Town's land, and, with a width of approximately 12 feet, runs 100 feet, more or less, northwesterly to the grantees' land, and which may be used for pedestrian and vehicular ingress and egress to and from the grantees' residence at 41 Pond Road (shown on Truro Assessors' Map 35 as Parcel 122), or to take any other action relative thereto. *Requested by the Board of Selectmen and the Town Administrator.*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: *The property located at 41 Pond Road has historically been used a driveway over town owned land adjacent to the Cold Storage Beach Parking lot; however a legal easement has not existed. This easement would allow the current and future owners to lawfully access the property.*

ARTICLE K: NON-UNION PERSONNEL CLASSIFICATION AND COMPENSATION SCHEDULE, COST OF LIVING ALLOWANCE FOR FISCAL YEAR 2015

Town Counsel: **Lawful Article**

To see if the Town will vote to amend the Personnel Bylaw, Section 12.3, Classification and Compensation Schedule (Non-Union Personnel) by deleting the applicable personnel classification and compensation schedule, and inserting in its place the following schedule to be effective July 1, 2015, (said schedule appearing in Appendix A). Said amendments having been incorporated in the FY 2016 Omnibus Operating Budget in the COLA Undistributed-Reserved for Transfer Account, Budget Line Item #01015457, or take any other action relative thereto. ***Requested by the Town Administrator***

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Comment: *Customary Article. The Town Administrator has recommended a 2% non-union personnel cost of living allowance for FY 2016, which was incorporated in the FY 2016 Omnibus Operating Budget. This article does not increase the operating budget as presented in Article 5. This is included solely to seek your approval of the non-union Classification and Compensation Plan. See Attachment A.*

ARTICLE L: AMENDMENT TO THE TRURO PERSONNEL BYLAW

Section One: Shared Position with Another Town (place holder - Jack Dolan is working on this language)

To see if the Town will vote to amend the Truro Personnel Bylaw Article II Terminology, 2.1.6 by adding the following language (new language shown in ***bold italic***):

- 2.1.6 Regular Full-Time Employee - An employee who, in the service of the Town, fills a year round position for not less than the regularly scheduled work hours each week. ***Or an employee who, in the service of the Town and another community, fills a year round full-time shared position.***

Or take any other action relative thereto. ***Requested by the Board of Selectmen and the Town Administrator.***

Selectmen Recommendation:

Finance Committee Recommendation:

Comment:

Section Two: Limitation on Dual or Multiple Positions

To see if the Town will vote to amend the Truro Personnel Bylaw, Article V, by adding thereto the following new subsection:

- 5.3 Limitation on Dual or Multiple Positions – Except as authorized by M.G.L. c. 268A and as approved in advance by the Board of Selectmen in exceptional circumstances, no employee of the Town shall be eligible for employment in another position with the Town if the combined weekly hours worked by the employee in the service of the Town foreseeably would exceed 40 on a regular or recurring basis. This provision shall not apply to employees holding only positions exempt from the overtime provisions of the Fair Labor Standards Act.

Or take any other action relative thereto. *Requested by the Board of Selectmen and the Town Administrator.*

Finance Committee Recommendation:
Board of Selectmen Recommendation:

Comment: *To prevent the automatic payment of wages at an overtime rate due to employment in multiple positions.*

ARTICLE M: RETURN OF FUNDS TO THE CONGREGATIONAL CHURCH

Town Counsel: Lawful Article

To see if the Town will vote to instruct and authorize the Town Clerk to return the principal and all accumulated interest out of both the Congregational Cemetery Fund and the Congregational Cemetery (General) fund to the Congregational Church, or to take any other action relative thereto. *Requested by the Cemetery Commission*

Finance Committee Recommendation:
Board of Selectmen Recommendation:

Comment: *At the request of the Congregational Church Board of Directors this would revert all monies currently being held by the Town in the Congregational Cemetery Fund and the Congregational Cemetery (General) fund back to the Congregational Church for the purposes of property maintenance.*

ARTICLE N: AMEND GENERAL BYLAWS TO BAN SMOKING ON TOWN BEACHES

Town Counsel: Lawful Article

To see if the Town will vote amend the General Bylaws of the Town of Truro by repealing Chapter III Public Health Section 5, subsection 3-5-1 which reads “Smoking shall be prohibited on all public places as provided in MGL ch. 270, s. 22” and by inserting in its place as the new subsection 3-5-1 the following “Smoking is prohibited in all places designated in Massachusetts General Laws Chapter 270, Section 22, and on all town-owned beaches.”

Or take any other action relative thereto. *Requested by the Board of Selectmen and the Beach Commission*

Finance Committee Recommendation:
Board of Selectmen Recommendation:

Comment: *The Beach Commission has voted in favor of banning smoking at Town beaches. This would be consistent with the National Seashores prohibition of smoking on beaches with the desire to eliminate cigarette butts on beach.*

ARTICLE O Irrevocable Trust Articles O and P Removed

ARTICLE Q: TO AMEND THE PERSONNEL BYLAW TO INCREASE THE HOURS FOR THE LIBRARY DIRECTOR

Town Counsel: Lawful Article

To see if the Town will vote to increase from 35 to 40 the number of weekly compensated hours for the Library Director and to amend the Personnel Bylaw's Grade 12 Classification/Compensation Schedules for the Library Director so that, beginning with Fiscal Year 2016, it will read as follows:

Grade	Job Title		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
12	Library Director	Ann'l.	\$56,778	\$60,183	\$63,796	\$67,623	\$71,681	\$75,602

Or take any other action relative thereto. *Requested by the Board of Selectmen, Town Administrator and Board of Library Trustees*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

Board of Library Trustees Recommendation:

***Comment:** To correctly compensate the Library Director for the hours necessary to complete the duties and requirements of the position.*

ARTICLE R: TO AMEND THE PERSONNEL BYLAW TO CREATE A PART-TIME HEALTH/CONSERVATION AGENT

Town Counsel: Lawful Article

To see if the Town will vote to amend the Personnel Bylaw by adding "Assistant Health and Conservation Agent" as a new position effective July 1, 2015 and to amend Article XII - Classification/Compensation Schedules by adding the following:

Grade	Job Title		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
10A	Assistant Health & Conservation Agent	Hourly	22.58	23.99	25.39	26.78	28.19	29.58

Or take any other action relative thereto. *Requested by the Board of Selectmen and Town Administrator*

Finance Committee Recommendation:

Board of Selectmen Recommendation:

***Comment:** The Health and Conservation Agent currently has a budget for a Field Inspector who is paid on a per inspection basis. The request is for a new part-time Assistant Health & Conservation Agent (20 hrs/wk) to work for the Health and Conservation Department. The responsibilities of both the Health and Conservation Departments have become more complex. The Health and Conservation Agent is increasingly responsible for projects such as Ballston Beach and the Upper Pamet Valley, the Comprehensive Waste Water Management Plan, the mandate to develop a regional*

waste management agency and land use issues which are becoming more complicated due to water, wetland and other environmental reviews. The additional position, requiring at minimum a registered sanitarian license, will assist with witness percolation and soil testing; comprehensive housing inspections; various conservation filed work; various health inspections; plan review; and investigations of a variety of health and conservation related complaints.

ARTICLE S: ZONING AMENDMENT - §30.2, NOTE 4

Town Counsel: Lawful Article

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 4, by deleting the existing language and replacing it with the following: “4. Uses in this category are further subject to the special regulations set forth in §40.5 and the Planning Board shall serve as the Special Permit granting authority.” Or to take any other action relative thereto. ***Requested by the Planning Board***

Board of Selectmen Recommendation:

Planning Board Recommendation: 7-0-0

Comment: This is a housekeeping item to clarify and simplify the existing language. The intent of the language remains the same. The existing language to be deleted and replaced reads as follows: “4. Includes buildings and appurtenances; Special Permit Granting Authority is the Planning Board.”

ARTICLE T: ZONING AMENDMENT - §30.2, NOTE 6

Town Counsel: Lawful Article

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 6, by deleting the last portion of the final sentence, which reads “; the proposed accessory use need not be located on the same parcel as the primary use” Or to take any other action relative thereto. ***Requested by the Planning Board***

Board of Selectmen Recommendation:

Planning Board Recommendation: 7-0-0

Comment: This is a housekeeping item. The existing language and the language to be deleted read as follows: “6. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good; the proposed accessory use need not be located on the same parcel as the primary use.”

ARTICLE U: ZONING AMENDMENT - §50.1.H

Town Counsel: Lawful Article

To see if the Town will vote to amend the Truro Zoning Bylaw by deleting Section 50.1.H, which reads “H. Public accommodations shall not exceed two (2) habitable stories.” Or to take any other action relative thereto. ***Requested by the Planning Board***

Board of Selectmen Recommendation:

Planning Board Recommendation: 7-0-0

Comment: This is a housekeeping item. The requirement for the height and number of habitable stories is covered in other sections of the Zoning Bylaw; specifically §50.1.A and §50.1.E.

ARTICLE V: ZONING AMENDMENT – DEFINITION OF STREET & NEW §30.11 STREETS AND FRONTAGE

Town Counsel: Lawful Article

To see if the Town will vote to amend the Truro Zoning Bylaw Section 10.4 by deleting the definition of “Street” and replacing it with the following:

Street. A private or public way by which vehicles and pedestrians can safely gain access to and egress from homes, places of business and other locations. For the purposes of this bylaw, the terms “street”, “road” and “way” bear the same meaning.

And further, to amend Section 30 Use Regulations by adding a new Section 30.11 Streets and Frontage as follows:

“Section 30.11 Streets and Frontage

- A. Purpose: It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner on an existing private road.
- B. Applicability: A Street is assumed to qualify as safe and adequate and can be developed by right provided the following is met:
 - 1. a public way which the Town Clerk certifies is maintained and used as a public way; or,
 - 2. a way that has been approved, endorsed and constructed in accordance with the subdivision control law; or
 - 3. a way that was in existence on December 8, 1955 and meets the following minimum criteria:

Number of lots on Road	1 - 5	6 – 10	11 – 20	21 or more
Minimum Roadway Width	8 feet, plus 3 feet clearance on both sides	14 feet	16 feet	18 feet
Maximum Allowable Grade	12 %	10 %	8 %	8 %

For ways which do not meet these minimum requirements, the Planning Board, in conformance with subparagraph C, shall make a determination as to whether said road provides safe and adequate access.

- C. The Planning Board shall make a determination of the adequacy of a street as outlined below:
 - 1. Public Hearing – Upon the filing of a request with the Planning Board, the Board shall hold a duly noticed public hearing within forty-five (45) days. Notice shall be made no less than fourteen (14) days prior to the scheduled public hearing via regular first class mail to all the owners of properties along said street.

2. The request can be for a determination of the entire length of street or a determination of the street up to and including a lot located on said street.
3. Referral – Upon the filing of a request and prior to the public hearing said request shall be referred to the Police and Fire Departments and the Department of Public Works for review and comment.
4. Requirements – The applicant shall show to the satisfaction of the Planning Board that the street has sufficient width, suitable grades and adequate construction to provide access for emergency vehicles as well as safe travel and adequate circulation. The Planning Board may refer to and may utilize existing road standards as outlined in the Town of Truro Rules and Regulations Governing the Subdivision of Land (as amended) and the Town of Truro General Bylaws (as amended).
5. The Planning Board's Decision on the determination of adequacy of the street shall be filed with the Town Clerk. Any appeal from that decision must be commenced within sixty (60) days from the date of filing with the Town Clerk under the provisions of Massachusetts General Laws Chapter 249, Section 4."

Or to take any other action relative thereto. *Requested by the Planning Board*

Board of Selectmen Recommendation:

Planning Board Recommendation: 6-0

Comment: *The current definition of street needs to be updated. It currently reads in part that "When a street(s) is to be used for lot frontage, the street(s) shall conform to the requirements of the Town of Truro Subdivision Regulations, Section IV - Design Standards (b), (c), & (d) as they existed on January 1, 1989." Although the current definition contains an exception for certain "accepted public paved ways," the majority of streets in Truro are not paved and most of them have never been accepted. The design standards in existence on January 1, 1989 required that "The minimum width of street right-of-ways shall be 40 feet." Also, the references are outdated as the Subdivision Regulations have been rewritten. The Planning Board submits that the requirement of a 40 foot right-of-way is unduly restrictive.*

At the 2013 ATM the Planning Board proposed a new Street definition and additional language. At that time the article did not receive the required 2/3 vote and the message that was heard was that the proposed language in 2013 did not contain standards or requirements and there was a concern with phrase "in the opinion of the Planning Board".

The new proposed language presents a simple and straight forward definition of "Street". In addition, the new proposed Section 30.11 provides for minimum requirements (consistent with both the Town General Bylaw regarding Public Safety and with the Subdivision Rules and Regulations.) This section also provides for additional review if those requirements are not met.

ARTICLE W: ZONING AMENDMENT – CONVERSION OF COTTAGE OR CABIN COLONY, MOTOR COURT, MOTEL OR HOTEL FOR YEAR ROUND USE

Town Counsel: Lawful Article

To see if the Town will vote to amend the Truro Zoning Bylaw by adding a new Definition of “Dwelling, Multi-Family” in Section 10.4 as follows:

“Dwelling, Multi-family. Three or more dwelling units, attached, detached, or a combination thereof on a single lot.”

And further, to amend the Truro Zoning Bylaw Section 30.2 by adding “Multi-family Dwelling” in the Use Table under Residential Uses and by adding a new NOTES 13, as following:

RESIDENTIAL							
	R	BP	NT6A	TC	NTC	Rt6	S
Multi-family Dwelling (13)	N	SP	SP	N	SP	SP	N

NOTES

13. This use is further subject to the special regulations set forth in §40.3A, Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel for Year Round Use and the Zoning Board of Appeals shall serve as the Special Permit granting authority.

And further, to amend the Truro Zoning Bylaw by adding a new Section 40.3A, as follows:

§40.3A. Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel for Year Round Use

- A. Purpose. The Board of Appeals may grant a special permit for the conversion of a cottage colony, cabin colony, motor court, motel, or hotel to a multi-family dwelling use under any type of ownership, provided that the provisions of this section are met. For those properties which have received a Special Permit pursuant to §40.3 above, a new Special Permit will be required to allow for the year-round use of said property.
- B. Requirements.
 - 1. The converted premises shall comply with applicable provisions of the zoning, building, health and safety codes, as determined by the Building Commissioner and Board of Health and applicable provisions of the Provincetown Water regulations so as to provide for appropriate and adequate year round living.
 - 2. Each converted unit shall comply with the parking requirements for single family dwellings as established in § 30.9, Parking, except that, where pre-existing structures under this section are unable to meet the current parking standards on their existing lots,

the parking requirement may be met on a contiguous lot or on a lot directly across the street provided the following conditions are met:

- a. The two lots must be in and remain in common ownership and not be further divided.
 - b. The two lots shall not be used for the purpose of increasing the size or the use of the pre-existing structure or property.
 - c. Other than parking, pre-existing structures, and septic systems allowed by the Truro Board of Health, the adjacent lot shall remain open space.
 - d. All conditions must be recorded at the Barnstable Registry of Deeds.
3. The density of units permitted on a lot shall be as follows:
- a. Route 6A, North Truro Limited Business District; North Truro Center General Business District and Rout 6 General Business District: one unit per 3,000 sq. ft.
 - b. Beach Point Limited Business District one unit per 2,100 sq. ft.
 - c. Notwithstanding the restrictions of this section, no cottage colony, cabin colony, motor court, motel, or hotel which existed on January 1, 1987 shall be required to reduce its then existing number of units if or when it converts to multi-unit dwelling or non-dwelling use so long as it complies with all other requirements of this bylaw.
 - d. The granting of a Special Permit hereunder shall be consistent with the provisions of Section 30.8."

Or take any other action relative thereto. *Requested by the Board of Selectmen*

Board of Selectmen Recommendation:

Planning Board Recommendation: 0-4-2

Comment:

ARTICLE Y: CHARTER AMENDMENT CHANGE "TOWN ADMINISTRATOR" TO "TOWN MANAGER"

Town Counsel: Lawful Article

To see if the Town will vote to amend the Town Charter by changing throughout the term "Town Administrator" to "Town Manager". Or to take any other action relative thereto. *Requested by the Board of Selectmen*

Board of Selectmen Recommendation:

Ad-Hoc Charter Review Committee: 6-0

Comment: *Town Manager better reflects the duties and responsibilities of the position, which has grown more complex over the years. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.*

ARTICLE Z: CHARTER AMENDMENT TO SECTION 3-1-1

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 3-1-1 of the Town Charter by adding the sentence “The membership of the following multi-member bodies shall be elected as follows:” and to then list all the Elected Officials as follows (new language shown in ***bold italics***):

3-1-1 A Moderator shall be elected for a three-year term.

The membership of the following multi-member bodies shall be elected as follows:

A Board of Selectmen of five members.

A School Committee of five members.

A Planning Board of seven members.

A Board of Library Trustees of five members, notwithstanding the provisions of Section 10 of chapter 78 of the General Laws.

A Housing Authority of four members in accordance with the General Laws. A fifth member of the Housing Authority shall be appointed by the Commonwealth.

A Cemetery Commission of three members.

Or to take any other action relative thereto. ***Requested by the Board of Selectmen***

Board of Selectmen Recommendation:

Ad-Hoc Charter Review Committee: 6-0

Comment: Section 3-1-1, Elected Officials, currently lists only the Moderator. Other elected officials are listed in Appendix B, Part 1. This change will consolidate all elected officials in Section 3-1-1. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.

ARTICLE AA: CHARTER AMENDMENT SECTION 4-2-7

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 4-2-7 of the Town Charter by adding new language and deleting language as follows (new language shown in ***bold italics***, deleted language shown in ~~strike-out~~):

4-2-7 The Board of Selectmen shall have the sole authority to enter into contracts ***for amounts greater than \$100,000.00*** for the Town unless otherwise provided for in General Law or By-law. ***The Town Administrator shall have the authority to enter into contracts for amounts up \$100,000.00 for the Town unless otherwise provided for in General Law or By-law.*** The exception, ***in either case, is where occurs when*** contracts are funded within the school budget, ~~such~~ ***and those*** contracts shall be signed by the Superintendent of Schools or the School Committee, whichever is appropriate in accordance with the General Laws.

Or to take any other action relative thereto. ***Requested by the Board of Selectmen***

Board of Selectmen Recommendation:
Ad-Hoc Charter Review Committee: 6-0

Comment: *The Town Administrator functions as the Chief Procurement Officer of Truro, and contract administration is consistent with that responsibility. Contracts cannot be signed unless the funds have been budgeted and appropriated by Town Meeting. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.*

ARTICLE BB: CHARTER AMENDMENT SECTION 4-2-9

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 4-2-9 of the Town Charter by adding new language as follows (new language shown in ***bold italics***):

4-2-9 The Board of Selectmen shall act as the licensing authority of the Town, ***but may delegate some of this authority to the Licensing Agent***, and shall have the power and responsibility required to issue licenses and to make all necessary rules and regulations regarding the issuance of such licenses, and to attach conditions and impose such restrictions as it considers to be in the public interest, and to enforce, or cause to be enforced, the law, rules and regulations relating to all businesses to which it issues licenses, with the exception of public health licenses issued by the Board of Health or unless otherwise provided by the General Laws.

Or to take any other action relative thereto. ***Requested by the Board of Selectmen***

Board of Selectmen Recommendation:
Ad-Hoc Charter Review Committee: 6-0

Comment: *This change will give the Board of Selectmen the flexibility to delegate some licensing authority, if they deem it to be appropriate. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.*

ARTICLE CC: CHARTER AMENDMENT SECTION 4-2-1

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 4-2-1 of the Town Charter by adding at the end of the paragraph the following sentence:

“The Town Administrator shall receive an annual performance evaluation from the Board of Selectmen”

Or to take any other action relative thereto. ***Requested by the Board of Selectmen***

Board of Selectmen Recommendation:
Ad-Hoc Charter Review Committee: 6-0

Comment: *Section 4-2-1 provides that the Board of Selectmen shall regularly provide direction to the Town Administrator. An annual performance evaluation is an important component of that process. If passed, this change will take one year to implement because the proposed Charter*

revisions need approval from the voters at the Annual Town Election in May 2016.

ARTICLE DD: CHARTER AMENDMENT SECTION 4-3-1 AND APPENDIX B, PART 2

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 4-3-1 of the Town Charter by making the following changes (language to be removed in ~~strike-out~~):

- 4-3-1 The Board of Selectmen shall appoint:
 - Town Administrator
 - ~~Public Safety Personnel:~~
 - Police Chief ~~and Officers~~
 - Fire Chief
 - ~~Civil Defense Director~~
 - Constables
 - Town Counsel

And further, in Appendix B, Part 2, make the following changes:

- ~~Police Chief and Officers~~
- Fire Chief
- Constable
- ~~Civil Defense Director~~

Or to take any other action relative thereto. *Requested by the Board of Selectmen*

Board of Selectmen Recommendation:
Ad-Hoc Charter Review Committee: 6-0

Comment: Warrant Articles **DD** and **EE** transfer the appointing authority for Public Safety personnel, except for the Police Chief and Fire Chief, from the Board of Selectmen to the Town Administrator. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.

ARTICLE EE: CHARTER AMENDMENT SECTION 5-4-3

Town Counsel: Lawful Article

To see if the Town will vote to amend Section 5-4-3 of the Town Charter by making the following changes (language to be removed in ~~strike-out~~):

- 5-4-3 After consultation with the appropriate elected officials, supervisors, department heads or multi-member bodies, the Town Administrator shall appoint all full-time, part-time or seasonal employees, except those of ~~the Police Department, the Fire Department or the~~ School Department.

Or to take any other action relative thereto. *Requested by the Board of Selectmen*

Board of Selectmen Recommendation:
Ad-Hoc Charter Review Committee: 6-0

Comment: Please reference the comment for Warrant Article **DD**. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.

ARTICLE FF: CHARTER AMENDMENT SECTION 5-5-5

Town Counsel: Lawful Article

To see if the Town will vote to amend the Town Charter by adding a new Section 5-5-5 as follows:

5-5-5 The Town Administrator shall regularly provide direction to all department heads and employees, including the Police Chief and Fire Chief, unless stated otherwise in the Charter. All such department Heads and employees shall receive an annual performance evaluation from the Town Administrator, or their designated department head.

Or to take any other action relative thereto. *Requested by the Board of Selectmen*

Board of Selectmen Recommendation:

Ad-Hoc Charter Review Committee: 6-0

Comment: Warrant Articles **FF** and **GG** change the administrative reporting responsibility for the Police Chief and Fire Chief from the Board of Selectmen to the Town Administrator. The Board of Selectmen will retain policy-making authority, however. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016.

ARTICLE GG: CHARTER AMENDMENT APPENDIX B, PART 3

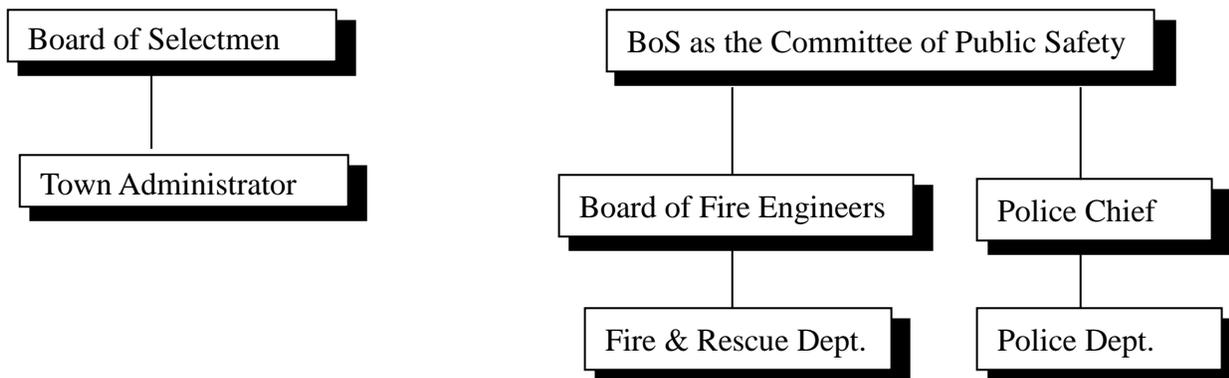
Town Counsel: Lawful Article

To see if the Town will vote to amend the Town Charter, Appendix B, Part 3 Departmental Chart by changing the title to “Appendix B, Part 3 Reporting Responsibilities” and deleting the “BoS as the Committee of Public Safety” and by having the “Police Chief” and the “Fire Chief” report to the Town Administrator, or to take any other action relative thereto. *Requested by the Board of Selectmen*

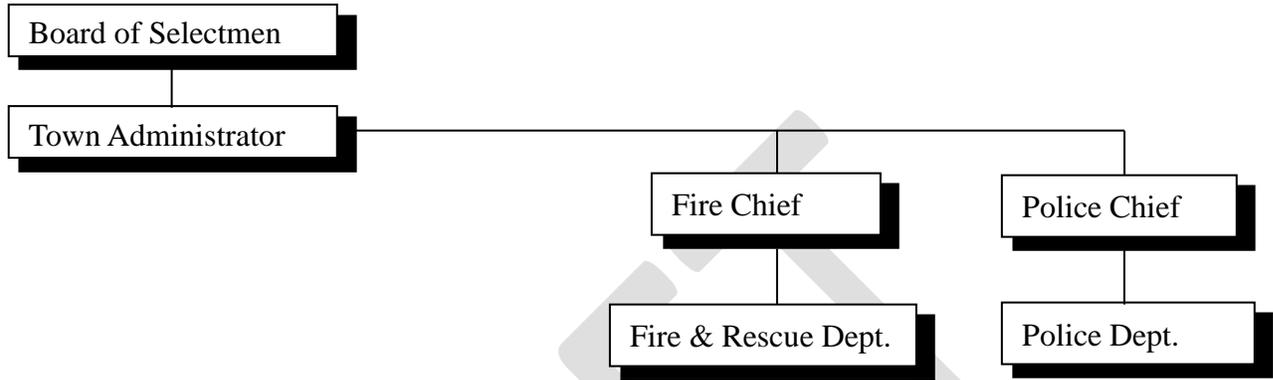
Board of Selectmen Recommendation:

Ad-Hoc Charter Review Committee: 6-0

Comment: Please reference the comment for Warrant Article **FF**. If passed, this change will take one year to implement because the proposed Charter revisions need approval from the voters at the Annual Town Election in May 2016. Portion of the existing Appendix B, Part 3 Departmental Chart:



Portion of new proposed *Appendix B, Part 3 Reporting Responsibilities*, showing proposed changes:



DRAFT

**ANNUAL TOWN ELECTION
TUESDAY, MAY 12, 2015
TRURO COMMUNITY CENTER
7:00AM – 8:00PM**

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

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in a Town Election, to vote at Truro Community Center on Tuesday, May 12, 2015 from 7:00 am to 8:00 pm for the following Town offices and questions:

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

QUESTION

Shall the Town of Truro be allowed to assess an additional \$78,000 in real estate and personal property taxes for the purpose of paying for defibrillators for the Fire/Rescue Department, and for the payment of all other costs incidental and related thereto for the fiscal year beginning July first, two thousand fifteen?

Yes____ No____

QUESTION

Shall the Town of Truro be allowed to assess an additional \$125,000 in real estate and personal property taxes for the purpose of paying for the refurbishing of the playground for the Truro Central School, and for the payment of all other costs incidental and related thereto for the fiscal year beginning July first, two thousand fifteen?

Yes____ No____

QUESTION

Shall an Act passed by the General Court in the year 2014 entitled “An Act Relative to Property Tax Exemptions for Rental Properties in the Town of Truro Restricted as Affordable Housing” be accepted.

Yes ___ No ___

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

These amendments will change the Truro Town Charter, Sections 2-3-5, 4-2-2 and 4-2-11 to include the requirement of posting the Town Meeting warrant, any goal, policy, plan or official act adopted by Board of Selectmen and the Board of Selectmen’s annual meeting for stating the Board’s goals on the Truro Town Website.

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter Section 4-2-8 of the Truro Town Charter by deleting it in its entirety. ~~4-2-8 The Board of Selectmen shall act as the Commissioners of Public Safety in accordance with General Law.~~

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter Chapter 7, by inserting a Section 7-1-2(d) as follows:

- d) A Budget Task Force shall be formed on or before December 15 of each year. The Budget Task Force shall consist of two (2) members of the Finance Committee, two (2) members of the Board of Selectmen, the Town Accountant and the Town Administrator. It shall be the charge of the Budget Task Force to review with department heads individual budgets.

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter Section 7-5-1 to require an audit by a Certified Public Accounting firm every fiscal year

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter Section 6-4-2 by establishing a standing (permanent) Charter Review Committee, appointed by the Board of Selectmen, adding other existing committees missing from the list, correct the name of one committee, delete obsolete multi-member bodies and delete the list of multi-member bodies appointed by the Board of Selectmen in Appendix B and move the list to 6-4-2 and amend as follows:

6-4-2 The multi-member bodies listed below shall be appointed by the Board of Selectmen in accordance with sections 4-3-2 and 6-2-6 of this Charter.

- | | |
|--|--|
| Board of Health | Regional Delegates |
| Water Resources Advisory Committee | Other Inter-Governmental Representatives |
| Recycling Committee | Council on Aging |
| Conservation Commission | Board of Assessors |
| Beach Point Erosion Committee | Beach Commission |
| Zoning Board of Appeals | Golf Course Advisory Commission |
| Town Building Committee | Pamet Harbor Commission |
| Housing Partnership | Recreation Commission |
| Historical Review Board | Truro Cultural Council |
| Commission on Disabilities | Truro Partnership |
| Cable and Internet Advisory Committee | Historical Commission |
| Local Comprehensive Plan Steering Committee | Human Services Committee |
| Town Employee Insurance Advisory Committee | Other Multi-Member Bodies |
| Charter Review Committee | Economic Development Committee |
| Bike and Walkways Committee | Open Space Committee |

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter by deleting in its entirety “Chapter 9 – Transitional Provision”

QUESTION

Shall the Town approve the Charter amendment proposed and passed at the April 29, 2014 Town Meeting as summarized below?

Yes ___ No ___

This amendment will change the Truro Town Charter Chapter 7-1-4 to change the date in which the Finance Committee has to hold its required budget meeting:

7-1-4 ~~On or before March 15 of each year,~~ ***Not less than 10 day prior to the scheduled Annual Town Meeting,*** the Finance Committee shall hold at least one public hearing on the proposed budgets, including the school budget, for the ensuing fiscal year.

This completes the Warrant for May 12, 2015 election.

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 [redacted] day of March in the Year of our Lord, Two Thousand and Fifteen.

We, the members of the Board of Selectmen of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 7:00 p.m. on April 28, 2015, at the Truro Central School and have read the warrant for the Town election to be held on Tuesday May 12, 2015 at the Truro Community Center from 7:00 a.m. to 8:00 p.m.

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

Jay Coburn, Chair

Paul Wisotzky, Vice-Chair

Janet W. Worthington, Clerk

Robert Weinstein

Maureen Burgess

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

date Constable

Appendix A
Non-Union Personnel
Compensation and Classification
FY2015 and FY2016

TO FY15 - CLASSIFICATION & COMPENSATION SCHEDULE								
NON-UNION & NON-CONTRACT								
Grade			TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
	Job Title		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
	Salaries are rounded							
1	Beach Attendant	Hrly	\$11.68	\$12.06	\$12.52	\$12.91	\$13.35	\$13.76
	Election Teller	Hrly 1 step	\$11.68					
2	<i>No current position</i>	Hrly						
3	Beach Sales Clerk	Hrly	\$13.43	\$13.88	\$14.56	\$15.11	\$15.64	\$16.25
	Recreation Counselor	Hrly	\$13.43	\$13.88	\$14.56	\$15.11	\$15.64	\$16.25
	Council on Aging Van Drivers	Hrly	\$13.43	\$13.88	\$14.56	\$15.11	\$15.64	\$16.25
4	Golf Ranger/Starters	Hrly	\$13.66	\$14.62	\$15.57	\$16.66	\$17.82	\$19.06
	Golf Sales Clerks	Hrly	\$13.66	\$14.62	\$15.57	\$16.66	\$17.82	\$19.06
	Recreation Assistant Dir/ Program Coordinator	Hrly	\$13.66	\$14.62	\$15.57	\$16.66	\$17.82	\$19.06
5	Beach Assistant Supervisor	Hrly	\$15.01	\$16.01	\$16.97	\$17.95	\$18.92	\$19.96
	Beach Lifeguard	Hrly	\$15.01	\$16.01	\$16.97	\$17.95	\$18.92	\$19.96
	Golf Assistant Manager	Hrly	\$15.01	\$16.01	\$16.97	\$17.95	\$18.92	\$19.96
	Golf Greenskeeper	Hrly	\$15.01	\$16.01	\$16.97	\$17.95	\$18.92	\$19.96
6	Beach Head Lifeguard	Hrly	\$16.08	\$17.07	\$18.09	\$19.09	\$20.11	\$21.20
7	Office Assistant 1	Hrly	\$18.15	\$18.80	\$19.45	\$20.06	\$20.72	\$21.35
	Library Tech Services/Youth Services	Hrly	\$18.15	\$18.80	\$19.45	\$20.06	\$20.72	\$21.35
8	Assistant Harbormaster (2 pt positions)	Hrly	\$18.44	\$19.06	\$19.68	\$20.27	\$20.90	\$21.53
	Library Programs/Comm. Outreach	Hrly	\$18.44	\$19.06	\$19.68	\$20.27	\$20.90	\$21.53
9	<i>No Current Position</i>							
9A	Staff Librarian (convert to hourly)	Ann'l.	\$36,167	\$38,133	\$40,099	\$42,065	\$44,058	\$46,020
10	Ass't. Rec./Beach Dir. (plus stipend- flat rate \$8,100)	Ann'l	\$41,022	\$44,762	\$45,558	\$47,826	\$50,106	\$52,370
	Assistant Library Director	Hrly	\$22.45	\$24.50	\$24.94	\$26.18	\$27.42	\$28.66
11	Harbormaster/Shellfish Warden	Hrly	\$30.00	\$31.20	\$32.45	\$33.75	\$35.10	\$36.50

	Greens Sup't	Ann'l.	\$43,157	\$45,552	\$47,944	\$50,340	\$52,730	\$55,172
	Executive Assistant	Ann'l	\$50,820	\$53,380	\$56,369	\$59,336	\$62,326	\$65,315
12	Recreation/Beach Dir. (plus stipend- flat rate \$9,900)	Ann'l.	\$48,225	\$51,117	\$54,185	\$57,435	\$60,881	\$64,212
	Library Director	Ann'l.	\$48,707	\$51,628	\$54,727	\$58,010	\$61,491	\$64,855
14A	Golf Course Manager	Ann'l	\$51,211	\$54,199.	\$57,378	\$60,719	\$64,419	\$68,307
15	Inspector of Buildings/Building Commissioner	Hrly	\$30.18	\$31.96	\$33.72	\$35.49	\$37.27	\$39.00
17	DPW Director – Employment Agreement	Ann'l.						
18	Assistant Town Admin.	Ann'l	\$76,379	\$80,197	\$84,206	\$88,418	\$92,838	\$97,481
P1	<i>No Current Position</i>							
P2	Parking Magistrate	Ann'l.	\$4,865					
P3	Plumbing/Gas Inspector	Per Inspec.	\$40.00					
P3A	Deputy Plumbing/Gas Inspector	Per Inspec.	\$32.00					
P5	Shellfish Warden	Ann'l.	\$10,482					
P5	Wiring Inspector	Ann'l	\$13,844					
P5A	Deputy Wiring Inspector	Per Inspec.	\$32.00					
P6	Dog Officer/Animal Control	Hrly 1 step	\$27.55					
P7	<i>No Current Position</i>							
P8	Deputy Building Inspector	Per Inspec.	\$32.00					
P9	Field Inspector: Conservation/Health	Per Inspec.	\$45.00					
F5	FF/First Responder	Hrly	\$16.44					
F15	FF/EMT/Basic	Hrly	\$21.92					
F18	FF/EMT/Intermediate	Hrly	\$23.29					
F19	FF/EMT/Paramedic	Hrly	\$24.67					
F20	Squad Member flat rate	Ann'l	\$2,391					
F1	Fire Chief flat rate (reflects add'l \$10,000 atm 2013)	Ann'l	\$49,050					

2%		TO FY16 – CLASSIFICATION & COMPENSATION SCHEDULE							
NON-UNION & NON-CONTRACT									
Grade			TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
	Job Title		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 6
	Salaries are rounded								
1	Beach Attendant	Hrly	\$11.91	\$12.30	\$12.77	\$13.17	\$13.62	\$14.04	
	Election Teller (1 step)	Hrly	\$11.91						
2	<i>No Current Position</i>								
3	Beach Sales Clerk	Hrly	\$13.70	\$14.16	\$14.85	\$15.41	\$15.95	\$16.58	
	Recreation Counselor	Hrly	\$13.70	\$14.16	\$14.85	\$15.41	\$15.95	\$16.58	
	Council on Aging Van Drivers	Hrly	\$13.70	\$14.16	\$14.85	\$15.41	\$15.95	\$16.58	
4	<i>Golf Ranger/Starters*</i>								
	<i>Golf Sales Clerks*</i>								
	Rec. Assistant Dir/ Program Coordinator	Hrly	\$13.93	\$14.91	\$15.88	\$16.99	\$18.18	\$19.44	
5	Beach Assistant Supervisor	Hrly	\$15.31	\$16.33	\$17.31	\$18.31	\$19.30	\$20.36	
	Beach Lifeguard	Hrly	\$15.31	\$16.33	\$17.31	\$18.31	\$19.30	\$20.36	
	<i>Golf Assistant Manager*</i>								
	<i>Golf Greenskeeper*</i>								
5A	Library Assistant (21 hours)	Hrly	\$17.09	\$17.95	\$18.83	\$19.96	\$21.15	\$22.37	
6	Beach Head Lifeguard	Hrly	\$16.40	\$17.41	\$18.45	\$19.47	\$20.51	\$21.62	
7	Office Assistant 1	Hrly	\$18.51	\$19.18	\$19.84	\$20.46	\$21.13	\$21.78	
	Library Tech. Serv/Youth Serv (23 hours)	Hrly	\$18.51	\$19.18	\$19.84	\$20.46	\$21.13	\$21.78	
8	Assistant Harbormaster (2 pt positions)	Hrly	\$18.81	\$19.44	\$20.07	\$20.68	\$21.32	\$21.96	
	Library Prog/Comm Outreach (25 hours)	Hrly	\$18.81	\$19.44	\$20.07	\$20.68	\$21.32	\$21.96	
9	<i>No Current Position</i>								
9A	Staff Librarian	Hrly	\$20.20	\$21.29	\$22.39	\$23.48	\$24.60	\$25.69	
10	Asst. Recreation/Beach Director (plus stipend – flat rate \$8100)	Ann'l	\$41,842	\$45,657	\$46,469	\$48,783	\$51,108	\$53,417	
10A	Assistant Library Director	Hrly	\$22.90	\$24.99	\$25.44	\$26.70	\$27.97	\$29.23	
11	Harbormaster/Shellfish Warden	Hrly.	\$30.60	\$31.82	\$33.10	\$34.43	\$35.80	\$37.23	
	<i>Greens Superintendent*</i>								

	Executive Assistant	Ann'l	\$51,836	\$54,448	\$57,496	\$60,523	\$63,573	\$66,621
12	Recreation/Beach Director (plus stipend - flat rate - \$9,900)	Ann'l.	\$49,190	\$52,139	\$55,269	\$58,584	\$62,099	\$65,496
	Library Director	Ann'l.	\$49,681	\$52,661	\$55,822	\$59,170	\$62,721	\$66,152
14A	<i>Golf Course Manager*</i>							
15	Insp. of Buildings/Bldg Comm	Hrly.	\$30.78	\$32.60	\$34.39	\$36.20	\$38.02	\$39.78
17	DPW Director	Ann'l.	\$87,720	\$89,760	\$91,800	\$93,840	\$95,880	\$97,920
18	Assistant Town Admin.	Ann'l	\$77,907	\$81,801	\$85,890	\$90,186	\$94,695	\$99,431
P1	<i>No Current Position</i>							
P2	Parking Magistrate	Ann'l.	\$4,962					
P3	Plumbing/Gas Inspector	Per Inspection \$40.00						
P3A	Deputy Plumbing/Gas Inspector	Per Inspection \$32.00						
P5	Wiring Inspector (plus \$64/Week office hours)	Ann'l	\$10,692					
P5A	Deputy Wiring Inspector	Per Inspection \$32.00						
P6	Dog Officer/Animal Control	Hrly	\$28.10					
P8	Deputy Building Inspector	Per Inspection \$32.00						
P9	Field Inspector: Conservation/Health	Per Inspection \$45.00						
F5	FF/First Responder	Hrly	\$16.77					
F15	FF/EMT/Basic	Hrly	\$22.36					
F18	FF/EMT/Intermediate	Hrly	\$23.76					
F19	FF/EMT/Paramedic	Hrly	\$25.16					
F20	Squad Member flat rate	Ann'l	\$2,439					
F1	Fire Chief flat rate	Ann'l	\$50,031					

***Position Currently Not Funded**

Appendix B

Omnibus Budget

Fiscal Year 2016

DRAFT

ZISSON & VEARA, P.C.

ATTORNEYS AT LAW

828 MAIN STREET

DENNIS, MASSACHUSETTS 02638

TELEPHONE (508) 385-6031

FAX (508) 385-6914

MAILING ADDRESS: P.O. BOX 2031, DENNIS, MA 02638-0043

E. JAMES VEARA
PAUL V. BENATTI
CHRISTOPHER A. VEARA

RICHARD L. ZISSON
(1942-2006)

EDWARD E. VEARA
RETIRED

March 4, 2015

VIA EMAIL and FIRST-CLASS MAIL

Ms. Charleen Greenhalgh
Assistant Town Administrator/Planner
P. O. Box 2030
Truro, MA 02666

RE: Articles for the April 28, 2015 Annual Town Meeting of the Town of Truro

Dear Charleen:

Recently, I received Draft-022615 of the Warrant for the April 28, 2015 Annual Town Meeting of the Town of Truro. I also received your February 27, 2015 instruction letter. I reviewed the draft Articles, and in the following paragraphs, I will furnish my usual commentary about the form and lawfulness of each Article and Section and about the measure of the vote needed to pass each of them.

ARTICLE 1, Board Reports:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 1; Mass. Gen. Laws ch. 40, § 49, amended by St.2000, c. 105; Mass. Gen. Laws ch. 41, § 23B, added by St.1959, c. 98.

ARTICLE 2, Selectmen:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 41, § 108, amended by St.1982, c. 226.

ARTICLE 3, Moderator:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 41, § 108.

ARTICLE 4, 2015 Budget:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 5, amended by St.1989, c. 687 §12.

ARTICLE 5, 2016 Budget:

This Article needs to be completed, but in its general form, it is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 5; Mass. Gen. Laws ch. 44, § 14; Mass Gen. Laws ch. 59, § 23, amended by St.1988, c. 73; Mass. Gen. Laws ch. 71, § 1, amended by St.2010, c. 256, § 60; Mass. Gen. Laws ch. 71, § 16B, amended by St.1996, c. 151, § 220; Mass. Gen. Laws ch. 71 § 34, amended by St.1996, c. 450, § 122.

ARTICLE 6, Section 1, Tax Rate:

This is a lawful Article Section, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 5; Mass. Gen. Laws ch. 59, § 23.

ARTICLE 6, Section 2, OPEB:

This is a lawful Article Section, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 5; Mass. Gen. Laws ch. 32, § 22, amended by St.2011, c. 176, § 39.

ARTICLE A:

This Article has not been drafted.

ARTICLE B:

This Article has not been drafted.

ARTICLE C, Community Preservation Act:

Section One: Land Acquisition:

This is a lawful Article Section, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 40, § 14, amended by St.1967, c. 59, § 3; Mass. Gen. Laws ch. 44B, § 5, amended by St.2013, c. 3, § 5; Mass. Gen. Laws ch. 44B, § 6, amended by St.2012, c. 139, § 79; Mass. Gen. Laws ch. 44B, § 7, amended by St.2012, c. 139, § 80; Mass. Gen. Laws ch. 44B, § 12, amended by St.2012, c. 139, § 82; Mass. Gen. Laws ch. 184, § 31, amended by St.1990, c. 520, § 3.

Section Two, Meeting House:

This is a lawful Article Section, and if the acquisition of a preservation restriction was previously authorized, this Section can be passed by a simple majority vote. Mass. Gen. Laws ch. 44B, §§ 5, 6, 12. If, however, the preservation restriction was not previously authorized, then this Section will need a two-thirds' vote. Mass. Gen. Laws ch. 40, § 14; Mass. Gen. Laws ch. 184, § 32, amended by St.2008, c. 522, §40. In the latter instance, the Section's last line should be expanded to read: "Meeting House and to acquire a preservation restriction for the building or to take any other action relative thereto."

Section Three, Highland Museum:

In my opinion, this is not a lawful Article Section.

The Community Preservation Act provides enabling authority, and relative to this proposal, it states in part the following:

The community preservation committee shall make recommendations to the legislative body . . . for the acquisition, preservation, rehabilitation and restoration of historic resources. . . . Mass. Gen. Laws ch. 44B, § 5(2).

The Act also furnishes the following definitions:

As used in this chapter, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:--

"Acquire", obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. "Acquire" shall not include a taking by eminent domain, except as provided in this chapter.

"Preservation", protection of personal or real property from injury, harm or destruction.

"Rehabilitation", capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for

recreational use and community housing functional for their intended uses including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, "rehabilitation" shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.P.R. Part 68; and provided further, that with respect to land for recreational use, "rehabilitation" shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use. Mass. Gen. Laws ch. 44B, § 2, amended by St.2012, c. 139, §§ 69-73.

The preparation of architectural drawings does not fall within the statutory definitions for acquire, preservation, or rehabilitation nor within the ordinary meaning of the undefined term restoration. Although plan development may be a useful or even an essential preparatory activity "leading to the historic rehabilitation of the museum," such preliminary undertakings do not fall within the Act's provisions, definitions, or authorizations for local appropriation. The actual museum rehabilitation, of course, fits into the Act, but the antecedent design services do not.

Section Four, Beach Mats:

This is a lawful Article Section, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 44B, §§ 2, 5, 6, 7.

Section Five, Edgewood Farm:

This is a lawful Article Section, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 40, § 14; Mass. Gen. Laws ch. 44B, §§ 2, 5, 6, 7, 12; Mass. Gen. Laws ch. 184, §§ 31, 32.

Massachusetts General Laws Chapter 44B, Section 12 has two related paragraphs. The pertinent language in the first paragraph reads as follows:

A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction. . . . The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to

the benefit of a nonprofit organization . . . with the right to enforce the restriction. [emphasis added]

According to this paragraph, the town must be able to enforce the restriction, but a nonprofit organization can be a co-holder of the restriction and can enforce it. The paragraph even goes on to state that a town can pay the non-profit “to hold, monitor and enforce” the restriction.

The second paragraph is similar, but the only restriction holder is the town. The statute’s pertinent language is the following:

Real property interests acquired under this chapter shall be owned and managed by the city or town. . . . The legislative body may also delegate management of such property to a nonprofit organization created under chapter . . . 203. [emphasis added]

Although the town would be the only restriction holder, it can, through an agreement, arrange to have a nonprofit perform the management services. I used this second arrangement for the redrafted Section you requested, and that form follows:

To see if the Town will vote to appropriate the sum of Forty Thousand Dollars (\$40,000.00) exactly from the revenue and balance projected for the FY 2016 Community Preservation Act Undesignated Fund account to assist with the purchase of 3.77 acres of Edgewood Farm woodland, to acquire a conservation restriction which will, through deed restrictions, prohibit the future development of the two parcels involved, and to authorize the Board of Selectmen to enter into an agreement with the Truro Conservation Trust for the management of the conservation restriction or to take any other action relative thereto.

Section Six, Administration:

This is a lawful Article Section, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 44B, §§ 5, 6; General Bylaws of the Town of Truro, Chapter VII, Sections 2 and 3.

ARTICLE D, Highway Assistance:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 5; Mass. Gen. Laws ch. 44, § 4, amended by St.1992, c. 143, § 1; Mass. Gen.

Laws ch. 44, § 6, amended by St.1991, c. 552, § 36; Mass. Gen. Laws ch. 44, § 6A, amended by St.1984, c. 236; Mass. Gen. Laws ch. 44, § 53, amended by St.1992, c. 62; Mass. Gen. Laws ch. 84, § 1, amended by St.1991, c. 552, § 52; Mass. Gen. Laws ch. 90, § 34, amended by St.2009, c. 25, § 81.

ARTICLE E:

Both Article E and Article H were withdrawn.

ARTICLE F, Defibrillators:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 30B, § 5, amended by St.2014, c. 165, § 62; Mass. Gen. Laws ch. 40, § 4, amended by St.1989, c. 710; Mass. Gen. Laws ch. 40, § 5; Mass. Gen. Laws ch. 44, § 53A, amended by St.1986, c. 651, § 3; Mass. Gen. Laws ch. 59, § 21C, amended by St.2007, c. 91, §§ 1, 2; Mass. Gen. Laws ch. 59, § 23.

In both this Article and in the second ballot question, please note the spelling of defibrillators.

ARTICLE G, School Playground:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 30, § 39M, amended by St.2008, c. 303, § 11; Mass. Gen. Laws ch. 40, §§ 4, 5, 53A; Mass. Gen. Laws ch. 45, § 14, amended by St.1970, c. 86; Mass. Gen. Laws ch. 59, §§ 21C(1/2), 23; Mass. Gen. Laws ch. 71, § 68, amended by St.2003, c. 46, § 83.

ARTICLE I, Stabilization to Retirement:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 32, § 22; Mass. Gen. Laws ch. 40, § 5B, amended by St.2003, c. 140, § 19.

ARTICLE J, Pond Road:

This is a lawful Article, and it may be passed by a simple majority vote. *Compare* Mass. Gen. Laws ch. 40, § 15, amended by St.1961, c. 117 and *Harris v. Town of Wayland*, 392 Mass. 237, 466 N.E.2d 822 (1984) *with* Mass. Gen. Laws ch. 40, § 3, amended by St.2010, c. 188, § 22 and *Oliver v. Town of Mattapoisett*, 17 Mass. App. Ct. 286, 457 N.E.2d 679 (1983), *review denied*, 391 Mass. 1102, 459 N.E.2d 825 (1984).

Had the Town acquired the land by eminent domain, as it once believed, the Article would have needed a two-thirds' vote.

Incidentally, in the Comment, I believe “has historical used” should be “has historically been used.”

ARTICLE K, Non-Union COLA:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 41, § 108A, amended by St.1978, c. 393, § 20; Mass. Gen. Laws ch. 41, § 108C, amended by St.1978, c. 393, § 21; Personnel Bylaw of Town of Truro, Massachusetts, Article III, Section 3.8.

ARTICLE L, Personnel:

Section One and Section Two will be provided by labor counsel.

ARTICLE M, Church Cemetery Funds:

This is a lawful Article, and it may be passed by a simple majority vote. I have assumed that the Town holds these funds under the provisions of Massachusetts General Laws Chapter 114, Section 19, amended by St.1981, c. 565, and that nothing in the arrangement prevents the return of those funds, but without knowing how the Town came to hold those funds and what terms and conditions apply to them, I cannot be certain.

ARTICLE N, Beach Smoking:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 40, § 21, amended by St.2008, c. 76, §§ 1, 2; Mass. Gen. Laws ch. 43B, § 13, added by St.1966, Ex.Sess., c. 734, § 1. *See generally Tri-Nel Management, Inc. v. Board of Health of Barnstable*, 433 Mass. 217, 741 N.E.2d 37 (2001); *Take Five Vending, Ltd. v. Town of Provincetown*, 415 Mass. 741, 615 N.E.2d 576 (1993).

MGL Chapter 270 s. 22 is a freestanding criminal statute – not enabling authority for a local by-law – and it relates strictly to smoking in enclosed and semi-enclosed spaces, not public beaches. There is no separate statute labeled 22J, and the subsection (j) of Section 22 is not especially relevant. Accordingly, I suggest revising Article N so that it will read something like the following:

To see if the Town will vote to amend the General Bylaws of the Town of Truro by repealing Chapter III, Section 5, subsection 3-5-1 which reads, “Smoking shall be prohibited in all public places as provided in MGL ch. 270 s. 22” and by inserting in its place as the new subsection 3-5-1 the following, “Smoking is prohibited in all places designated in

Massachusetts General Laws Chapter 270, Section 22, and on all town beaches,” or to take any other action relative thereto.

If “town beaches” refers to those beaches owned by the Town of Truro, then the phrase would be better as “town-owned beaches.”

ARTICLE O, Reserve Trust Fund:

Articles O and P are incomplete at this time.

ARTICLE Q, Library Director:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 41, § 108C; Mass. Gen. Laws ch. 78, § 11, amended by St.1994, c. 85, § 17; Personnel Bylaw § 3.8.

Please note that Article Q does not raise the funds to pay the increased compensation.

Because the Article addresses two issues – increased hours and a by-law amendment – I suggest the following form:

To see if the Town will vote to increase from 35 to 40 the number of weekly compensated hours for the Library Director and to amend the Personnel Bylaw’s Grade 12 Classification/ Compensation Schedule for the Library Director so that, beginning with Fiscal Year 2016, it will read as follows:

or to take any other action relative thereto.

ARTICLE R, Assistant Agent:

This is a lawful Article, and it may be passed by a simple majority vote. Mass. Gen. Laws ch. 41, § 108C; Mass. Gen. Laws ch. 111, § 30, amended by St.1961, c. 55.

Again, please note that this Article does not include funding.

ARTICLE S, Footnote 4:

This is a lawful Article, but it cannot be passed by less than a two-thirds’ vote. Mass. Gen. Laws ch. 40A, § 5, amended by St.2008, c. 451, § 45; Town of Truro Zoning Bylaw, Section 60, § 60.2.

ARTICLE T, Footnote 6:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 40A, § 5, ¶5.

ARTICLE U, § 50.1.H:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 40A, § 5.

ARTICLE V, Streets and Frontage:

This Article was previously reviewed. It needs a two-thirds' vote.

ARTICLE W, Year-Round Use:

This Article was previously reviewed. It needs a two-thirds' vote.

ARTICLE X, Zoning:

This Article has not been drafted.

ARTICLE Y, Town Manager:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10, amended by St.1998, c. 161, § 284; The Truro Charter, Chapter 9, Section 9, subsection 9-9-4.

ARTICLE Z, Elected Boards:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10, ¶1.

ARTICLE AA, Contracts:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

ARTICLE BB, Licensing Agent:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

ARTICLE CC, Performance Review:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

ARTICLE DD, Selectmen Appointments:

This is a lawful Article, but it cannot be passed by less than two-thirds' vote. Mass. Gen. Laws. ch. 43B, § 10.

ARTICLE EE, Administrator Appointments:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

ARTICLE FF, Section 5-5-5:

This is a lawful Article but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

Please note that, although the Article refers to new language in bold italics, Article FF does not have bold italics or even timid italics.

ARTICLE GG, Chart Changes:

This is a lawful Article, but it cannot be passed by less than a two-thirds' vote. Mass. Gen. Laws ch. 43B, § 10.

ELECTION WARRANT:

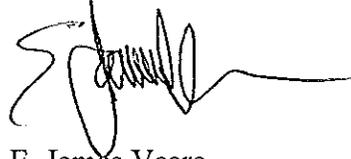
The first ballot question asks voters for a \$120,000 Proposition 2½ exemption to allow for the payment of a dump truck/plow/sander. At least in the draft I received, there is no corresponding Article for this exemption and appropriation.

In the first Charter amendment question, I would expand "act adopted Board of Selectmen" to "act adopted by the Board of Selectmen." Similarly, I would change "Board of Selectmen annual meeting" to "Board of Selectmen's annual meeting."

The next six (6) questions all used "prosed," which should be corrected to "proposed."

This completes my review of the draft Articles and ballot questions. If you have any questions about this response or if you need anything further, please feel free to contact me.

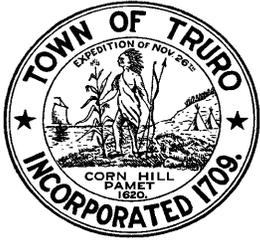
Cordially,

A handwritten signature in black ink, appearing to read 'E. James Veara', with a long horizontal flourish extending to the right.

E. James Veara

EJV:sjb

cc: Rae Ann Palmer, Town Administrator via email only
Monica Kraft, Town Moderator
Board of Selectmen



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator

REQUESTED MEETING DATE: March 17, 2015

ITEM: Update on Board of Selectmen Goals and Objectives

EXPLANATION: Attached is an update to the Board of Selectmen Goals and Objectives. The format is the one developed by former Acting Co-Town Administrator Robert Lawton. The most recent update follows the stated goal and is at the bottom of the previous narrative, identified by the date of 3/17/2015. Progress is being accomplished on most of the goals and objectives, with some completed. Several relating to environmental issues will be ongoing over a longer time period. The goals that are waiting to be completed relate to specific training and will be scheduled in the next two months.

SUGGESTED ACTION: *None Required.*

ATTACHMENTS:

1. Goals and Objectives Update.
2. FY12 & 13 Audit Recommendations



Agenda item: 6D1

TOWN OF TRURO

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

Fiscal Year 2015 Goals and Objectives Updates March 17, 2015

Introduction

The Truro Board of Selectmen has agreed to pursue the following goals and objectives for Fiscal Year 2015, July 1, 2014 through June 30, 2015. The goals and objectives are divided into six broad categories:

- TOWN FINANCE
- LONG RANGE PLANNING
- ENVIRONMENT
- TOWN SERVICES & PUBLIC SAFETY
- OUTREACH, COMMUNITY RELATIONS AND COMMUNICATION
- TOWN ADMINISTRATION

TOWN FINANCE

GOAL: TRURO WILL HAVE A BUDGET THAT PROVIDES FOR ESSENTIAL SERVICES, MINIMIZES BUDGETARY GROWTH AND IS SUSTAINABLE OVER THE LONG TERM.

ACTION ITEMS

1. The Board of Selectmen will pursue the following objectives in order to increase non property tax revenues to the town:
 - a. The Board of Selectmen will support the efforts of our representative to the Great & General Court of the Commonwealth of Massachusetts to gain approval of the Town's home rule petition to enable the Town to collect the local option rooms tax for short term vacation. *(New)The Town Administrator has sent a letter, on behalf of the Board of Selectmen, to our State Representative and State Senator notifying them of the vote at the 2014 ATM supporting the home rule petition and asking for the support of the legislation.*
 - b. The Town Administrator, Police Chief and Fire Chief will identify and apply for grant funding appropriate and relevant to the current and future needs of the Town of Truro to support the operations and enhancement of public safety and emergency management. *(New) The Fire Chief and his consultant have presented the Board the opportunity for a grant to purchase replacement Scott Pack, breathing apparatus, for firefighters. The Board of Selectmen has approved the application for the grant on 10/14/2014.*
 - c. The Town Administrator will evaluate the Town's grant seeking capacity and will make recommendations to the Board of Selectmen for ways to increase capacity in this area. *The Town*

Administrator has sent a letter to the Cape Cod Commission asking for an indication of the level of assistance in grant writing they can provide to the Town. We have received a call from the deputy Director of CCC stating that there County resources available to assist Truro with grant applications. A meeting will be set up with a representative of the CCC and the County Development Office to explore specific ways to assist the Town. On October 15, 2014 Charleen Greenhaulgh and Robert Lawton met with the CCC Deputy Director and County Grants person Ms. Bobbi Moritz and Ms. Lislle Richards to outline available County resources to assist the Town of Truro. The County agreed to provide the Town with significant assistance in developing grant applications. We will be submitting grant suggestions to the County after we poll staff for possible grant application topics. The County will look at specific grant possibilities and let us know the reporting requirements and other requirements which may impact the Town.

03/15/15-The grant "wish list" was submitted to and acknowledged by the County.

2. The Board of Selectmen will conduct a comprehensive review of Town Fees in order to provide for reasonable and equitable fees that maximize income for the Town. The TA will prepare a complete list of all Town fees and recommend to the Board of Selectmen a process for reviewing Town fees that incorporates recommendations from Town Staff, relevant Boards and Committees and data regarding fee structures in other towns. *(Continuing-revised) We are currently compiling the lists of fees Truro currently charges. We are researching studies already completed by other Cape Towns on fees and will fill in any gaps to show comparisons with other similar Cape Towns. We will then make recommendations to the Board from affected Departments and the Administrator.*

03/17/15-The Town Accountant has compiled a comprehensive list of fees. A few departments are making recommendations for increases, additional analysis is required.

3. The Board of Selectmen will establish fiscal policies to address unfunded Other Post-Employment Benefits based on recommendations from the Finance Committee and the Town Administrator. *(New)The Town Administrator and Accountant have developed several options which they are discussion and will submit to the Finance Committee for review and ultimately present to the Selectmen for adoption.*
4. The Town Administrator will report to the Board of Selectmen on actions taken to respond to the Auditor's Management Recommendations contained in the two most recent audits. *(New) I have reviewed the FY 12 and FY 13 audit recommendations. Several recommendations have been implemented. The balance will be assigned to individuals for action. A separate report will be submitted to the Selectmen on each of the audit recommendations. See Audit update*
03/17/15-Robert Lawton's memo is attached.

LONG-RANGE PLANNING

- GOAL: TRURO WILL USE PLANNING AS A MEANS TO:**
- A. PREPARE FOR THE FUTURE;**
 - B. IDENTIFY PROBLEMS AND ROADBLOCKS AS A WAY OF INFORMING EFFECTIVE SOLUTIONS AND POLICY;**
 - C. PRIORITIZE RESOURCES;**
 - D. DEVELOP PUBLIC POLICY;**
 - E. COORDINATE SERVICES; AND,**
 - F. EDUCATE AND ENGAGE CITIZENRY.**

5. The Board of Selectmen will continue to review and update the Town Charter by
 - a. Considering changes proposed by the Charter Review Commission and recommending proposals to the Annual Town Meeting **(Continuing-revised) WORTHINGTON & WEINSTEIN 03/17/15-The Charter Review Committee's recommendations are included in the 2015 ATM Warrant.**
 - b. Placing changes approved at the 2014 Annual Town Meeting on the November 4, 2014 election ballot. **(new) I submitted to the Board information submitted by the Town Clerk who has stated that in her conversations with the State Election Board the Town cannot place the Charter questions on the November 2014 State ballot. (see memo in 7/8 packet) 03/17/15-The questions will be on the May 2015 ballot.**

6. The Board of Selectmen, working with the Housing Authority and other Town Committees, will hold a Summit on Community Housing to develop recommendations for changes in policies, programs and by-laws to increase the availability of affordable/community housing. **(revised) WISOTZKY 03/17/15-Pending Housing Needs Assessment to be completed this Spring.**

7. The Board of Selectmen will revitalize the Economic Development Committee and work with them to identify strategies for supporting sustainable economic development in the Town. **(Continuing)WORTHINGTON & WISOTZKY**

8. The Board of Selectmen will work with the Building Committee, the DPW Director, and the Town Administrator to develop a feasibility and cost study of the potential options to move the DPW facility off Town Hall Hill by building or acquiring a new facility. **(Continuing)WORTHINGTON I have secured the name of the Mass DOT official we need to speak with to determine the availability of the Mass DOT facility on Route 6 and or the 7 acre parcel in North Truro. The DPW Director and I will contact the appropriate person and set a meeting time, with the Selectmen contact. I have spoken to the Mass DOT representative and, at his request, sent him plans of the two areas we are interested in. He is having his staff review the requests and will set up a time to visit Truro and review the requests on site. We have sent follow up emails and made telephone contact with the DOT office to attempt to arrange an onsite meeting to review options. To date we do not have a firm date to meet. 03/17/15-ongoing.**

9. The Board of Selectmen will catalogue and review all of the Board's Policy Memorandums to identify those in need of update or deletion. The Board of Selectmen will work to complete revision of policies by the end of FY2015. **(new) WISOTZKY A PDF file of all the Selectmen Policies has been provided to Mr. Wisotzky and Ms. Burgess to start the review. Mr. Wisotzky reported that the review has started and the Board agreed that submissions for changes will be submitted several at a time and not individually. 03/17/15-Review is ongoing.**

ENVIRONMENT:

GOAL: THE TOWN OF TRURO WILL HOLD AS A PRIORITY THE PROTECTION OF OUR ENVIRONMENT AND OUR NATURAL RESOURCES.

10. The Board of Selectmen, the Beach Commission, the Town Planner and the Police Chief/Emergency Management Director will initiate a process for developing long-term solutions to the effects of erosion at Ballston Beach and resulting flooding of the Pamet River Valley. *(Continuing-revised)* **BURGESS** *Ms. Burgess will be contacting the National Seashore to determine what studies they have completed on both goals 10 and 11. The Town Administrator and DPW Director will be viewing the situations and then meet with Ms. Burgess to discuss solutions. Ms. Burgess and Charleen Greenhalgh have found several existing studies on erosion control and possible solutions. Those studies are being reviewed.*
03/17/15- Ongoing. After the wash over from winter storm Juno, the Center for Coastal Studies was engaged to complete an analysis and make recommendations. A working group was convened to begin the process to address the Pamet River Valley.
11. The Board of Selectmen, the Beach Commission, the Town Planner and the DPW Director will develop a long-term plan for the likely loss of parking spaces at Town beaches due to coastal erosion. *(New-revised)* **BURGESS** *We are reviewing prior studies on beach parking areas and have viewed the sites. We will submit a summary of prior studies and recommendations.*
03/17/15- Ongoing. Staff participated in the Volpe Transportation Study with the National Seashore. As Town's lose parking, the long term solution may be parking shuttles. Staff is reviewing options at Ballston in light of the over wash. Options need to be developed, if possible, for Coast Guard Beach.
12. The Town Administrator will conduct a comprehensive risk assessment that addresses issues related to climate change such as increased coastal erosion, sea-level rise and more powerful weather events and the impact these issues/events will have on Town property and services. *(New)* **BURGESS**
03/17/15- The Town was just notified that it will receive a grant to update the Hazard Mitigation Plan.

TOWN SERVICES & PUBLIC SAFETY

GOAL: THE TOWN OF TRURO WILL PROVIDE FOR CURRENT AND ANTICIPATED NEEDS OF ITS CITIZENRY THROUGH THE PROVISION OF SERVICES INCLUDING PUBLIC SAFETY IN A STATE-OF-THE-ART FASHION THAT UTILIZE BEST PRACTICES AND THAT ARE EFFICIENT AND AFFORDABLE.

13. The Board of Selectman, in conjunction with the Fire Chief, will implement recommendations contained in the Truro Fire and Rescue Advisory Committee (TFRAC)'s February 2014 report including conducting and completing a search for a full time Fire Chief by June 30, 2015. *(new)* **WISOTZKY** *Selectman Wisotzky, Chief Davis, R. Loomer R. Lawton, C. Greenhalgh ,J. Dolan met recently to move forward in implementing the recommendations of the Fire/Rescue report. The Chief has control of his overtime obligations and is proceeding to be ready to present candidates to be named fire fighters by the Selectmen. Selectman Wisotzky is working with counsel and the Chief on other policy matters to be presented to the Selectmen. The Fire Chief and Mr. Loomer have a second draft of rules and regulations to be presented to the Board of Selectmen in October. They will also review operating procedures with the Board as information as the Selectmen are not required to adopt operating procedures. The Board of Selectmen have adopted new rules and regulations for the Fire Department on October 13, 2014.*
03/17/15-The Town Administrator is seeking a firm to conduct a recruitment for an Interim Fire Chief.

14. The Board of Selectmen, working with the Board of Health and the Recycling Committee will explore ways to reduce the amount of solid waste handled through the Transfer Station by: *(Continuing)*
- a. Increasing recycling and exploring more aggressive use of composting
 - b. Exploring fee structures such as PAYT (Pay as You Throw) that will reduce solid waste disposal costs **WEINSTEIN** *Mr. Weinstein and the Chair, has invited the Board of health and Recycling Committee to the Board of Selectmen meeting on September 23d to start the discussion on PAYT. Board of Selectmen have met with representatives of the BOH and Recycling Committee and have adopted a charge for a new study committee to review the PAYT/SMART options. The next step will be to formalize the appointments of persons to the committee so they may start work.*

03/17/15-The SMART/PAYT Committee is meeting, researching and considering options.

15. The Board of Selectmen will work with the Chief of Police and the Bike and Walkway Committee to develop a safe roadway agenda that addresses the needs of currently “dangerous” roads as well as the expansion of safe bike-ways. *(Continuing)* **BURGESS**

03/17/15-Letter was sent to MassDOT from the Bike & Walkway’s Committee, pending response.

16. The Police Chief will arrange for an emergency management training for the Board of Selectmen so that the Board members may better understand their roles and legal responsibilities. *(Continuing-revised)*
COBURN

The Board of Selectmen will review the Town’s General By-law regarding Alcoholic Beverages (Chapter III Public Health, Section 1 Alcoholic Beverages) and Policy Memorandum #14 (**LICENSE APPROVAL AND RENEWAL PROCEDURES**) recommend any changes that may be needed to accommodate special events and provide consistent policy guidance for Department Head approvals. *(Continuing)* **WORTHINGTON** *Nicole Tudor, in the Town Administrator office, is reviewing the Policy Memorandum and will make recommendations for changes, if necessary, to the Board of Selectmen.*

03/17/15-ongoing.

17. The Board of Selectmen will consider proposals from the Town Administrator to comply with new State regulations regarding the kenneling of lost and stray pets. *(new)* *The Town Administrator is reviewing the State Regulations regarding kennels and will make a recommendation on how to proceed to comply with the law. After research determined that there is no requirement for a Town to have a kennel we started working on developing an animal shelter option. We are going to work regionally with Wellfleet and possibly other communities to present options to the Towns. The Town Administrators in Wellfleet and Truro have sent a letter to the Sea Shore to see if there are any buildings available in the Highland area which could be used for a temporary animal shelter. No response has been received to date. However, Ms. Burgess has contacted the National Seashore and they will be responding within the next several weeks to our request.*

03/17/15-The National Seashore cannot accommodate an animal shelter. Outside space is available at the Public Safety Facility, if necessary the shelter at The Animal Rescue League of Boston in Brewster, MA is utilized. The ACO is working with Wellfleet for a permanent solution.

OUTREACH, COMMUNITY RELATIONS AND COMMUNICATION

GOAL: TRURO WILL HAVE AN OPEN GOVERNMENT THAT ENGAGES AND INVOLVES ITS CITIZENRY.

18. The Board of Selectmen will strengthen outreach and communication efforts to more effectively engage all residents in the affairs of Town government (*Continuing*)
- a. An individual, designated by the Town Administrator, will be responsible for ensuring that each Town Department's information on the Town's Website is up-to date. (*New*) ***The Town Administrator, with the concurrence of the MIS Director, suggested and the Board of Selectmen approved an extension to the current contract we have with the person who records the Selectmen meetings, Ms. Eliza Harned, to expand her contract to update the Town's web site and be the point person for new information to be put on the site. Goal completed.***
 - b. The Town Administrator will recommend ways to
 - i. Increase use of the Town's website by residents & visitors ***The Town Administrator will work with Eliza Harned and the MIS Director to develop opportunities for residents and visitors to access the site. Ms. Harned is studying the procedures to expand use of the town web site by committees and departments. She is working with the MIS Director on an implementation schedule.***
 - ii. Use Social Media to inform residents, property owners and visitors on civic community affairs and emergency notification, preparedness and services. (*New*)
 - c. The Town Administrator will negotiate a contract for the publication of official public notices in the Provincetown Banner. (*New*) ***The Town Administrator has contacted the Banner to determine the costs, etc. The Banner is undergoing a change in management and our contact person has stated the she will contact the TA with the name of the new person in charge on legal ads. After negotiations I will forward the results to the Board of Selectmen. We have been in contact with a representative of the CCT/Banner and they are putting together a proposal for the Town's legal ads. We are hopeful that we will receive the information soon. We have received the new price schedule from the Banner and we are presenting the figures to the Selectmen for review on September 23rd. 03/17/15-Completed. All legal notices will be published in the Provincetown Banner.***
 - d. The Town Administrator will make all Board of Selectmen agendas and meeting materials available in electronic form and available on the Town's website in advance of all posted meetings (*New*) ***The Town Administrator, the MIS Director, and Staff have implemented the Dropbox system for all Selectmen meeting packets and agendas. The next step will be to make the Dropbox available on the Town web site. This goal will be completed by September 2015. The Selectmen packets are now available on the Town web site for public access. This goal has been completed.***
 - e. The Board of Selectmen will work with the Moderator to identify and implement strategies to increase attendance at Town Meeting and make Town Meeting more engaging, understandable and less confusing. **COBURN**
19. The Board of Selectmen and the Chairs of the Town's Committees and Boards will strengthen compliance with the State's Open Meeting Law, Ethics Law and Public Records Law. (*Continuing-revised*)
- a. The Board of Selectmen with the support of the Town Administrator and the Police Chief will develop a Code of Conduct for members of all elected and appointed Committees and Boards. ***We have received a copy of another town's code of conduct and we are reviewing and***

*modifying the code to fit Truro. The Chief and I will make a recommendation after our modifications are complete. A first draft of a Code of Conduct has been prepared and submitted to the Chair for review. After receiving corrections and comments we will submit a second draft to the full Board of Selectmen for review. **The final draft of the Code of Conduct has been adopted at the Selectmen meeting on October 28, 2014. Copies are being sent to all employees and committees.***

03/17/15 Policy was revised-Completed.

- b. The Town Administrator will arrange for initial and ongoing training on the State's Open Meeting Law, Ethics Law and Public Records Law for all Town Committee Chairs and members as well as related Town Staff. *We are working with legal counsel to arrange for onsite training for the items above. No dates have been arranged as of this update. We have received a proposal from bargaining Counsel to provide training. Dates need to be set to start the process.*

03/17/15-Dates Pending.

- c. The Town Administrator will arrange for the provision of training and/or materials on civic participation, leadership and meeting management to all Town Committee Chairs and related Town Staff. The Town Administrator will develop a system for monitoring and ensuring all Town Elected and Appointed Officials and Town Staff complete the on-line Ethics Test administered by the State Ethics Commission on a regular basis. *The Town Administration staff have developed an ongoing chart to show individual and committee members who have completed the required courses and a chart showing who has not met the requirement. We will develop a recommended policy for the Selectmen to consider for adoption to ensure compliance with the education requirements.*
- d. The Town Administrator will develop policies and systems for ensuring that all Town Employees complete the State Ethics Law Training as a condition of employment. *Same as 20 c.*
- e. The Board of Selectmen will develop policies and systems for ensuring that members of all appointed Town Boards and Committees complete the State Ethics Law Training as a condition of appointment. **COBURN** *Same as 20 c.*

- 20. The Board of Selectmen, working with the Cable & Internet Advisory Committee will
 - a. identify ways to ensure broadband internet service is available in all areas of the Town. *(Continuing)_WEINSTEIN & WISOTZKY*
 - b. review the Town's contract with Comcast and monitor compliance with the terms of the contract including expansion of service. *(Continuing) WEINSTEIN & WISOTZKY I have reviewed the contract extension with Comcast and have sent a letter to the Comcast Local Affairs office asking for an update in the commitments that Comcast made. Dependent upon the answer I may suggest that a Comcast representative appear before the Selectmen to answer questions. As of September 17 there has been no response to our July 30 letter. A follow up call has been made to Ms. Mary O'Keefe, the Town contact from Comcast, and we are awaiting a reply to the voice message which was left. We have made additional written and telephone contacts with Comcast and have had no response. Mr. Coburn will contact a representative at the corporate level to see if any action can happen. The staff is gathering information on recent surveys to determine specific Town needs and locations for cable installation.*

03/17/15-Comcast representatives attended a BOS meeting; schedule update was provided.

TOWN ADMINISTRATION

GOAL: THE TOWN ADMINISTRATION OF TRURO WILL:

- A. UTILIZE BEST PRACTICES;**
- B. BE OF AN APPROPRIATE SIZE;**
- C. HAVE A STAFF THAT IS ADEQUATELY AND FAIRLY COMPENSATED;**
- D. UTILIZE INTER-GOVERNMENTAL COOPERATION WHEN APPROPRIATE;**
- AND,**
- E. IS SUSTAINABLE.**

22. The Town Administrator, Police Chief & Fire Chief will develop and implement a system to enhance communication with Town Employees (Policy changes, Department or employee tasking, notification to Departments affected by specific actions/changes, strategic direction) *(New) The Town Administrator will hold regular Department head meetings to insure that staff is up to date on all new policies and changes. The first Department Head meeting is scheduled for 8/27. Department Head meeting will be held on the Wednesday after the last Selectmen meeting each month to provide information and updates.*
03/17/15-Department Head Meetings are held the morning after all BOS meetings. The Town Administrator created a weekly report that is sent to the BOS and copied to Department Heads.
23. The Board of Selectmen will review legal services needed by Town Government, and how to best provide them. *(Continuing) COBURN & WEINSTEIN The Town Administrator has submitted to the Selectmen an example of how to secure requests for qualifications from individual attorneys and or legal firms to provide general counsel services. At the Board of Selectmen meeting on September 9 authorization was given to develop an RFQ for general legal services. A draft has been created and is being reviewed by the Selectman subcommittee. Requests for Qualifications letters have been sent to seven attorney's and firms requesting a response by November 14.*
03/17/15-RFQ Process completed. Pending Award.
24. The Board of Selectmen will review and implement recommendations of the wage and classification study. *(Continuing) WISOTZKY The job descriptions have been submitted to departments for review. Review will end July 18 and the changes will be submitted to the consultant. Once revised the consultant will match the descriptions to the suggested pay scales. An update on the status of this project will be given at the August 12th Selectmen meeting. 90% of the job descriptions have been submitted to the consultant. We are awaiting a response. Once received we will do a one week review and return the descriptions to the Consultant for final printing and assignment of suggested wage rates for each position. The Consultant stated that this should be completed by the first part of September 2014. We have been pushing the consultant to finish the review and update of the job descriptions submitted a number of weeks ago. We are hopeful that the consultant will complete her second drafts and submit them to us by September 19th. We will then distribute the descriptions to employees for a final review. Revised job descriptions were received on October 13, 2014. Staff copied all the descriptions to affected departments who reviewed them and returned the descriptions to the Town Administrator on Wednesday October 22nd. The revised descriptions were reviewed by the Co-Town Administrators and forwarded to the consultant on October 23d and October 24. We have received and are reviewing the classification study and the description workbook.*
03/17/15-The study was not accepted. The Town Administrator and Labor Counsel are reviewing the feasibility of incorporating some components of the study during Union Negotiations.

25. The Board of Selectmen will complete renegotiation of multi-year labor contracts with AFSCME (DPW employees) LIUNA, Police Federation and Communicators (Dispatchers) by November 1st. *(new) COBURN I have reviewed all of the union contracts and have made notes on suggested changes. I have also asked several department heads for recommendations for changes in language. Once I receive the recommendations I will forward a package to Atty. Jack Dolan for review. After his review we will set a meeting with the Selectmen in executive session to review the recommendations and receive authority to move to bargaining. The Board of Selectmen and Co-Administrators have met with bargaining Counsel and the Selectmen have approved guidelines for negotiations.*
03/17/15-Negotiations were initiated.

26. The Board of Selectmen will revise evaluation forms for the Town Administrator, the Police Chief and the Fire Chief. *(Continuing & New) WISOTZKY I have reviewed material submitted by the Police Chief on evaluations and have made comments back to the Chief. The Chief and I will be meeting during the week of August 25 and will forward a recommendation to the Selectmen for review and adoption. The Police Chief and I have met and agreed upon an evaluation form. The form has been submitted to Mr. Wisotzky for review. If approved we will submit the form to the full Board for adoption.*

27. The Town Administrator, the Police Chief and the Fire Chief will identify ways to reduce costs and/or improve performance by working collaboratively with neighboring towns and entities, including the Cape Cod National Seashore and Barnstable County. *(Continuing-revised) WEINSTEIN*

03/17/15-Ongoing. An initial meeting was held with Wellfleet & Provincetown to discuss possibilities.

Submitted:

Rae Ann Palmer
Town Administrator

Town of Truro

TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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



MEMO

To: Board of Selectmen

From: Robert C. Lawton Jr.

Date: July 16, 2014

Re: Audit Management Letter FY 12 & 13

In response to the board of selectmen FY 15 goals and objectives, action item number four, I have reviewed the management letters from the FY 12 and FY 13 audits. The following are the management letter suggestions and action taken to date.

FY 13

Investment policy – the recommendation is for the town to adopt a formal investment policy: we will secure examples of investment policies from other towns and the town accountant and town administrator will develop a recommended policy for the town of Truro. *An Investment Policy has been developed and reviewed by the Town Accountant and Acting Town Administrator. The Policy has been submitted to the Treasurer for her review and submission to Truro's bond advisor for approval. Once the Policy is reviewed and approved it will be submitted to the Board of Selectmen for adoption. Once adopted it will be submitted to the Town Auditors and the Bond Rating Agencies.*

Physical inventory of capital assets – the recommendation is for the town to send a list of capital assets to each department and require them to verify the existence or nonexistence of the asset and reconcile the results with the file inventory: the town accountant's office has received from MIIA a listing of major town assets which are insured through MIIA. Annually the accounts office breaks those down and sends the list of assets and vehicles to each department for their verification. The town accountant and administrator have spoken of how to secure a more detailed list of assets. The accountant suggested a form which could be filled out by the department head listing the major items within their department. We will also be asking the board to set the asset limit at \$10,000, as opposed to the current asset limit of \$5000 which was adopted approximately 10 years ago. The town accountant will also be contacting M IIA to have a representative meet with the accountant and administrator to discuss the coverage which we currently have on some of our physical plants which we believe are undervalued. *The Board of Selectmen have approved the increase in the asset limit for reporting. A meeting has been set with MIIA for 12/12/14 to review the asset coverages.*¹

Risk assessment and monitoring – the management letter acknowledges that the town has implemented an anti-fraud policy and response program. The auditors request that there be formal documentation of specific risks involved in various financial activities: this item requires a detailed response and will not be able to be started until after the busy summer season. It is our goal to review this item at the end of September 2014 to determine how best to respond to this recommendation.

Pension accounting and financial reporting – the recommendation is for the town to familiarize itself with GASB statement 68 to prepare for its implementation: several financial team members have attended educational seminars and workshops to prepare for implementation. We believe this item has been acted upon.

FY 12

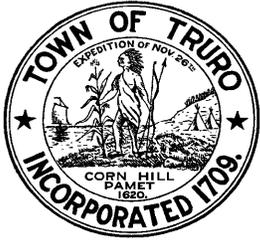
Investment policy – see FY 13 response

Transfer station – it was recommended to revise the sale of stickers, collecting cash and daily reconciliation: the town has accomplished the suggested revisions and have instituted numbered landfill stickers, new methods for collecting cash and checks with an appropriate procedure for turnover of cash to Town Hall. This item has been completed.

Physical inventory of capital assets – see FY 13 response

Police detail accounts receivable – the recommendation was to institute policies and procedures regarding uncollectible police detail accounts: during the school 13 the police chief and administrative assistant developed and documented appropriate policies regarding outstanding private police detail accounts receivable. The policy has been implemented and this item has been completed.

Risk assessment and monitoring – see FY 13 response



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Administrator

REQUESTED MEETING DATE: March 17, 2015

ITEM: Discussion of 2016 Proposed Budget

EXPLANATION: The Town Administrator will provide an overview of the updated 2016 Proposed Budget.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *None required, for discussion.*

ATTACHMENTS:

1. FY 2016 Municipal Operating Budget
2. FY 2016 Projected Available Spending Capacity

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
<u>GENERAL GOVERNMENT</u>						
010114	MODERATOR					
	5100 Salary	150.00	0.00	150.00	150.00	0.00
	5700 Other Charges	150.00	20.00	150.00	150.00	0.00
	Total	300.00	20.00	300.00	300.00	0.00
010122	SELECTMEN					
	5100 Salaries & Wages	15,000.00	6,954.05	15,000.00	15,000.00	0.00
	5200 Purchase of Services	65,000.00	803.04	15,000.00	15,000.00	(50,000.00)
	5220 Chamber Booklet Assistance	15,700.00	15,700.00	23,600.00	23,600.00	7,900.00
	5300 Audit & Audit Services	45,000.00	10,000.00	39,000.00	39,000.00	(6,000.00)
	5400 Supplies					
	5600 Intergovernmental					
	5700 Other Charges	13,600.00	1,469.80	13,600.00	13,600.00	0.00
	5720 Out-Of-State Travel					
	581050 Eminent Domain Set Aside					
	Total	154,300.00	34,926.89	106,200.00	106,200.00	(48,100.00)
010129	TOWN ADMINISTRATOR					
	5100 Salaries & Wages	424,293.00	166,269.18	403,679.09	403,679.09	(20,613.91)
	5150 Overtime					
	5200 Purchase of Services	12,580.00	1,139.59	12,580.00	12,580.00	0.00
	5400 Supplies	5,000.00	1,509.67	5,000.00	5,000.00	0.00
	5700 Other Charges	11,290.00	1,744.39	11,290.00	11,290.00	0.00
	5720 Out-of-State Travel	1,750.00		1,750.00	1,750.00	0.00
	Total	454,913.00	170,662.83	434,299.09	434,299.09	(20,613.91)
010131	FINANCE COMMITTEE					
	5200 Purchase of Services	100.00	0.00	100.00	100.00	0.00
	5700 Other Charges	900.00	129.00	900.00	900.00	0.00
	Total	1,000.00	129.00	1,000.00	1,000.00	0.00
010132	RESERVE FUND					
	5600 Intergovernmental Transfers	100,000.00	0.00	100,000.00	100,000.00	0.00
	TOTAL	100,000.00	0.00	100,000.00	100,000.00	0.00
010133	OPERATING CAPITAL ACCOUNT					
	5800 Accounting: Req/PO Software			15,000.00	15,000.00	
	IT: Ceiling mount Projector, connect booth, wired mics, screen			15,000.00	0.00	PEG Access Funds
	PD: 2 Cruisers			71,000.00	71,000.00	
	FD: Defibrillator Replacement			78,000.00	0.00	Capital Exclusion
	Building/Inspections: High Density Filing System			41,000.00	41,000.00	
	TCS: Technology Upgrade			17,000.00	17,000.00	
	TCS: Repaint Steel			40,000.00	40,000.00	
	TCS: Refurbish Playground			125,000.00		Capital Exclusion
	DPW: Dump Truck/Plow/Sander			120,000.00	120,000.00	
	T/S: Scales & Softward			70,000.00	30,000.00	
	TPL: Replace Childrens Room Shelving			5,000.00	5,000.00	

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
	TPL: Carpet Childrens Room			12,000.00	0.00	
	TPL: Replace Bath & Kitchen Vanities			10,000.00	10,000.00	
	TOTAL	169,100.00	0.00	619,000.00	349,000.00	179,900.00
010135	TOWN ACCOUNTANT					
5100	Salaries & Wages	149,752.06	64,397.16	153,684.00	153,684.00	3,931.94
5200	Purchase of Services	2,590.00	0.00	2,590.00	2,590.00	0.00
5400	Supplies	775.00	162.96	775.00	775.00	0.00
5700	Other Charges	4,323.00	668.19	4,323.00	4,323.00	0.00
	Total	157,440.06	65,228.31	161,372.00	161,372.00	3,931.94
010141	BOARD OF ASSESSORS					
5100	Salaries & Wages	156,020.60	70,299.14	158,792.07	158,792.07	2,771.47
5200	Purchase of Services	800.00	127.05	800.00	800.00	0.00
5300	Revaluation Expenses	18,600.00	2,845.58	18,600.00	18,600.00	0.00
5400	Supplies	1,000.00	146.27	1,000.00	1,000.00	0.00
5700	Other Charges	3,385.00	814.78	3,385.00	3,385.00	0.00
5800	Capital Purchases	0.00			0.00	0.00
	Total	179,805.60	74,232.82	182,577.07	182,577.07	2,771.47
010145	TOWN CLERK/TREASURER/COLLECTOR					
5100	Salaries & Wages	200,357.00	100,932.70	197,771.00	197,771.00	(2,586.00)
5200	Purchase of Services	30,270.00	6,900.50	31,900.00	31,900.00	1,630.00
5400	Supplies	2,200.00	611.08	2,200.00	2,200.00	0.00
5700	Other Charges	3,425.00	468.00	3,425.00	3,425.00	0.00
	Total	236,252.00	108,912.28	235,296.00	235,296.00	(956.00)
010151	TOWN COUNSEL					
5200	Purchase of Services	142,000.00	64,575.88	177,000.00	177,000.00	35,000.00
	Total	142,000.00	64,575.88	177,000.00	177,000.00	35,000.00
010152	VACATION/SICK LEAVE CONTIN.					
5100	Salaries & Wages	10,000.00	0.00	15,000.00	15,000.00	5,000.00
	Total	10,000.00	0.00	15,000.00	15,000.00	5,000.00
010153	RESERVE FOR ADMIN/STAFF CHANGES / CONTRACT SETTLEMENT					
5100	Reserved for Transfer	90,814.00	36,611.30	64,520.00	73,100.00	(17,714.00)
	Total	90,814.00	36,611.30	64,520.00	73,100.00	(17,714.00)
010154	COLA UNDISTRIBUTED					
5700	Reserved for Transfer	56,178.00	42,033.00	100,340.00	103,520.00	47,342.00
	TOTAL	56,178.00	42,033.00	100,340.00	103,520.00	47,342.00
010155	INFORMATION TECHNOLOGY (FORMERLY COMPUTER OPERATIONS)					
5100	Salaries & Wages & OT	76,734.88	33,911.58	76,531.86	76,531.86	(203.02)
5200	Purchase of Services	162,643.20	64,401.67	166,002.90	166,002.90	3,359.70
5400	Supplies	3,155.00	1,929.26	4,340.00	4,340.00	1,185.00
5700	Other Charges	910.00	389.79	1,705.00	1,705.00	795.00
5800	Capital Outlay	43,900.00	10,772.75	4,200.00	4,200.00	(39,700.00)
	Total	287,343.08	111,405.05	252,779.76	252,779.76	(34,563.32)

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
010162	ELECTIONS AND BOARD OF REGISTRARS					
5100	Salaries & Wages	8,015.00	3,550.72	5,400.00	5,400.00	(2,615.00)
5200	Purchase of Services	2,614.00	0.00	2,736.00	2,736.00	122.00
5400	Supplies	350.00	0.00	350.00	350.00	0.00
	Total	10,979.00	3,550.72	8,486.00	8,486.00	(2,493.00)
010168	CABLE TV ADVISORY COMMITTEE					
5200	Purchase of Services	27,800.00	0.00	27,800.00	27,800.00	0.00
5700	Other Charges	0.00	0.00	0.00	0.00	0.00
5800	Capital Purchases	35,250.00	0.00	35,250.00	35,250.00	0.00
	Total	63,050.00	0.00	63,050.00	63,050.00	0.00
010170	OPEN SPACE COMMITTEE					
5200	Purchase of Services	100.00	0.00	100.00	100.00	0.00
	Total	100.00	0.00	100.00	100.00	
010171	CONSERVATION COMMISSION					
5100	Salaries & Wages	3,491.52	517.80	2,751.77	2,751.77	(739.75)
5200	Purchase of Services	2,200.00	78.54	1,400.00	1,400.00	(800.00)
5400	Supplies	200.00	0.00	200.00	200.00	0.00
5700	Other Charges	1,650.00	179.00	1,650.00	1,650.00	0.00
	Total	7,541.52	775.34	6,001.77	6,001.77	(1,539.75)
010175	PLANNING BOARD					
5100	Salaries & Wages	3,122.00	0.00	3,122.00	3,122.00	0.00
5200	Purchase of Services	500.00	78.54	500.00	500.00	0.00
5400	Supplies	250.00	0.00	250.00	250.00	0.00
5700	Other Charges	300.00	0.00	300.00	300.00	0.00
	Total	4,172.00	78.54	4,172.00	4,172.00	0.00
010176	ZONING BOARD OF APPEALS					
5100	Salaries & Wages	3,274.00	800.64	3,250.00	3,250.00	(24.00)
5150	Overtime	1,075.00		1,075.00	1,075.00	0.00
5200	Purchase of Services	350.00	121.66	375.00	375.00	25.00
5400	Supplies	40.00	0.00	30.00	30.00	(10.00)
5700	Other Charges	200.00	0.00	175.00	175.00	(25.00)
	Total	4,939.00	922.30	4,905.00	4,905.00	(34.00)
010179	AGRICULTURAL COMMISSION					
5200	Purchase of Services	500.00	0.00	500.00	500.00	0.00
	Total	500.00	0.00	500.00	500.00	0.00
010192	TOWN HALL OPERATION					
5200	Purchase of Services	70,400.00	18,410.37	70,400.00	70,400.00	0.00
5400	Supplies	25,450.00	2,300.39	25,450.00	25,450.00	0.00
	Total	95,850.00	20,710.76	95,850.00	95,850.00	0.00
010194	TOWN BUILDING COMMITTEE					
5100	Salaries & Wages	100.00	0.00	100.00	100.00	0.00
5150	Overtime	0.00			0.00	0.00
5200	Purchase of Services	100.00	0.00	100.00	100.00	0.00
	Total	200.00	0.00	200.00	200.00	0.00

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	T/A Recommendation Y-o-Y \$
010195	ANNUAL TOWN REPORT AND ANNUAL TOWN MEETING WARRANT					
	5200 Purchase of Services	9,000.00	0.00	9,000.00	9,000.00	0.00
	Total	9,000.00	0.00	9,000.00	9,000.00	0.00
010196	TOWN ENERGY COMMITTEE					
	5200 Purchase of Services	1,000.00	0.00	1,000.00	1,000.00	0.00
	5700 Other charges					
	5800 Capital Project: Photovoltaics					
	Total	1,000.00	0.00	1,000.00	1,000.00	0.00
010199	MUNICIPAL POSTAGE					
	5200 Purchase of Services	11,385.00	4,379.84	11,395.00	11,395.00	10.00
	5400 Supplies	300.00	122.38	300.00	300.00	0.00
	Total	11,685.00	4,502.22	11,695.00	11,695.00	10.00
TOTAL GENERAL GOVERNMENT		2,169,817.96	739,277.24	2,654,643.69	2,396,403.69	147,941.43
<u>PUBLIC SAFETY</u>						
010210	POLICE DEPARTMENT					
	5100 Salaries & Wages	1,450,489.87	579,097.39	1,458,248.26	1,458,248.26	7,758.39
	5150 Overtime	185,909.00		195,909.00	195,909.00	10,000.00
	5200 Purchase of Services	46,067.00	13,427.88	41,617.00	41,617.00	(4,450.00)
	5400 Supplies	93,100.00	30,322.79	92,350.00	92,350.00	(750.00)
	5600 Intergovernmental	9,000.00	9,000.00	6,000.00	6,000.00	(3,000.00)
	5700 Other Charges	35,975.00	15,159.17	22,975.00	22,975.00	(13,000.00)
	5750 Grant Funding Outlay	40,000.00	24,565.03	40,000.00	40,000.00	0.00
	5800 Capital Purchases (In CIP)	0.00		0.00	0.00	0.00
	Total	1,860,540.87	671,572.26	1,857,099.26	1,857,099.26	(3,441.61)
010219	PARKING MAGISTRATE					
	5100 Salaries & Wages	4,865.00	2,255.44	4,865.00	4,865.00	0.00
	5200 Purchase of Services	1,000.00	800.33	1,000.00	1,000.00	0.00
	5400 Supplies				0.00	0.00
	Total	5,865.00	3,055.77	5,865.00	5,865.00	0.00
010220	FIRE DEPARTMENT/RESCUE AND EMERGENCY MEDICAL SERVICES					
	5100 Salaries, Wages & OT	358,741.14	180,074.19	600,115.74	600,115.74	241,374.60
	5200 Purchase of Services	21,309.50	8,418.70	20,809.50	20,809.50	(500.00)
	5300 Training Expenses	11,000.00	1,124.67	8,000.00	8,000.00	(3,000.00)
	5400 Supplies	31,000.00	16,481.09	31,000.00	31,000.00	0.00
	5410 Fire Preparedness Fund				0.00	0.00
	5700 Other Charges	6,300.00	1,961.89	9,300.00	9,300.00	3,000.00
	5800 Capital Outlay	88,500.00	28,165.00	38,500.00	38,500.00	(50,000.00)
	5800 Capital Equipment				0.00	0.00
	Total	516,850.64	236,225.54	707,725.24	707,725.24	190,874.60
010231	AMBULANCE FUND					
	5200 Purchase of Services	339,010.00	169,504.66	347,484.00	347,484.00	8,474.00
	Total	339,010.00	169,504.66	347,484.00	347,484.00	8,474.00
010232	CAPE & ISLANDS EMERGENCY MEDICAL SERVICES					
	5200 Purchase of Services	1,750.00	1,647.65	1,750.00	1,750.00	0.00
	Total	1,750.00	1,647.65	1,750.00	1,750.00	0.00

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
010241	BUILDING/INSPECTION SERVICES DEPARTMENT					
5100	Salaries & Wages	204,534.83	77,674.20	201,009.95	203,009.95	(1,524.88)
5200	Purchase of Services	902.88	(5.99)	579.00	579.00	(323.88)
5400	Supplies	3,471.50	367.74	2,082.40	2,082.40	(1,389.10)
5700	Other Charges	3,664.00	200.00	3,664.00	3,664.00	0.00
5800	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Total	212,573.21	78,235.95	207,335.35	209,335.35	(3,237.86)
010291	TRURO EMERGENCY MANAGEMENT AGENCY (Civil Defense)					
5200	Purchase of Services	12,500.00	0.00	12,500.00	12,500.00	0.00
5400	Supplies	6,250.00	72.45	6,250.00	6,250.00	0.00
5700	Other Charges	2,000.00	400.60	2,000.00	2,000.00	0.00
	Total	20,750.00	473.05	20,750.00	20,750.00	0.00
010292	DOG/ANIMAL CONTROL OFFICER					
5100	Salaries & Wages	26,881.00	3,587.01	26,881.00	26,881.00	26,881.00
5150	Overtime				0.00	
5200	Purchase of Services	1,600.00	275.45	1,345.00	1,345.00	(255.00)
5400	Supplies	3,000.00	114.82	3,400.00	3,400.00	400.00
5700	Other Charges	200.00	287.62	550.00	550.00	350.00
	Total	31,681.00	4,264.90	32,176.00	32,176.00	495.00
010298	OIL SPILL COORDINATOR					
5200	Purchase of Services	300.00	300.00	300.00	300.00	0.00
5400	Supplies	300.00	300.00	300.00	300.00	0.00
	Total	600.00	600.00	600.00	600.00	0.00
010299	SHELLFISH WARDEN					
5100	Salaries & Wages	0.00	Moved to Harbor Ops	Moved to Harbor Ops	Moved to Harbor Ops	
5200	Purchase of Services	400.00	0.00	400.00	400.00	0.00
5400	Supplies	4,500.00	213.15	4,500.00	4,500.00	0.00
5700	Other Charges	1,400.00	0.00	1,400.00	1,400.00	0.00
	Total	6,300.00	213.15	6,300.00	6,300.00	0.00
TOTAL PUBLIC SAFETY		2,995,920.72	1,165,792.93	3,187,084.85	3,189,084.85	193,164.13

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	T/A Recommendation Y-o-Y \$
<u>PUBLIC EDUCATION</u>						
010300	TRURO PUBLIC SCHOOLS					
	* 9-44 REGULAR DAY PROGRAM					
	1000 SERIES (ADMINISTRATION)	218,468.00	105,475.88	203,668.00		
	2000 SERIES (INSTRUCTION)	1,312,404.00	519,577.92	1,326,554.00		
	3000 SERIES (OTHER SERVICES)	257,715.00	58,739.58	267,173.00		
	4000 SERIES (MAINTENANCE)	307,649.00	117,237.69	308,363.00		
	5000 SERIES (FIXED CHARGES)					
	6000 SERIES (COMMUNITY SERVICES)	1,825.00	673.75	1,500.00		
	7000 SERIES (ACQ F/A)					
	TOTAL DAY TOTALS	2,098,061.00	801,704.82	2,107,258.00	2,107,258.00	9,197.00
	* 9-45 CHAPTER 766 (SPECIAL NEEDS)					
	2000 SERIES (INSTRUCTION)	848,372.00	315,777.79	811,158.00		
	3000 SERIES (OTHER SERVICES)	109,271.00	12,261.08	109,271.00		
	5000 SERIES (FIXED CHARGES)					
	6000 SERIES (COMMUNITY SERVICES)	1,100.00	35.00	750.00		
	7000 SERIES (ACQ F/A)					
	9000 SERIES (OTHER DIS)	108,497.00	31,726.84	172,186.00		
	TOTAL CHAPTER 766	1,067,240.00	359,800.71	1,093,365.00	1,093,365.00	26,125.00
	ADULT EDUCATION & AFTER SCHOOL ACTIVITIES					
	2000 SERIES	6,000.00	3,000.00	6,000.00		
	3000 SERIES					
	TOTAL ADULT ED/ASA:	6,000.00	3,000.00	6,000.00	6,000.00	0.00
	TOTAL NET SCHOOL BUDGET K - 6:	3,171,301.00	1,164,505.53	3,206,623.00	3,206,623.00	35,322.00
	SECONDARY REGULAR ED - TUITIONED OUT					
	INSTRUCTION					
	2000 Sped Paraprofessional Salary					
	Sped Paraprofessional Substitutes					
	Sped Paraprof Tutorial Support 7 - 12					
	Sped Specialist Tutorial Support 7 -12	4,000.00	560.00	2,000.00		
	Sped Distance Learning Services					
	Sped Psych Contract Svc-Grades 7-12	4,000.00	2,915.00	4,000.00		
	Speech/Language Pathologist					
	SPED Instructional Equipment	100.00	0.00	100.00		
	SPED General Supplies	100.00	0.00	100.00		
	SPED Psychological Contracted Svs-Grades 7-12					
	Sub-Total:	8,200.00	3,475.00	6,200.00	6,200.00	
	OTHER SCHOOL SERVICES - REGULAR DAY					
	3000 Pupil Transportation (7 - 12 ONLY)	143,224.00	42,120.05	148,009.00	148,009.00	
	Pupil Transportation - Sped	32,500.00	8,743.75	27,000.00	27,000.00	
	Sub-total:	175,724.00	50,863.80	175,009.00	175,009.00	
	PROGRAMS/OTHER DISTRICTS					
	9000 Tuition Grades 7 - 12	1,484,000.00	107,706.06	1,550,236.00	1,550,236.00	
	Sped Tuitions Grades 7 - 12					
	Payments to Non-Public Schools	194,000.00	0.00	200,900.00	200,900.00	
	Payments to Member Collaborative					
	Sub-total:	1,678,000.00	107,706.06	1,751,136.00	1,751,136.00	73,136.00

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	T/A Recommendation Y-o-Y \$
TOTAL SECONDARY REGULAR ED-TUITIONED OUT:		1,861,924.00	162,044.86	1,932,345.00	1,932,345.00	70,421.00
TOTAL SCHOOL BUDGET K - 12		5,033,225.00	1,326,550.39	5,138,968.00	5,138,968.00	105,743.00
CAPITAL PROJECTS/EXPENSES						
010300	TRURO PRE-SCHOOL PROGRAM	113,546.00	39,304.35	114,679.00	114,679.00	1,133.00
	TOTAL	113,546.00	39,304.35	114,679.00	114,679.00	1,133.00
010315	CAPE COD REGIONAL TECHNICAL HIGH SCHOOL COMMITTEE EXPENSE					
5700	Other Charges	600.00	0.00	600.00	600.00	0.00
	Total	600.00	0.00	600.00	600.00	0.00
010316	CAPE COD REGIONAL TECHNICAL HIGH SCHOOL ASSESSMENT					
5600	Assessment Due	52,491.00	41,992.00	36,839.00	36,839.00	(15,652.00)
	Total	52,491.00	41,992.00	36,839.00	36,839.00	(15,652.00)
TOTAL PUBLIC EDUCATION		5,199,862.00	1,407,846.74	5,291,086.00	5,291,086.00	91,224.00
<u>PUBLIC WORKS</u>						
010400	DEPARTMENT OF PUBLIC WORKS					
5100	Salaries & Wages	433,698.64	188,600.69	415,196.59	415,196.59	(18,502.05)
5150	Overtime	14,350.00	6,890.42	14,000.00	14,000.00	(350.00)
5200	Purchase of Services	40,650.00	18,575.33	40,350.00	40,350.00	(300.00)
5400	Supplies	164,950.00	35,918.71	165,950.00	165,950.00	1,000.00
5700	Other Charges	3,450.00	522.03	3,450.00	3,450.00	0.00
5800	Capital			120,000.00	Moved to CIP	0.00
5800	Capital Project:					
	Total	657,098.64	250,507.18	758,946.59	638,946.59	(18,152.05)
010423	SNOW REMOVAL					
5100	Salaries & Wages	11,700.00	1,363.14	11,700.00	11,700.00	0.00
5200	Purchase of Services	500.00	0.00	500.00	500.00	0.00
5400	Supplies	12,800.00	2,789.21	12,800.00	12,800.00	0.00
	Total	25,000.00	4,152.35	25,000.00	25,000.00	0.00
010424	STREET LIGHTS					
5200	Purchase of Services	4,600.00	991.36	3,675.00	3,675.00	(925.00)
	Total	4,600.00	991.36	3,675.00	3,675.00	(925.00)
010430	TRANSFER STATION/DISPOSAL AREA					
5100	Salaries & Wages	195,106.52	79,220.30	197,226.84	197,226.84	2,120.32
5150	Overtime	9,225.00	4,732.04	9,000.00	9,000.00	(225.00)
5200	Purchase of Services	108,725.00	52,691.88	148,800.00	148,800.00	40,075.00
5400	Supplies	48,150.00	25,310.17	48,350.00	48,350.00	200.00
5600	Intergovernmental	0.00	0.00	0.00	0.00	0.00
5700	Other Charges	1,380.00	360.00	1,480.00	1,480.00	100.00
5800	Capital Outlay:	75,000.00	0.00	50,000.00	50,000.00	(25,000.00)
	Total	437,586.52	162,314.39	454,856.84	454,856.84	17,270.32

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
010470	PUBLIC BUILDING MAINTENANCE					
5100	Salaries & Wages	229,861.92	93,609.90	224,539.28	224,539.28	(5,322.64)
5150	Overtime	4,180.00	855.96	4,180.00	4,180.00	0.00
5200	Purchase of Services	141,498.00	65,416.48	141,870.00	141,870.00	372.00
5400	Supplies	60,200.00	13,586.09	53,200.00	53,200.00	(7,000.00)
5700	Other Charges & Fees	1,235.00	0.00	1,235.00	1,235.00	0.00
5800	Capital Outlay	1,000.00	449.00	1,000.00	1,000.00	0.00
5850	Capital Preventative Bldg Maintenance	0.00	0.00	33,000.00	33,000.00	33,000.00
	Total	437,974.92	173,917.43	459,024.28	459,024.28	21,049.36
010491	TOWN CEMETERIES					
5200	Purchase of Services	26,000.00	10,608.00	26,000.00	26,000.00	0.00
5400	Supplies	300.00	177.96	300.00	300.00	0.00
5700	Other Charges	0.00	0.00		0.00	0.00
5800	Capital					
	Total	26,300.00	10,785.96	26,300.00	26,300.00	0.00
010492	SOLDIERS & SAILORS LOTS					
5200	Purchase of Services	2,700.00	1,632.00	2,600.00	2,600.00	(100.00)
	Total	2,700.00	1,632.00	2,600.00	2,600.00	(100.00)
010499	CAPE COD GREENHEAD FLY CONTROL DISTRICT					
5200	Purchase of Services	1,000.00	1,000.00	1,000.00	1,000.00	0.00
	Total	1,000.00	1,000.00	1,000.00	1,000.00	0.00
TOTAL PUBLIC WORKS		1,592,260.08	605,300.67	1,731,402.71	1,611,402.71	19,142.63
<u>PUBLIC SERVICES</u>						
010510	HUMAN SERVICES COMMITTEE					
5200	Purchase of Services	41,050.00	41,050.00	38,350.00	38,350.00	(2,700.00)
	Total	41,050.00	41,050.00	38,350.00	38,350.00	(2,700.00)
010511	BOARD OF HEALTH					
5100	Salaries & Wages	99,461.98	47,585.11	99,246.46	114,246.46	14,784.48
5150	Overtime	0.00	0.00	0.00	0.00	0.00
5200	Purchase of Services	23,457.00	7,570.30	23,457.00	23,457.00	0.00
5400	Supplies	400.00	58.95	400.00	400.00	0.00
5700	Other Charges	1,870.00	320.00	1,870.00	1,870.00	0.00
	Total	125,188.98	55,534.36	124,973.46	139,973.46	14,784.48
010512	WATER RESOURCE OVERSIGHT COMMITTEE					
5200	Purchase of Services	2,000.00	400.00	3,500.00	3,500.00	1,500.00
5200	Water Sampling Fees	3,500.00	0.00	750.00	750.00	(2,750.00)
5700	Other Charges and Expenditures	0.00	1,486.50	1,250.00	1,250.00	1,250.00
	Total	5,500.00	1,886.50	5,500.00	5,500.00	0.00
010515	RECYCLING COMMITTEE					
5200	Purchase of Services	800.00	0.00	800.00	800.00	0.00
5700	Other Charges	400.00	0.00	400.00	400.00	0.00
	Total	1,200.00	0.00	1,200.00	1,200.00	0.00

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
010541	COUNCIL ON AGING					
5100	Salaries & Wages	244,503.32	91,880.33	233,883.33	233,883.33	(10,619.99)
5150	Overtime	7,696.00	0.00	7,696.00	7,696.00	0.00
5200	Purchase of Services	13,617.00	7,647.23	13,617.00	13,617.00	0.00
5400	Supplies	18,860.00	3,836.06	18,860.00	18,860.00	0.00
5700	Other Charges	4,506.00	1,834.93	4,506.00	4,506.00	0.00
5800	Capital	0.00	0.00	0.00	0.00	0.00
	Total	289,182.32	105,198.55	278,562.33	278,562.33	(10,619.99)
010543	VETERANS SERVICES					
5200	Purchase of Services	14,812.44	14,812.44	14,694.63	14,694.63	(117.81)
5700	Other Charges	15,000.00	3,440.50	15,000.00	15,000.00	0.00
	Total	29,812.44	18,252.94	29,694.63	29,694.63	(117.81)
010545	DISABILITIES COMMITTEE					
5200	Purchase of Services	175.00	0.00	175.00	175.00	0.00
5400	Supplies				0.00	0.00
5700	Other Charges	25.00	0.00	25.00	25.00	0.00
	Total	200.00	0.00	200.00	200.00	
010560	HOUSING AUTHORITY				0.00	
5800	Capital (Land Acquisition)	0.00	0.00	0.00	0.00	0.00
	Total	0.00	0.00	0.00	0.00	
TOTAL PUBLIC SERVICES		492,133.74	221,922.35	478,480.42	493,480.42	1,346.68
<u>CULTURE & RECREATION</u>						
010610	TOWN LIBRARIES					
5100	Salaries & Wages	225,031.00	98,173.85	223,771.00	233,320.00	8,289.00
5200	Purchase of Services	25,735.00	11,204.85	28,835.00	28,835.00	3,100.00
5400	Supplies	14,100.00	6,995.20	14,000.00	14,000.00	(100.00)
5410	Books & Subscriptions	59,500.00	29,893.72	60,000.00	60,000.00	500.00
5700	Other Charges	22,000.00	18,583.16	24,000.00	24,000.00	2,000.00
5800	Capital Outlay				0.00	0.00
	Total	346,366.00	164,850.78	350,606.00	360,155.00	13,789.00
010630	RECREATION COMMISSION					
5100	Salaries & Wages	204,618.20	109,140.79	204,069.96	191,069.96	(13,548.24)
5150	Overtime	412.00	0.00	400.00	400.00	(12.00)
5200	Purchase of Services	37,445.00	21,013.98	38,130.00	38,130.00	685.00
5210	Youth Fund for Sports Not offered in Truro	3,000.00	0.00	3,000.00	3,000.00	0.00
5400	Supplies	10,445.00	8,504.36	10,595.00	10,595.00	150.00
5600	Intergovernmental Expenses	0.00	0.00	0.00	0.00	0.00
5700	Other Charges	4,360.00	2,732.40	4,935.00	4,935.00	575.00
5800	Capital Outlay	2,000.00	49.99	2,000.00	2,000.00	0.00
	Total	262,280.20	141,441.52	263,129.96	250,129.96	(12,150.24)
010635	BICYCLE AND WALKWAYS COMMITTEE					
5200	Purchase of Services	0.00	0.00	600.00	600.00	600.00
5400	Supplies	0.00	0.00	1,400.00	1,400.00	1,400.00
	Total	0.00	0.00	2,000.00	2,000.00	2,000.00

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
010640	BEACH PROGRAM OPERATIONS					
5100	Salaries & Wages	191,380.39	145,883.33	194,198.80	194,198.80	2,818.41
5150	Overtime	4,841.00	2,436.19	4,700.00	4,700.00	(141.00)
5200	Purchase of Services	14,410.00	9,884.53	14,040.00	14,040.00	(370.00)
5400	Supplies	16,000.00	2,907.41	15,800.00	15,800.00	(200.00)
5600	Intergovernmental (Details)	1,000.00	0.00	1,000.00	1,000.00	0.00
5700	Other Charges	3,850.00	480.00	4,850.00	4,850.00	1,000.00
5800	Capital Outlay		3,155.44		0.00	0.00
	Total	231,481.39	164,746.90	234,588.80	234,588.80	3,107.41
060660	PAMET HARBOR COMMISSION					
5100	Salaries & Wages	258.00	250.00	500.00	500.00	242.00
5200	Purchase of Services	350.00	350.00	350.00	350.00	0.00
5400	Supplies	25.00	25.00	50.00	50.00	25.00
5700	Other Charges	75.00	75.00	0.00	0.00	(75.00)
5850	Capital Outlay & Maintenance Dredging	99,700.00	99,700.00	101,875.00	101,875.00	2,175.00
	Total	100,408.00	100,400.00	102,775.00	102,775.00	2,367.00
010661	PAMET HARBOR OPERATIONS					
5100	Salaries & Wages	86,159.39	43,837.54	98,905.50	98,905.50	12,746.11
5150	Overtime	Included above	Included above	1,000.00	1,000.00	1,000.00
5200	Purchase of Services	5,000.00	1,039.40	5,349.88	5,349.88	349.88
5400	Supplies	5,500.00	3,181.04	6,500.00	6,500.00	1,000.00
5700	Other Charges	900.00	0.00	1,480.00	1,480.00	580.00
5800	Capital Outlay			10,000.00	10,000.00	10,000.00
	Total	97,559.39	48,057.98	123,235.38	123,235.38	25,675.99
010691	HISTORICAL COMMISSION					
5200	Purchase of Services	0.00	0.00		0.00	0.00
5400	Supplies	220.00	220.00	200.00	200.00	(20.00)
5700	Other Charges	0.00	0.00		0.00	0.00
	Total	220.00	220.00	200.00	200.00	(20.00)
010692	HISTORIC REVIEW BOARD					
5100	Personal Services	150.00	150.00	75.00	75.00	(75.00)
5200	Purchase of Services	0.00	0.00	0.00	0.00	0.00
5400	Supplies	0.00	0.00	50.00	50.00	50.00
	Total	150.00	150.00	125.00	125.00	(25.00)
TOTAL CULTURE & RECREATION		1,038,464.98	619,867.18	1,076,660.14	1,073,209.14	34,744.16
	<u>DEBT SERVICE</u>					
010710	RETIREMENT OF DEBT - PRINCIPAL (GENERAL FUND)					
5910	Long Term Debt Principal Payment	785,400.00	65,000.00	845,400.00	845,400.00	60,000.00
	Total	785,400.00	65,000.00	845,400.00	845,400.00	60,000.00
010751	INTEREST PAYMENTS - LONG TERM DEBT					
5915	Long Term Debt Interest Payment	219,495.00	109,747.50	192,545.00	192,545.00	(26,950.00)
	Total	219,495.00	109,747.50	192,545.00	192,545.00	(26,950.00)
010752	INTEREST PAYMENTS - SHORT TERM DEBT					
5925	Short Term Debt Interest Payment	13,894.66	1,944.66	12,576.44	12,576.44	(1,318.22)
	Total	13,894.66	1,944.66	12,576.44	12,576.44	(1,318.22)
TOTAL DEBT SERVICE		1,018,789.66	176,692.16	1,050,521.44	1,050,521.44	31,731.78

TOWN OF TRURO FY 2016 MUNICIPAL OPERATING BUDGET

DEPT		2,015.00	2,015.00	2,016.00		T/A
#	ACCOUNT TITLE	Appropriation	Expended through 12.31.2014:	Request	T/A Recommendation	Recommendation Y-o-Y \$
<u>EMPLOYEE BENEFITS</u>						
010911	RETIREMENT AND PENSION					
	5170 County Retirement Assessment	962,900.00	944,824.00	966,993.00	966,993.00	4,093.00
	Total	962,900.00	944,824.00	966,993.00	966,993.00	4,093.00
010912	WORKER'S COMPENSATION					
	5170 Worker's Compensation Insurance	46,000.00	44,576.91	46,000.00	46,000.00	0.00
	Total	46,000.00	44,576.91	46,000.00	46,000.00	0.00
010913	UNEMPLOYMENT INSURANCE COMPENSATION					
	5170 Unemployment Compensation	92,300.00	26,275.75	92,000.00	92,000.00	(300.00)
	Total	92,300.00	26,275.75	92,000.00	92,000.00	(300.00)
010914	GROUP HEALTH INSURANCE - EMPLOYER SHARE					
	5170 Group Health Premium Payments	1,134,886.00	540,180.70	1,263,608.00	1,263,608.00	128,722.00
	Total	1,134,886.00	540,180.70	1,263,608.00	1,263,608.00	128,722.00
010915	GROUP LIFE INSURANCE - EMPLOYER SHARE					
	5170 Group Life Premium Payments	2,177.00	927.58	2,066.00	2,066.00	(111.00)
	Total	2,177.00	927.58	2,066.00	2,066.00	(111.00)
010916	FICA/MEDICARE INSURANCES - EMPLOYER SHARE					
	5176 FICA/Medicare Payments	106,000.00	53,794.17	105,000.00	105,000.00	(1,000.00)
	Total	106,000.00	53,794.17	105,000.00	105,000.00	(1,000.00)
TOTAL EMPLOYEE BENEFITS		2,344,263.00	1,610,579.11	2,475,667.00	2,475,667.00	131,404.00
<u>MUNICIPAL LIABILITY INSURANCES</u>						
010945	MUNICIPAL LIABILITY INSURANCES					
	5700 Insurance Payments	225,000.00	187,657.18	215,000.00	215,000.00	(10,000.00)
	Total	225,000.00	187,657.18	215,000.00	215,000.00	(10,000.00)
TOTAL MUNICIPAL INSURANCES		225,000.00	187,657.18	215,000.00	215,000.00	(10,000.00)
GRAND TOTAL OPERATING BUDGET:		<u>17,076,512.14</u>	<u>6,734,935.56</u>	<u>18,160,546.25</u>	<u>17,795,855.25</u>	<u>719,343.11</u>
						4.21%

FY 2016 PROJECTED AVAILABLE SPENDING CAPACITY ("REVENUES")

I TO CALCULATE THE FY 2015 LEVY LIMIT:				
A.	FY 14 Levy Limit			12,026,014.00
A1.	ADD Amended FY 2014 Growth	+		-
B.	ADD (A + A1) x 2.5%	+		300,650.00
C.	ADD FY 15 New Growth	+		114,710.00
D.	ADD FY 2015 General Override	+		465,115.00 *
E.	FY 2015 Subtotal	+	\$	<u>12,906,489.00</u>
F.	FY 2015 LEVY CEILING			<u>FY 2014 Levy Limit</u>
			Based on a total property value of \$TBD	50,702,935.00
II TO CALCULATE THE FY 2016 Levy Limit				
A.	FY 2015 Levy Limit from I			12,906,489.00
A.1	ADD Amended FY 2015 New Growth			-
B.	Add (IIA +IIA1) X 2.5%	+	\$	322,662.00
C.	Add FY 2016 New Growth (Projection)	+	\$	99,450.00
D.	Add FY 2016 General Override (Projection)	+	\$	-
E.	FY 2016 Subtotal	=	\$	13,328,601.00
	PROJECTED 2016 Levy Limit:			<u>II 13,328,601.00</u>
				<u>FY 2016 Levy Limit</u>
III TO CALCULATE THE FY 2016 MAXIMUM ALLOWABLE LEVY LIMIT:				
A.	FY 2016 Levy Limit from II			13,328,601.00
B.	FY 2016 Menu Override Items:			-
C.	FY 2016 New Debt Exclusions	**		-
D.	FY 2016 Capital Expenditure Exclusions	***		203,000.00
E.	FY 2016 Stabilization Fund Override	****	-	-
F.	Other Adjustments (Cape Cod Commission Assessment)			91,570.00
G.	FY 2016 General Override			-
H.	FY 2016 maximum Allowable Levy			<u>13,623,171.00</u>
*	As per the list of potential menu override questions presented by the Town Administrator			
**	As per the list of potential DEBT exclusion override questions presented by the Town Administrator			
***	As per the list of potential CAPITAL EXPENDITURE EXCLUSION questions presented by the Town Administrator			
****	As per the list of potential Stabilization Fund Override questions presented by the Town Administrator			

FY 2016 PROJECTED EXPENDITURES AND ASSESSMENTS ("EXPENDITURES")

1	FY 2016 ANNUAL TOWN MEETING APPROPRIATIONS			
	A. FY 2016 Operating Budget		15,711,392.25	
	B. Tuition to Other Districts	-	1,932,345.00	
	C. Pre-School Program		114,679.00	
	D. CCRTHS Committee Expense		600.00	
	E. CCRTHS Assessment		36,839.00	17,795,855.25
	F. Raise and Appropriate Special Articles:			
1	None as of 03.11.2015		-	-
	F. Menu Override Requests: NONE			
	G. Special Articles using Other Financing Sources: "Available funds"			
1	CPA Appropriations of FY 2016 Surcharge Revenues		349,360.00	
2	CPA Appropriations of Reserved Fund Balances		495,661.00	845,021.00
3	Capital Improvements Trust Fund		-	
4	Stabilization Fund Transfer for Employee Benefits		50,000.00	50,000.00
5	PEG Access ("Cable TV) Fund		15,000.00	15,000.00
				910,021.00
	H. Capital Exclusion Override Requests:			
1	TCS Playground Refurbishment	CE	125,000.00	
2	F/R/EMS - Debricator Replacement	CE	78,000.00	
			-	203,000.00
				203,000.00
	I. Debt Exclusion Override Requests:			
1	None	DE	-	-

	J. FREE CASH USED TO FUND APPROPRIATIONS:			
1	Free Cash to OPEB Trust Fund		300,000.00	
			-	300,000.00
	TOTAL PROJECTED ANNUAL TOWN MEETING APPROPRIATIONS		19,208,876.25	19,208,876.25
2	2016 OVERLAY ACCOUNT		95,000.00	95,000.00
2.A	Prior Year Overlay Deficits to be raised: Overlay Deficits Snow & Ice Deficits		-	-
				To be funded via Free Cash @ ATM
3	CHERRY SHEET OFFSETS C.S. ER-1 : Charter School + School Choice () + PL 874 + School Lunch		234,037.00	234,037.00
4	STATE & COUNTY CHARGES		437,619.00	437,619.00
	TOTAL PROJECTED FY 2015 AMOUNT TO BE RAISED			19,975,532.25

AVAILABLE FUNDS

	Current Balances:	Suggested FY 2015 Article Use:	Balances after 2015 Use:	FY 2016 Art/Bud Use:	BALANCE after ATM Use:
Beach Receipts Reserved for Appropriation	281,069.87		281,069.87	280,000.00	1,069.87
Golf Course Receipts Reserved for Appropriation	390,276.14		390,276.14	100,000.00	290,276.14
Pamet Harbor Receipts Reserved for Appropriation	66,218.15	-	66,218.15	65,000.00	1,218.15
Sub-total Unrestricted Funds:	737,564.16	-	737,564.16	445,000.00	292,564.16
Recreation receipts Reserved for Appropriation	15,859.19	-	15,859.19	15,500.00	359.19
Conservation Commission Receipts Reserved for Appropriation	37,529.90	-	37,529.90	5,000.00	32,529.90
Fund Balance Reserved for Extraordinary & Unforeseen Expenditures ("Overlay Surplus") IF REQUEST/RELEASE BY ASSESSORS	138,819.98	-	138,819.98	138,800.00	19.98
Municipal Waterways Improvements Fund	35,491.88	-	35,491.88		35,491.88
Prior Year Appropriations to be Used as available funds (Reappropriated)	29,785.09	29,785.09	-	-	-
Insurance Proceeds > \$20 K	6,313.63	-	6,313.63		6,313.63
Sale of Cemetery Lots	7,927.50		7,927.50		7,927.50
Rescue Squad Gift Account	153,710.75		153,710.75		153,710.75
Educational/Governmental Programing Access Fund (Cable)	98,967.98	-	98,967.98	78,050.00	20,917.98
Sub-total Available Funds:	1,261,970.06	29,785.09	1,232,184.97	682,350.00	549,834.97
Betterment funds	84,342.11	-	84,342.11	10,400.00	73,942.11
Free Cash	2,279,775.00	187,000.00	2,092,775.00	300,000.00	1,792,775.00
Stabilization Fund	943,828.29	-	943,828.29	50,000.00	893,828.29
Community Preservation Act Funds (2016 Surcharge)	530,942.00	-	530,942.00	349,360.00	181,582.00
Community Preservation Reserved Funds: Affordable Housing	50,361.00	-	50,361.00	50,361.00	-
Community Preservation Reserved Funds: Historic Preservation	1,010.00	-	1,010.00		1,010.00
Community Preservation Reserved Funds: Opens Space (Debt)		-	-		-
Community Preservation Reserved Funds: Undesignated	923,066.33	-	923,066.33	445,300.00	477,766.33
Community Preservation Reserved Funds: Recreation		-	-		-
Community Preservation Appropriations: Reappropriations		-	-		-
OPEB Trust Fund	650,537.21	-	650,537.21		650,537.21
Affordable Housing Trust Fund	97,933.88	-	97,933.88		97,933.88
Capital Improvements Trust Fund	249,651.04	-	249,651.04		249,651.04
		-	-	-	-
		-	-	-	-
TOTAL AVAILABLE FUNDS	7,073,416.92	216,785.09	6,856,631.83	1,887,771.00	4,968,860.83

FY 2016 TAX LEVY RECAP

III. AMOUNT TO BE RAISED BY

REAL AND PERSONAL PROPERTY TAX LEVY

FY 2016 TAX LEVY LIMIT	-	13,328,601.00 *
FY 2015 NEW GROWTH - Amended		-
FY 2015 ADDITIONAL OVERRIDES	See below	-
FY 2015 BASE LEVY		13,328,601.00
		<u>-</u>
		13,328,601.00

EXISTING DEBT EXCLUSIONS/ALTERNATE FUNDING PROGRAMS

F/R/P Facility -		DONE!
Library Project		64,200.00
Town Hall		210,550.00
Senior /Community Center		286,320.00
South Jetty Remodel (Temp)		65,000.00
Pamet Harbor Project		124,850.00
Fire Apparatus (Temp)		60,000.00
		<u>810,920.00</u>

TOTAL EXISTING DEBT EXCLUSIONS:

810,920.00

2016 NEW OVERRIDES		-
NEW GENERAL/MENU OVERRIDE(S)	MO	-
NEW CAPITAL EXPENDITURE EXCLUSIONS:	CE	203,000.00
NEW DEBT EXCLUSIONS	DE	-
CAPE COD COMMISSION ASSESSMENT:		91,570.00
Add FY 2016 New Growth (Projection)		99,450.00
FY 2016 MAXIMUM ALLOWABLE LEVY LIMIT		<u>14,533,541.00</u>

FY 2016 TAX LEVY RECAP

PROJECTED ESTIMATED RECEIPTS AND OTHER REVENUE:	-	5,429,641.00
PROJECTED FY 2016 TAX LEVY LIMIT	-	<u>14,533,541.00</u>
PROJECTED TOTAL REVENUE		19,963,182.00
PROJECTED TOTAL AMOUNT TO BE RAISED:	-	<u>19,975,532.25</u>
PROJECTED EXCESS (DEFICIENCY) LEVY CAPACITY:		<u>(12,350.25)</u>

GTB 03.12.2015
"RAP03122015"
w/ recap 03122015



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Administration

REQUESTOR: Board of Selectman

REQUESTED MEETING DATE: March 17, 2015

ITEM: Selection of Town Counsel

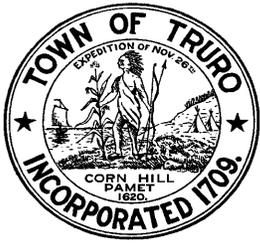
EXPLANATION: At the conclusion of the final interview of Town Counsel candidates, the Board agreed to discuss the selection at the next Board of Selectman meeting on February 24, 2015 which was deferred until the receipt of sample opinion letters.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *Motion to*

ATTACHMENTS: None



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Office of the Board of Selectmen

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Martha Craig Rheinhardt, Wetland Restoration Project Manager/Herring River Project Manager Cape Cod Conservation District

REQUESTED MEETING DATE: March 17, 2015

ITEM: Support Letter for Friends of Herring River Grant Application to the Massachusetts Environmental Trust.

EXPLANATION: Attached is a copy of the MET Letter of Support for the Truro Board of Selectmen to authorize for a grant application. The grant application request is for funding for the collection of baseline data of selected state-listed freshwater species. The funding requested from MET will allow Friends of Herring River to award contracts with specialists to implement a study plan now being developed under a grant from the State Division of Ecological Restoration. Funding from MET will allow that work to continue in the summer and fall of this year.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Truro would not be participating in the endorsement of the application.

SUGGESTED ACTION: *MOTION TO approve sending the support letter to the Massachusetts Environmental Trust for Friends of the Herring River and authorize the Chair to sign.*

ATTACHMENTS:

1. Support letter to MET

Agenda item: 7A1

TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Office of the Board of Selectmen

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



March 17, 2015

Massachusetts Environmental Trust
ATTN: William Hinkley, Executive Director
100 Cambridge Street, 9th Floor
Boston, MA 02114

Re: Support for Friends of Herring River Grant Application

In 2007 the Town of Truro partnered with the Town of Wellfleet and the National Park Service to develop a detailed plan for the restoration of the Herring River Estuary, a portion of which extends into the Town of Truro. The Town of Truro has participated actively in planning activities over the past ten years and fully supports the restoration project. Restoration of the tidal connection between the Herring River and the Gulf of Maine marine environment will reestablish a healthy estuarine system with significant environmental, social and economic benefits.

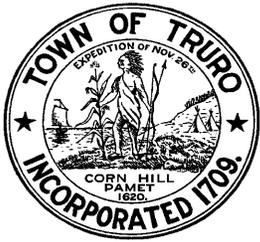
We strongly endorse the application from Friends of Herring River for funding to continue the collection of baseline data of selected state-listed freshwater species. The funding requested from MET will allow Friends of Herring River to award contracts with specialists to implement a study plan now being developed under a grant from the State Division of Ecological Restoration. The study plan and some baseline data collection are scheduled to be completed by June 30, 2015. Funding from MET will allow that work to continue in the summer and fall of this year.

The project proponents anticipate the Final Environmental Impact Statement/Report to be completed this summer. The design work, environmental studies and other activities are focused on preparing for permit applications in the coming winter.

We are hopeful that Massachusetts Environmental Trust will continue its support of the restoration project by approving the Friends of Herring River proposal.

Sincerely,

Jay Coburn
Chair, Truro Board of Selectmen



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Selectmen's Office

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: March 17, 2015

ITEM: 2nd Annual Request from Cape Abilities for Light It Up Blue Autism Awareness Month

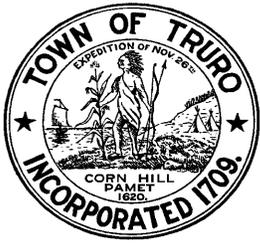
EXPLANATION: Cape Abilities, in association with Autism Speaks and Light It Up Blue, will celebrate Autism Awareness Month throughout April on Cape Cod. Light It Up Blue is a unique global initiative that kicks-off World Autism Awareness Month on April 2nd. In honor of this historic day, Cape Abilities and many Cape Cod businesses, chambers, town halls, and schools will display blue lights to show their support for and help bring awareness to the growing numbers of individuals diagnosed with Autism each year. The latest numbers from Autism Speaks states that 1 out of 54 boys and 1 out of 252 girls are diagnosed with autism in the United States. A staggering percentage. Last year, the towns of Barnstable, Yarmouth, Sandwich, Chatham, Brewster, Orleans, Eastham and Truro displayed blue lighting at their municipal locations. This year, we are looking to increase that number by asking all the towns from the Bridges to the Provincetown Monument to join us in placing blue lights in front of their buildings in recognition of Autism Awareness month. It would be impressive if every Town Hall, Police and Fire Station participated. A blue bulb (lamp post, spot light) placed strategically for all the public to see will create the spotlight needed to illuminate the awareness for this very challenging disorder. Cape Abilities will be responsible for the press coverage for this event.

FINANCIAL SOURCE (IF APPLICABLE): 2-60 watt Lightbulbs provided by Cape Abilities, no cost to the town.

IMPACT IF NOT APPROVED: Truro would not be a participant in the Autism Awareness month of April

SUGGESTED ACTION: MOTION TO Approve Truro's participation in Light It Up Blue for the Autism Awareness month of April to include blue lights displayed at night at Town Hall and the Public Safety Facility

ATTACHMENTS: None



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: March 17, 2015

ITEM: Approval of Renewals for Seasonal Common Victular (Food) Licenses

EXPLANATION: There are three 2015 seasonal license renewal applications and supporting documentation under the authority of the Board of Selectmen as Local Licensing Authorities. Please know that if you approve this for renewal, the licenses will be issued only upon compliance with all regulations and upon receipt of the necessary documents and fees. There were no reported issues with these establishments in 2014.

Mass General Law	Licenses & Permits Issued by Board of Selectmen	Names of Businesses
Chapter 140 § 2	Common Victualer-Cook, Prepare & Serve Food	Whitman House Restaurant Jams Inc. Highland Links Golf Course Cafe

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Licensees will not be issued a Common Victualer (food) License for 2015 for Whitman House Restaurant, Jams Inc., Highland Links Golf Course.

SUGGESTED ACTION: *MOTION TO approve seasonal common victualer (food) 2015 licenses for Whitman House Restaurant, Jams, Inc., & Highland Links Golf Course upon compliance with all regulations and receipt of the necessary documents and fees.*

ATTACHMENTS:

1. Renewal Applications for 2015: Whitman House Restaurant, Jams Inc., Highland Link Golf Course

2015-51(A,B,C)



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

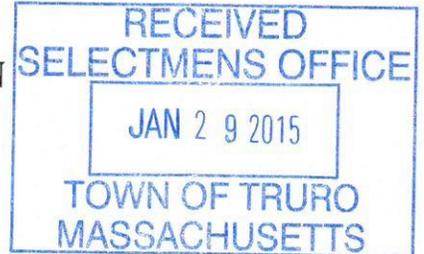
Licensing Department

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

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

BUSINESS LICENSE APPLICATION

Date: 12/2/14 Renewal New



Section 1 – License Type

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

LODGING	# UNITS	FOOD SERVICE	RETAIL SERVICE	OTHER
<input type="checkbox"/> Motel	_____	<input checked="" type="checkbox"/> Food Service (Restaurant/Mobile Food Vending)	<input type="checkbox"/> Gas Station	<input type="checkbox"/> Pool/Spa
<input type="checkbox"/> Cottage Colony	_____	<input checked="" type="checkbox"/> Common Victualer	<input type="checkbox"/> Tobacco	<input type="checkbox"/> Peddler
<input type="checkbox"/> Condominium	_____	<input type="checkbox"/> Transient Vendor		
<input type="checkbox"/> Campground	_____	<input checked="" type="checkbox"/> Manufacturer of Ice Cream		
<input type="checkbox"/> Lodging	_____	<input type="checkbox"/> Bakery		
		<input type="checkbox"/> Foods (snacks) Commercially Packaged		
		<input type="checkbox"/> Catering	<input checked="" type="checkbox"/> ICE CREAM	

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) Personal Information Redacted

Robert Rice Whitman House

Print Name of Applicant Business Name or DBA (Check if new name)

Robert Rice

Owner Name

27 GREAT HOLLOW RD P O Box 1088, Truro 02666

Street Address of Business Mailing Address of Business (Check if New Address)

508 487 1740

Personal Information Redacted

Business Phone Number (Check if New Phone Number) Business E-Mail Address

Section 3 – Manager Information

Check if New Manager (Must submit application to Name a Manager)

Complete below if Manager is same as previous year.

Robert Rice SAME
Manager Name Residential Address (include Unit#) Mailing Address Phone (24 hrs a day)
Robert P Rice
Manager's Signature (REQUIRED)

Section 4 – Hours of Operation

Annual Seasonal (Please check one that applies)

April (2) 2015 Dec. 1, 2015
Opening Date (MM/DD/YYYY) Closing Date (MM/DD/YYYY)

Days of the Week Open Hours of Operation (Opening to Closing)

Section 5 – Additional Applications & Documentation

Additional Documentation is required for the following: (Check if applicable)

RESTAURANTS- Food Service Application & Inspection of Kitchen Equipment
(Inspection of Commercial Hood and Ventilation System & Copy of current service report of mechanical washing equipment (Dishwasher)

RETAIL SALES –Permit to Sell Tobacco Application

GAS STATIONS – Service Station Compliance Form & Third-Party Underground Storage Tank Inspection Report (FP-289) form

Last Inspection _____ Next Inspection _____ Facility ID _____

SMOKE DETECTOR/FIRE PROTECTION CERTIFICATION

IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance

IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit

Section 6 – ATTESTATION

Sign the following statements ONLY if they are true:

I hereby attest that I am conducting a business in the Town of Truro in accordance with the statutes of the Commonwealth of Massachusetts and subject to the rules and regulations promulgated by the Licensing Authorities for the Town of Truro.

Robert P. Rice

Signature of Applicant

I certify under the penalties of perjury that, to the best of my knowledge and belief, I have filed all State tax returns and paid all applicable State taxes, Room Occupancy taxes, Meal Tax and local property taxes as required by law.

Robert P. Rice

Signature of Applicant

Choose one of the following statements to attest as the truth. They cannot both be true, so be sure that you only sign on one of the signature spaces below:

I attest that under the provisions of MGL Chapter 152, Paragraph 25C, I am in compliance with the law insofar as I **do** have employees in my business and therefore am required to provide the Town of Truro with a copy of my Workers Compensation Coverage to obtain a license for my business.

Robert P. Rice

Signature of Applicant

I attest that I **do not** have employees in my business.

Signature of Applicant

12/2/14

DATE

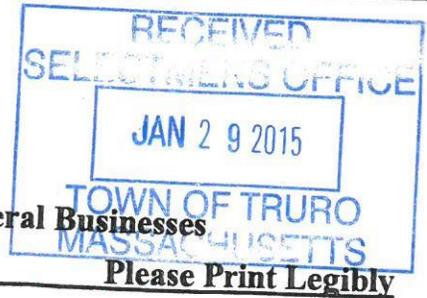
Complete the application and supporting documents and mail or bring them with the appropriate fees to:

**TOWN OF TRURO
Licensing Department
PO Box 2030
Truro, MA 02666**



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

Print Form



Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Robert L Rice, DBA Whitman House
 Address: 7 Great Hollow Rd P.O. Box 1086
 City/State/Zip: Truro 02666 Phone #: 508 487 1740

Are you an employer? Check the appropriate box:

- 1. I am an employer with 20 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: GUARD INSURANCE GROUP
 Insurer's Address: P.O. Box 62479
 City/State/Zip: Baltimore, Md. 21264 - 2479
 Policy # or Self-ins. Lic. #: ROWC 241039 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: Robert L Rice Date: 12/2/14
 Phone #: 508 487-1740

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 #: _____



RECEIVED
SELECTMENS OFFICE

FEB 02 2015

TOWN OF TRURO
MASSACHUSETTS

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

FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT

BUSINESS NAME: Whitman House

OWNER/MANAGER: Robert Rice

ADDRESS: 7 Great Hollow Rd.

PHONE #: 508 487 1740 NUMBER OF UNITS: 1

CONTACT PERSON: Robert Rice

ADDRESS: SAME

TESTING COMPANY: Quatre Electric

TESTING ELECTRICIAN/TECHNICIAN: Arthur P. Martiner

COMPANY PHONE #: 487 4224 HOME PHONE #: _____

LICENSE #: A/0653

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: Alarm tested OK

DATE OF CERTIFICATION: 1/31/15 BY: [Signature]

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.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/21/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

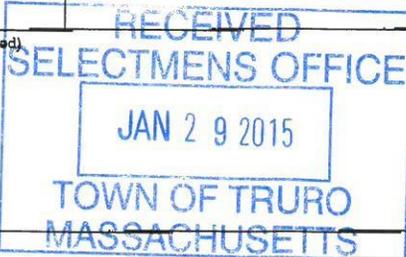
PRODUCER FIRESIDE INS AGENCY INC 10 Shank Painter Common P.O. Box 760 Provincetown, MA 02657	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____
	INSURER(S) AFFORDING COVERAGE: _____ NAIC #: _____ INSURER A: Freedom Specialty Ins. Co. INSURER B: NorGUARD Insurance Company 31470 INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liab Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Liquor Liability \$ 500,000/\$1MIL
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	ROWC507627	08/01/2014	08/01/2015	<input checked="" type="checkbox"/> WE 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 (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Restaurant / Fine Dining



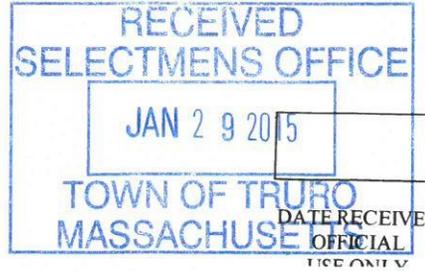
CERTIFICATE HOLDER Town of Truro Town Hall Truro, MA 02666	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Kerry L. Adams
--	--



SUBMIT COMPLETED FORM TO THE BOARD OF HEALTH

Town of Truro

Application for Food Service Permit



PART I - TO BE FILLED IN BY APPLICANT

Applicant: (check one) New Renewal

Date: 12/2/14

Type of Food Service Establishment :

Whitman House

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast
- Continental Breakfast
- Mobile Food Vendors or Pushcart
- Catering
- Frozen Dairy Dessert Machine
- Ice Cream Truck

****Please note, a food service permit for an Ice Cream Truck cannot be issued until an Ice Cream Truck Vendor Permit is obtained from the Chief of Police****

Name of Food Establishment: Whitman House

Address of Food Establishment: Great Hollow Road

Address for Base of Operations for Caterers and Mobile Food or Pushcarts:

Authorized Representative or Contact } Name: Robert Rice
Address: P.O. Box 1086, Truro 02666

Telephone Days: (508) 487 1740 Evenings: same

Number of Seats: Inside: 150 Outside: —

Annual or Seasonal Operation: SEASONAL

Hours of Operation Mon-Fri: 11 : 00 To 11 : 00

Days Closed Excluding Holidays:

If Seasonal: Approximate Dates of Operation: 4/29/15 To 12/1/15

Food Service Establishments Conducting Food Preparation (excludes retail food establishments that don't prepare food and continental breakfast).

List Names of all staff with a Food Manager Certification:

1. SUSAN CARVALHO
LISA BERTEN Exp. Date: 8/10/15
9/12/16

Number-2015-51A

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:

**Robert Rice, mgr., d/b/a Whitman House
Restaurant**

Whose place of business is **7 Great Hollow Road**

Type of business and any restrictions **Restaurant**

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

Permit Expires: **December 31, 2015**

Date Issued:

Seating: 148

Tracy Allen
Juan Silva
David Silva
Amel B. chnes

Truro Board of Health

Number-2015-51C

Fee \$10.00

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

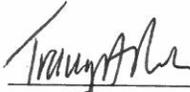
This is to Certify that **Robert Rice, mgr., d//b/a Whitman House Restaurant**
Address **7 Great Hollow Road**

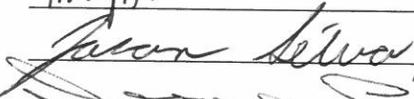
IS HEREBY GRANTED A LICENSE

To sell ice cream, soda water, and confections

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires
December 31, 2015 unless sooner suspended or revoked.

Date









Truro Board of Health



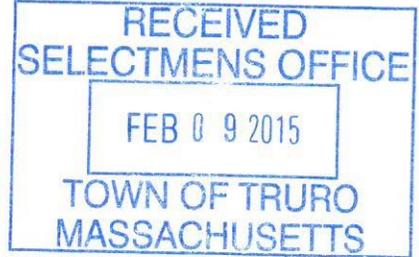
TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

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



BUSINESS LICENSE APPLICATION

Date: 1-28-2015 Renewal New

Section 1 – License Type

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

LODGING	# UNITS	FOOD SERVICE	RETAIL SERVICE	OTHER
<input type="checkbox"/> Motel	_____	<input checked="" type="checkbox"/> Food Service (Restaurant/Mobile Food Vending)	<input type="checkbox"/> Gas Station	<input type="checkbox"/> Pool/Spa
<input type="checkbox"/> Cottage Colony	_____	<input checked="" type="checkbox"/> Common Victualer	<input type="checkbox"/> Tobacco	<input type="checkbox"/> Peddler
<input type="checkbox"/> Condominium	_____	<input type="checkbox"/> Transient Vendor		
<input type="checkbox"/> Campground	_____	<input type="checkbox"/> Manufacturer of Ice Cream		
<input type="checkbox"/> Lodging	_____	<input checked="" type="checkbox"/> Bakery		
		<input checked="" type="checkbox"/> Foods (snacks) Commercially Packaged		
		<input type="checkbox"/> Catering		

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) Personal Information Redacted

JAMS INC Print Name of Applicant JAMS Business Name or DBA (Check if new name)

Ave D. Rosenthal Owner Name

14 TRURO CENTER Rd Street Address of Business Po Box 673 TRURO MA 02666 Mailing Address of Business (Check if New Address)

508 349 1616 Business Phone Number (Check if New Phone Number) Personal Information Redacted Business E-Mail Address

Section 3 – Manager Information

Check if New Manager (Must submit application to Name a Manager)

Complete below if Manager is same as previous year.

Ave D Rosenthal 34 Swooper Rd Tauro MA Po Box 64 Personal Information Redacted
 Manager Name Residential Address (include Unit#) Mailing Address Phone (24 hrs a day)

David O. Rosenthal
 Manager's Signature (REQUIRED)

Section 4 – Hours of Operation

Annual Seasonal (Please check one that applies)

05-22-2015 09-07-2015
 Opening Date (MM/DD/YYYY) Closing Date (MM/DD/YYYY)

7 6:30 AM - 6:00 PM
 Days of the Week Open Hours of Operation (Opening to Closing)

Section 5 – Additional Applications & Documentation

Additional Documentation is required for the following: (Check if applicable)

RESTAURANTS- Food Service Application & Inspection of Kitchen Equipment
 (Inspection of Commercial Hood and Ventilation System & Copy of current service report of mechanical washing
 equipment (Dishwasher)

RETAIL SALES –Permit to Sell Tobacco Application

GAS STATIONS – Service Station Compliance Form & Third-Party Underground Storage Tank
 Inspection Report (FP-289) form

Last Inspection _____ Next Inspection _____ Facility ID _____

SMOKE DETECTOR/FIRE PROTECTION CERTIFICATION

IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance

IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit

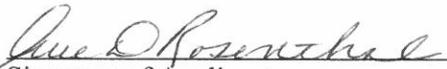
Section 6 – ATTESTATION

Sign the following statements ONLY if they are true:

I hereby attest that I am conducting a business in the Town of Truro in accordance with the statutes of the Commonwealth of Massachusetts and subject to the rules and regulations promulgated by the Licensing Authorities for the Town of Truro.

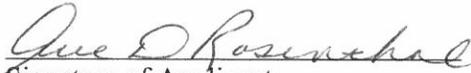

Signature of Applicant

I certify under the penalties of perjury that, to the best of my knowledge and belief, I have filed all State tax returns and paid all applicable State taxes, Room Occupancy taxes, Meal Tax and local property taxes as required by law.


Signature of Applicant

Choose one of the following statements to attest as the truth. They cannot both be true, so be sure that you only sign on one of the signature spaces below:

I attest that under the provisions of MGL Chapter 152, Paragraph 25C, I am in compliance with the law insofar as I **do** have employees in my business and therefore am required to provide the Town of Truro with a copy of my Workers Compensation Coverage to obtain a license for my business.


Signature of Applicant

I attest that I **do not** have employees in my business. _____
Signature of Applicant


DATE

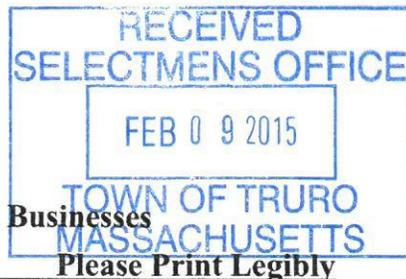
Complete the application and supporting documents and mail or bring them with the appropriate fees to:

**TOWN OF TRURO
Licensing Department
PO Box 2030
Truro, MA 02666**



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

Print Form



Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Business/Organization Name: JAMS INC.

Address: 14 TRURO CENTER RD. PO BOX 673

City/State/Zip: TRURO MA 02666 Phone #: 508 349-1616

Are you an employer? Check the appropriate box:

1. I am an employer with 10 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: NORFOLK DEDHAM MUTUAL FIRE INS. CO.

Insurer's Address: 222 AMES ST.

City/State/Zip: DEDHAM MA 02026

Policy # or Self-ins. Lic. # WEND 4538 Expiration Date: 06/11/2015

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: Arie D. Rosenthal Date: January 23 2015

Phone #: 508 349-1616 **Personal Information Redacted**

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

City or Town: _____ Permit/License # _____

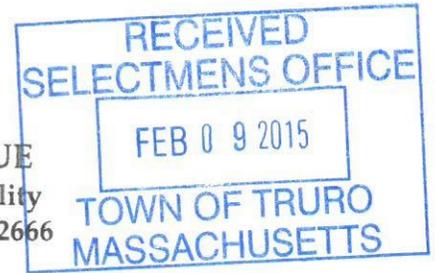
Issuing Authority (circle one):

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

BUSINESS NAME: JAMS INC

OWNER/MANAGER: Ave D. Rosenthal

ADDRESS: 14 TRURO CENTER RD.

PHONE #: 508 349-1616 NUMBER OF UNITS: _____

CONTACT PERSON: AVE D ROSENTHAL

ADDRESS: _____

TESTING COMPANY: RALPH J PERRY INC

TESTING ELECTRICIAN/TECHNICIAN: MIKE

COMPANY PHONE #: 508 775 FIRE HOME PHONE #: _____

LICENSE #: 017

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: Systems tested annually - next inspection 5-1-2015

DATE OF CERTIFICATION: _____ BY: _____

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.

INSURER:

NORFOLK & DEDHAM MUTUAL FIRE INSURANCE COMPANY
 222 AMES STREET
 DEDHAM, MA 02026

POLICY NO: WEND4538

ENDORSEMENT EFF 06/11/2014

NCCI Company No: 21059

Account No:

FEIN: 04-2919571

ITEM 1. NAMED INSURED AND MAILING ADDRESS:

JAMS, INC DBA JAMS C/O AVE ROSENTHAL
 P O BOX 673
 TRURO MA 02666

AGENT NAME AND ADDRESS:

KAPLANSKY INSURANCE AGCY,
 INC.
 PO BOX 267
 NORTH TRURO, MA 02652

AGENT NO.: 20649

LEGAL ENTITY: CORPORATION

OTHER WORKPLACES NOT SHOWN ABOVE: (See Workers Compensation Classification Schedule)

ITEM 2. POLICY PERIOD: From: 06/11/2014 To: 06/11/2015

Effective 12:01 A.M. Standard Time at the Insured's mailing address.

ITEM 3. COVERAGE:

A. Workers Compensation Insurance: Part One of the policy applies to the Workers Compensation Law of the states listed here:
 MA

B. Employers' Liability Insurance: Part Two of the policy applies to work in each state listed in Item 3.A. The limits of liability under Part Two are:

Bodily Injury by Accident:	\$	100,000	each accident
Bodily Injury by Disease:	\$	500,000	policy limit
Bodily Injury by Disease:	\$	100,000	each employee

C. Other States Insurance: Part Three of the policy applies to the states, if any, listed here:
 SEE ENDORSEMENT WC 20 03 06 B

D. This Policy includes these Endorsements and Schedules:
 See Schedule of Forms and Endorsements.

ITEM 4. **PREMIUM:** The premium for this Policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required on the Workers Compensation Classification Schedule is subject to verification and change by audit.

Minimum Premium: \$	234	Total Estimated	Annual Premium: \$	2,146
Audit Period: ANNUAL			Additional / Return Premium: \$	944 ADDITIONAL
			Comments:	CHANGE PAYROLL PER AUDIT

Issued At:

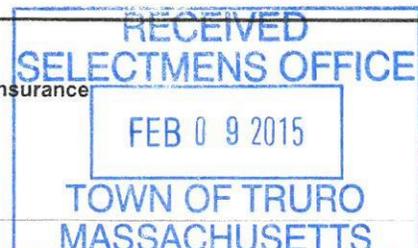
Date: 07/30/2014

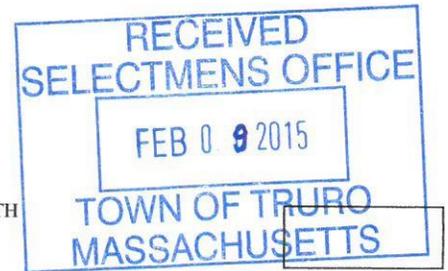
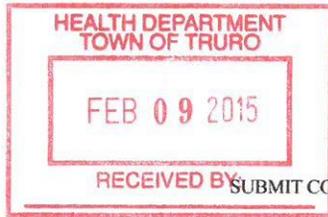
Countersigned by _____

WC 00 00 01 A

Copyright 1987 National Council on Compensation Insurance

INSURED COPY





SUBMIT COMPLETED FORM TO THE BOARD OF HEALTH

Town of Truro

Application for Food Service Permit

DATE RECEIVED
OFFICIAL
USE ONLY

PART I - TO BE FILLED IN BY APPLICANT

Applicant: (check one) New Renewal

Date: 1-23-2015

Type of Food Service Establishment :

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast
- Continental Breakfast
- Mobile Food Vendors or Pushcart
- Catering
- Frozen Dairy Dessert Machine
- Ice Cream Truck ****Please note, a food service permit for an Ice Cream Truck cannot be issued until an Ice Cream Truck Vendor Permit is obtained from the Chief of Police****

Name of Food Establishment: JAMS INC

Address of Food Establishment: 14 TRURO CENTER RD.

Address for Base of Operations for Caterers and Mobile Food or

Pushcarts: _____

Authorized Representative or Contact } Name: AVE D. ROSENTHAL
 } Address: _____

Telephone Days: (508) 349-1616 Evenings: ()

Number of Seats: Inside: _____ Outside: _____

Annual or Seasonal Operation: Seasonal

Hours of Operation Mon-Fri: 6:30 To 6:00

Days Closed Excluding Holidays: _____

If Seasonal: Approximate Dates of Operation: 05 122 12015 To 09 107 12015

Food Service Establishments Conducting Food Preparation (excludes retail food establishments that don't prepare food and continental breakfast).

List Names of all staff with a Food Manager Certification:

1. AVE D ROSENTHAL Exp. Date: 04 1 01 2019

2. _____ Exp. Date: ____/____/____
 3. _____ Exp. Date: ____/____/____
 4. _____ Exp. Date: ____/____/____

List Names of all staff with a Allergen Awareness Certification:

1. AVE D ROSENTHAL Exp. Date: 01 10 1 2020
 2. _____ Exp. Date: ____/____/____
 3. _____ Exp. Date: ____/____/____
 4. _____ Exp. Date: ____/____/____

List Names of all staff with a Choke Saver Training:

1. _____ Date of Training: ____/____/____
 2. _____ Date of Training: ____/____/____

MOBILE FOOD VENDORS ONLY- List fixed or stationary location(s) where food will be sold:

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:

I agree to any conditions specified by the Board of Health, and all local, state and federal rules and regulations.

Ave D Rosenthal 1-23-2015
 Signature of Authorized Representative Date

PART II - TO BE FILLED IN BY AUTHORIZED TOWN AGENT

Board of Health Comments or Conditions:

No violations noted in 2014. All certifications to date
choke saver - not applicable - no seating

Approved Denied

Patricia Papas 2/10/15
 Signature of BOH or Agent Date

Number-2015-56C

Fee \$10.00

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

This is to Certify that **Ave Rosenthal, mgr. Jams, Inc.**
Address **14 Truro Center Road**

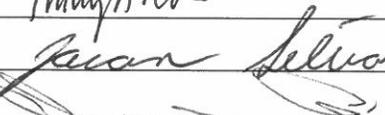
IS HEREBY GRANTED A LICENSE

For **a bakery**

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires
December 31, 2015 unless sooner suspended or revoked.

Date







Truro Board of Health

Number-2015-56D

Fee \$15.00

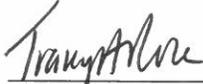
Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Permit To Operate A Food Establishment

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 **Ave Rosenthal, Mgr. Jams, Inc.**
Type of business and any restrictions **Retail Food/Convenience Store**
(commercially pre-packaged foods)

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

Permit Expires: **December 31, 2015**









Truro Board of Health

Number-2015-56A

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:

Ave Rosenthal, mgr. Jams, Inc.

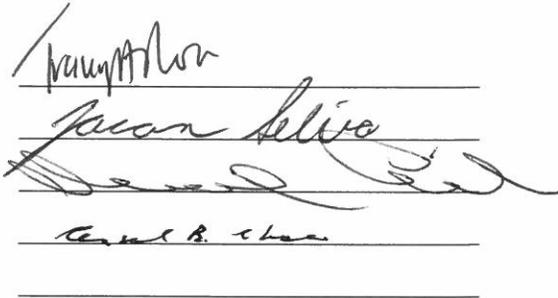
Whose place of business is **14 Truro Center Road**

Type of business and any restrictions **grocery/deli**

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

Permit Expires: **December 31, 2015**

Date Issued:



Truro Board of Health

2015-48 A, B

Agenda Item: 7C

SELECTMENS OFFICE

JAN 23 2015



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

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

PAID
CHK 3239 #125-
1-23-15

Date: 12/10/14 **BUSINESS LICENSE APPLICATION**
 Renewal New

Section 1 – License Type

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

LODGING	# UNITS	FOOD SERVICE	RETAIL SERVICE	OTHER
<input type="checkbox"/> Motel	_____	<input checked="" type="checkbox"/> Food Service (Restaurant/Mobile Food Vending)	<input type="checkbox"/> Gas Station	<input type="checkbox"/> Pool/Spa
<input type="checkbox"/> Cottage Colony	_____	<input checked="" type="checkbox"/> Common Victualer	<input type="checkbox"/> Tobacco	<input type="checkbox"/> Peddler
<input type="checkbox"/> Condominium	_____	<input type="checkbox"/> Transient Vendor		
<input type="checkbox"/> Campground	_____	<input type="checkbox"/> Manufacturer of Ice Cream		
<input type="checkbox"/> Lodging	_____	<input type="checkbox"/> Bakery		
		<input type="checkbox"/> Foods (snacks) Commercially Packaged		
		<input type="checkbox"/> Catering		

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) Personal Information Redacted

Kelly Laramee
Print Name of Applicant

Johnson Golf Management, Inc.
Business Name or DBA (Check if new name)

Kelly Laramee
Owner Name

10 Highland Light Rd. PO Box 1659 Harwich MA 02645
Street Address of Business Mailing Address of Business (Check if New Address)

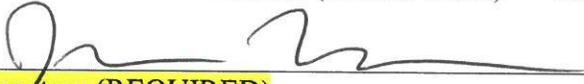
508 487 9201 klaramee@johnsongolfmanagement.com
Business Phone Number (Check if New Phone Number) Business E-Mail Address

Section 3 – Manager Information

Check if New Manager (Must submit application to Name a Manager)

Complete below if Manager is same as previous year.

Jason Lavamee 5 Alder Lane Harwich, MA 02645 Personal Information Redacted
Manager Name Residential Address (include Unit#) Mailing Address Phone (24 hrs a day)


Manager's Signature (REQUIRED)

Section 4 – Hours of Operation

Annual Seasonal (Please check one that applies)

04/01/2015 12/01/2015
Opening Date (MM/DD/YYYY) Closing Date (MM/DD/YYYY)

all dawn - dusk
Days of the Week Open Hours of Operation (Opening to Closing)

Section 5 – Additional Applications & Documentation

Additional Documentation is required for the following: (Check if applicable)

RESTAURANTS- Food Service Application & Inspection of Kitchen Equipment
(Inspection of Commercial Hood and Ventilation System & Copy of current service report of mechanical washing equipment (Dishwasher)

RETAIL SALES –Permit to Sell Tobacco Application

GAS STATIONS – Service Station Compliance Form & Third-Party Underground Storage Tank Inspection Report (FP-289) form

Last Inspection _____ Next Inspection _____ Facility ID _____

SMOKE DETECTOR/FIRE PROTECTION CERTIFICATION

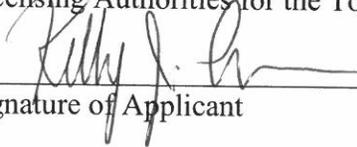
IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance

IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit

Section 6 – ATTESTATION

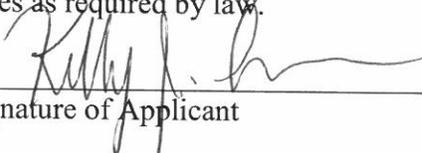
Sign the following statements ONLY if they are true:

I hereby attest that I am conducting a business in the Town of Truro in accordance with the statutes of the Commonwealth of Massachusetts and subject to the rules and regulations promulgated by the Licensing Authorities for the Town of Truro.



Signature of Applicant

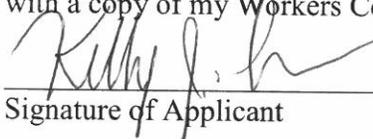
I certify under the penalties of perjury that, to the best of my knowledge and belief, I have filed all State tax returns and paid all applicable State taxes, Room Occupancy taxes, Meal Tax and local property taxes as required by law.



Signature of Applicant

Choose one of the following statements to attest as the truth. They cannot both be true, so be sure that you only sign on one of the signature spaces below:

I attest that under the provisions of MGL Chapter 152, Paragraph 25C, I am in compliance with the law insofar as I **do** have employees in my business and therefore am required to provide the Town of Truro with a copy of my Workers Compensation Coverage to obtain a license for my business.



Signature of Applicant

I attest that I **do not** have employees in my business. _____
Signature of Applicant

12/10/14

DATE

Complete the application and supporting documents and mail or bring them with the appropriate fees to:

**TOWN OF TRURO
Licensing Department
PO Box 2030
Truro, MA 02666**



TRURO FIRE RESCUE
FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT

BUSINESS NAME: Highland Links Golf Course

OWNER/MANAGER: JOHNSON GOLF MANAGEMENT

ADDRESS: 10 Highland Light Road

PHONE # 508-487-9201 NUMBER OF UNITS: 1

CONTACT PERSON: JASON LARAMEE

ADDRESS: 581 NATHANAY ROAD NEW BEDFORD MA 02740

TESTING COMPANY: Alarms Unlimited

TESTING ELECTRICIAN/TECHNICIAN: RICHARD BUDION

COMPANY PHONE# 508-896-9188 HOME PHONE # 508-896-6093

LICENSE # 10282 1339D

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) that all parts of the systems were found to be, or corrected to be, fully operational.

COMMENTS: _____

DATE OF CERTIFICATION: 6-10-14 BY: [Signature]
SIGNED

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.....



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/21/15

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Chisholm Insurance Agency, Inc PO Box 399 Wayland, MA 01778	CONTACT NAME: Ben Chisholm PHONE (A/C No Ext): (508) 358-6111 E-MAIL ADDRESS:	FAX (A/C No): (508) 358-5324													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Arbella Protection</td> <td></td> </tr> <tr> <td>INSURER B: Acadia Insurance</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Arbella Protection		INSURER B: Acadia Insurance		INSURER C:		INSURER D:		INSURER E:		INSURER F:
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INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															
INSURED Johnson Golf Management PO Box 1659 Harwich, MA 02645															

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		8500016607	1/1/15	1/1/16	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			1020013840	1/1/15	1/1/16	COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$ 500,000
							BODILY INJURY (Per accident)	\$ 1,000,000
							PROPERTY DAMAGE (Per accident)	\$ 250,000
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			4600016159	1/1/15	1/1/16	EACH OCCURRENCE	\$ 2,000,000
							AGGREGATE	\$ 2,000,000
								\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	WC-20-20-002634-05	1/10/15	1/10/16	WC STATUTORY LIMITS	OTHER
			N/A				E.L. EACH ACCIDENT	\$ 500,000
							E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
A	Liquor Liability			8500016607	1/1/15	1/1/16	Occurrence	1,000,000
							Aggregate	2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Re: Highland Links Golf Course Truro, MA
 WC info to follow directly from Acadia as well

CERTIFICATE HOLDER**CANCELLATION**

Town of Truro
 PO Box 2030
 Truro, MA 02666

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Thomas B. Chisholm

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ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

Phone:

Fax:

E-Mail:



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

Print Form

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Johnson Golf Management, Inc.
 Address: 581 Hathaway Rd.
 City/State/Zip: New Bedford MA Phone #: Personal Information Redacted

Are you an employer? Check the appropriate box:

- 1. I am an employer with 40 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 golf course



*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: Berkley Assigned Risk Services - Acadia Ins
 Insurer's Address: PO Box 59143
 City/State/Zip: Minneapolis, Minnesota 55459-0143

Policy # or Self-ins. Lic. # WC-20-20-002634-04 Expiration Date: 1/10/15

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: 12/10/14
 Phone #: 617 512 6068

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 _____

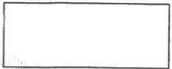
Contact Person: _____ Phone #: _____



SUBMIT COMPLETED FORM TO THE BOARD OF HEALTH

Town of Truro

Application for Food Service Permit



DATE RECEIVED OFFICIAL USE ONLY

PART I - TO BE FILLED IN BY APPLICANT

Applicant: (check one) New Renewal

Date: 12/10/14

Type of Food Service Establishment :

- Food Service (restaurant or take out)
Retail Food (commercially prepared foods)
Residential Kitchen
Bed & Breakfast
Continental Breakfast
Mobile Food Vendors or Pushcart
Catering
Frozen Dairy Dessert Machine
Ice Cream Truck **Please note, a food service permit for an Ice Cream Truck cannot be issued until an Ice Cream Truck Vendor Permit is obtained from the Chief of Police**

Name of Food Establishment: Highland Links

Address of Food Establishment: 10 Highland Light Rd.

Address for Base of Operations for Caterers and Mobile Food or

Pushcarts:

Authorized Representative or Contact Name: Jason Laramée Address: 5 Alder Lane Harnich MA 02645

Telephone Days: (508) 487 9201 Evenings: Personal Information Redacted

Number of Seats: Inside: 10 Outside 30

Annual or Seasonal Operation: Seasonal

Hours of Operation Mon-Fri: 6 :00 am To 8 :00 pm

Days Closed Excluding Holidays: none

If Seasonal: Approximate Dates of Operation: 4 / 1 / 15 To 12 / 1 / 15

Food Service Establishments Conducting Food Preparation (excludes retail food establishments that don't prepare food and continental breakfast).

List Names of all staff with a Food Manager Certification:

1. Brandee Viens Exp. Date: 4 / 7 / 2019

- 2. _____ Exp. Date: ___/___/___
- 3. _____ Exp. Date: ___/___/___
- 4. _____ Exp. Date: ___/___/___

List Names of all staff with a Allergen Awareness Certification:

- 1. Brandee Viens Exp. Date: 3 / 12 / 19
- 2. _____ Exp. Date: ___/___/___
- 3. _____ Exp. Date: ___/___/___
- 4. _____ Exp. Date: ___/___/___

List Names of all staff with a Choke Saver Training:

- 1. Jason Laramoe Date of Training: 6 / 26 / 14
- 2. _____ Date of Training: ___/___/___

MOBILE FOOD VENDORS ONLY- List fixed or stationary location(s) where food will be sold:

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:

I agree to any conditions specified by the Board of Health, and all local, state and federal rules and regulations.

Kelly J. [Signature] 12/10/14
 Signature of Authorized Representative Date

PART II - TO BE FILLED IN BY AUTHORIZED TOWN AGENT

Board of Health Comments or Conditions:

no violation during 2014 licensing period

Approved Denied

Patricia Poppe 1/29/14
 Signature of BOH or Agent Date

ServSafe
National Restaurant Association

EXAM FORM NO. 10367

CERTIFICATE NO. 10889432

ServSafe® CERTIFICATION

TO **BRANDEE VIENS**

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).

04/07/2014

DATE OF EXAMINATION

04/07/2019

DATE OF EXPIRATION

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

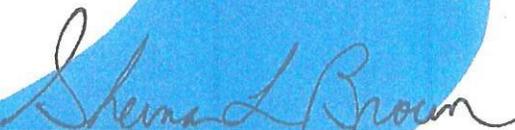


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This document cannot be reproduced or altered.
14013002

v.1401


Sherman Brown
SVP, National Restaurant Association Solutions



CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: Brandee Viens

Date of Completion: 3/12/2014

Date of Expiration: 3/12/2019

*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:



Berkshire
AHEC

Aren Health Education Center
Pittsfield, Massachusetts

www.mafoodallergytraining.org



Certificate _____
_____ **of Achievement**

IS HEREBY PRESENTED TO

_____ *Jason Laramée* _____

In Recognition Of Successful Completion Of A Training Course In

_____ *Adult CPR, Child CPR and Infant CPR* _____

Recommended Renewal Date: _____ *June 2016* _____

By: FirstAidWeb Inc[®] and National Health & Safety Foundation[®]

THIS STUDENT HAS SUCCESSFULLY PASSED COGNITIVE SKILLS EVALUATION IN
ACCORDANCE WITH FIRSTAIDWEB INC[®] CERTIFICATION TERMS & CONDITIONS

Lighthouse Café

Early Bird Specials

Bacon, Egg & Cheese On an English muffin or croissant	\$5.75
Linguica, Egg & cheese On Portuguesesweet bread	\$5.75
Sausage, Egg & cheese On an English muffin or croissant	\$5.75
Egg & Cheese On an English muffin or croissant	\$4.50
Yogurt with Granda Vanilla yogurt with granda	\$3.75
Yogurt Assorted flavors	\$2.50
Fruit Assorted fruit	\$1.50

Early Bird Beverages

Orange, Apple, Grapefruit	\$2.75
Hot Coffee	\$1.50
Iced Coffee	\$2.00
Milk Whole, 2% or Skim	\$2.00

Snacks

Cheese/ Peanut Butter Crackers	\$1.50
Cliff Mojo Bar	\$2.00
Peanuts	\$2.00
Trail Mix	\$2.00
Acai raisins and blueberry Mix	\$2.00
Chips/ Pretzels/ Doritos	\$1.50

* "The consumption of raw or undercooked eggs, meat, poultry, seafood or shellfish may increase your risk of food borne illness, please inform your server if a person in your party has a food allergy".

Afternoon Delights

Hot Dog	\$3.00
Tofu Dog	\$3.50
Linguica Dog	\$3.50
Stuffed Quahog (Regular or Linguica)	\$4.25
Stuffed Scallop	\$4.25

Sandwiches

(All sandwiches served w/ your choice of wheat, multigrain or bulky rdl with chips & a pickle)

Grilled Cheese	\$4.75
Grilled Cheese w/ Tomato	\$5.25
Ham & Cheese	\$6.00
Old Fashioned BLT	\$5.75
Tuna Melt	\$6.75
Turkey Club	\$6.75
Portabella Burger	\$6.50
Burger	\$6.00
Cheeseburger	\$6.50
Veggieburger	\$6.50

Pizza (12 inch thin crust)

Cheese	\$8.95
One Topping	\$9.95
Two Topping	\$10.95

Toppings

Banana peppers, mushrooms, olives, onions, Peppers, fresh tomato, sun dried tomato, Chicken, linguica, pepperoni, salami, sausage

From the greens

Organic Baby Spinach Salad	\$5.95
Add chicken	\$1.50
Grilled Chicken salad	\$6.95



TOWN OF TRURO

Board of Selectmen Agenda Item

DEPARTMENT: Office of the Board of Selectmen

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Laura Kelley of POCCA Cape Cod

REQUESTED MEETING DATE: March 17, 2015

ITEM: Laura Kelly has requested that the 13 towns being affected by the Herbicide Spraying along utility right-of-ways send letters to the MDAR .

EXPLANATION: The public comment period is open until March 27th on herbicide spraying along utility right-of-ways. Laura Kelly, Director of POCCA sent an email to the Chair of the Board of Selectmen requesting Truro send a letter to Massachusetts Department of Agriculture Resources to stop the herbicide spraying along these utility right-of-ways in Truro.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Truro would not be participating in sending a letter to MDAR requesting herbicides not be used along Truro utility right-of-ways.

SUGGESTED ACTION: *MOTION TO approve sending a letter to MDAR from the Board of Selectmen.*

ATTACHMENTS:

1. Email from Laura Kelley
2. Draft Letter to MDAR from Laura Kelley
3. Update Mass Herbicide Regulations
4. Draft letter from Truro BoS to MDAR
5. NSTAR Herbicide Operation Plan

From: POCCA CAPE COD <pocccapecod@gmail.com>
To: Wisotzky Paul <pwisotzky@truro-ma.gov>, Tudor Nicole <ntudor@truro-ma.gov>, Palmer Rae Ann <rpalmer@truro-ma.gov>, jcoburn@truro-ma.gov
Date: 03/12/2015 08:18 AM
Attachments:  [Draft Letter to MDAR.doc](#) (109 kB)  [Updating Massachusetts Herbicide Regulations.pdf](#) (163 kB)
Subject: Draft letter to MDAR about NStar/Eversource ~ time sensitive

Good Morning Truro Selectmen ~

NStar/Eversource plans to spray #13 Cape towns in 2015. The comment period is over March 27th. Please write to MDAR why you don't want herbicides used for vegetation management in your town. Most town BOS are writing MDAR now. Please send me what you write, I am keeping a file of all BOS documents. Thank you.

Attached is a draft letter to MDAR. Also attached is what needs to be changed. If you could send the draft document with your town letter head, signed and dated, along with the document 'updating Mass herbicide regulations' it would be most effective, we hope.

Thank you for being a part of helping to protect the Cape's natural resources. It is unnecessary to spray herbicides to maintain vegetation under power lines.

For more information: www.pocccapecod.org

Nicole, please reply you received this email on time to get onto your BOS agenda on time to send this to MDAR on or before March 27th. Let me know when your meeting will be and I will attend if I don't have a conflict.

Thanks again for your town's involvement on this important matter.

Best,
Laura Kelley
Director, POCCA Cape Cod.org

--
POCCA Cape Cod
www.pocccapecod.org
Protect Our Cape Cod Aquifer
Help protect our Quality of Life
'like' POCCA Cape Cod on FaceBook
774.353.6511



(774) 353-6511 ♦ POCCAcapcod.org ♦ pocccapcod@gmail.com
Helping to Preserve Our Quality of Life on Cape Cod

March 12, 2015

Mr. John Lebeaux
Commissioner
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, Massachusetts 02114

Dear Commissioner Lebeaux:

Congratulations on your recent appointment to head the Massachusetts Department of Agricultural Resources. We look forward to working with you and your staff to help protect our natural resources on Cape Cod and throughout the Commonwealth.

NSTAR, or Eversource as it is now known, has indicated they plan to spray herbicides this year on 13 towns across Cape Cod and they have submitted their proposed 2015 yearly operational plan for approval by MDAR. Considering the widespread concern about the use of these chemicals and indications that the Massachusetts Legislature is proposing changes to our current regulations, we ask that you deny Eversource's request to use pesticides along our utility rights-of-way in 2015.

We ask that you review the attached letter to our local representatives and consider using it as a basis to create a long term solution to this ongoing issue. We believe it represents a constructive approach forward and your support would be invaluable.

Thank you for considering our request and we look forward to your reply.

Sincerely,

Cc: Michael McClean, Director, Rights-of-Way Programs



(774) 353-6511 ♦ POCCAcapcod.org ♦ pocccapecod@gmail.com
Helping to Preserve Our Quality of Life on Cape Cod

March 2, 2015

The Honorable State Representative Brian Mannal
The Honorable State Representative Sarah Peake
The Honorable State Senator Dan Wolf
Massachusetts State House
24 Beacon Street
Boston, Massachusetts 01233

Dear Brian, Sarah, and Dan:

Congratulations to you all for continuing your rise into leadership positions on Beacon Hill. The Cape is very fortunate to have you represent us and, in particular, we appreciate your support as we continue our efforts to restrict herbicide spraying on the utility rights-of-way throughout the Cape.

NSTAR, or Eversource as it is now known, has indicated they again plan to spray herbicides this year. Although they sprayed 8 towns in 2013, 9 towns last year, and have repeatedly indicated spraying would reduce over time, this year's proposed operational plan indicates they will spray 13 towns. We believe our current herbicide regulations no longer reflect the realities of the Cape's current day "Blue Economy" and, as a result, we encourage you to launch an effort to revamp these regulations. POCCA will support this effort in any way we can, and we're certain other organizations would be willing to join this effort.

As we begin 2015, we now know the issues associated with herbicides and other Contaminants of Emerging Concern, or CECs as they are known, are far more complex than they appeared when the current regulations were drafted decades ago. As you look into these regulations, we ask that you consider the following items. In addition, as you get into the details of any proposed changes, we offer to review the precise language. While the intention of the current legislation was good, the actual language was imprecise and, as a result, our current processes are simply not working.

Transparency and Confidence In the Program

Last year, after a series of missteps by MDAR, we contacted Governor Patrick's office and subsequently met with attorneys in his office, EEA's chief counsel, and MDAR's chief of staff. We indicated we had lost confidence in MDAR's oversight of this program.



As a result of these actions, MDAR committed to provide us with the following information:

- Copies of all the public comments submitted in response to NSTAR's 2013 and 2014 yearly operational plans. MDAR had dismissed these comments out-of-hand, indicating they had no obligation to respond to them and stating they had only received about 100, most simply asking MDAR to stop the spraying.

We note that many public agencies make it a practice to routinely release any public comments on their efforts. For example, we recently submitted comments on a plan coming out from Health and Human Services and, within days of the public comment period, HHS published our comments along with those from another 400 organizations.

- Details of any enforcement actions MDAR has taken. Despite apparent violations by NSTAR, we believe MDAR has not actually cited NSTAR at all.
- Detail logs of NSTAR's actual spraying activities. NSTAR's spraying activities are restricted in terms of where they can spray, when they can spray, what plants they can target, and how much they can spray. Without additional information, it's impossible for anyone in the public to understand what NSTAR is actually doing and, sadly, we have lost confidence in MDAR's efforts to properly oversee the effort.

Although MDAR had committed to release this information, to no one's surprise they simply ignored our follow-up requests, knowing we'd have little recourse as we changed administrations.

To make matters worse and add insult to injury, MDAR's belated "investigation" into the spraying incident at Sea Horse Farm in Harwich blamed the incident on Clare Bergh's reaction to engine fumes. Quite simply, we believe this conclusion was ridiculous and we feel MDAR owes Clare an apology.

Are These Herbicides Safe?

At the heart of the matter, NSTAR and MDAR repeatedly state that these herbicides have been approved by the EPA and are safe, to the point where NSTAR's key representative grabbed the leaves on a tree that had just been sprayed and commented that "it was just a little sticky." (When we showed this video to a joint meeting of the Cape's Boards of Health, there was a collective gasp of horror).



Science moves slowly and regulations move slower. Some still argue the Cape's waters are fine and others suggest global warming is a conspiracy. While we recognize "proof" is elusive, there are thousands of articles on the possible dangers of these herbicides. Bee colonies have collapsed and we've lost 99% of Monarch butterflies and both problems are widely attributed to herbicide use. Many are concerned that these two problems are "canaries in the coal mine" indicating we may see more serious problems in the future.

Proof aside, the concerns of our citizens are real. We suggest a compromise.

Congress has directed the EPA to assess all herbicides to identify which, if any, disrupt our endocrine systems. Glyphosate, the active ingredient in RoundUp and the most widely used and studied herbicide, appears on the first list of herbicides being reviewed by the EPA. We suggest that the Commonwealth should withhold approval of any new requests to use herbicides on our rights-of-way until the EPA finishes its review and confirms that glyphosate is not an endocrine disruptor.

Who Should Oversee These Regulations?

Under the current regulations, which we understand date back over 25 years, the Massachusetts Department of Agricultural Resources has sole responsibility for overseeing the use of herbicides on our utility rights-of-way. While we understand why MDAR should oversee the use of herbicides on our farms, we believe it would be more appropriate for the Department of Environmental Protection to oversee these regulations.

We're concerned that long term exposure of very low concentrations of these herbicides represent an additional risk to the Cape's sole source aquifer and our other waterways. At this point, it is widely acknowledged that threats to the waters on the Cape represent a significant long term risk to our community. While not yet our primary focus, many recognize that we also need to address "Contaminants of Emerging Concern" such as pharmaceuticals, herbicides, and other pesticides.

The DEP is at the front and center of this debate and, as a result, we believe they should be responsible for the use of herbicides on our rights-of-way as part of their overall charter to protect our waters.

Local Authority

Under the current regulations, MDAR has sole authority over regulating pesticides on our rights-of-way and local authorities do not have the ability to put in place more restrictive regulations.



The legitimate concern here is that we need to avoid an unmanageable patchwork quilt landscape of regulations. It would be unreasonable and unnecessary to ask MDAR and Eversource to tailor their approval and operational processes to each town's unique requirements.

Several years ago, we faced a similar challenge when we put in place a national program to manage handling of pharmaceutical waste in hospitals. It was virtually impossible to understand the requirements at a state level and we made no attempt to review local regulations. Logic was in short supply. An EpiPen is still federally hazardous in Connecticut, but non-hazardous in 45 other states. Confusingly, California redefines "biohazardous" to include aspirin and virtually all other drugs. We could go on and on.

Although we'd obviously prefer that we discontinue the use of these chemicals, we offer a simple compromise if the Commonwealth decides to continue that option. We suggest that NSTAR and Eversource continue with updated approval and operational processes and then allow each community to opt out. If the selectmen in a particular town asked Eversource to not use herbicides, Eversource would use traditional methods to control vegetation. If the selectmen took no action or voted to allow herbicides, they would use the standard state-wide approval and operational processes.

Wind Conditions

Oddly, what looks like the simplest restriction on herbicide application has become the most controversial and, as a result, embarrasses MDAR and undermines confidence in the entire system.

On the surface, the restriction is simple and we see very similar language on virtually every label, often capitalized and highlighted. "It is a violation of federal law to use a pesticide in a manner that is inconsistent with its labeling." "AVOID WINDY OR GUSTY CONDITIONS." Most labels also include language indicating you should spray in wind conditions between 3 and 10 miles per hour, with some confusing language on droplet size.

While NSTAR has said they closely monitor wind conditions, it's very difficult to be confident in their actions. Last October, on the day NSTAR resumed spraying, we traveled from the Cape to Boston and back to meet with EEA's chief counsel and MDAR's chief of staff. When we asked about wind conditions, MDAR's chief of staff dismissed our concerns stating "you don't know the wind conditions where they are actually spraying." (A bit of a sore point, considering MDAR doesn't require NSTAR to let people know when and where they plan to spray).



On that particular day, there were 30+ mph gusts when we left from Eastham and Orleans in the morning, and the gusty conditions continued throughout the day as we travelled off Cape, up to Boston, and when we returned at the end of the day. Certified applicators who were willing to comment off the record stated that anyone who sprayed that day should have their license revoked.

Today's wind restrictions simply don't work. Again, we suggest a simple alternative. Much like it does to manage brush burning, Barnstable County should consider the wind conditions each day and declare it a "spray day" or a "non-spray day."

Operational Oversight

While the regulations establish quite a few restrictions on where NSTAR can spray, what species they target, how much they can spray, and the like, the videos NSTAR itself has published raise considerable doubts about the ability of the applicator to adhere to these regulations.

We believe any spraying should include an independent observer who can monitor and report on the actual spraying activity.

Public Notice Process

The existing regulations require a bewildering combination of public notices. While we believe NSTAR attempts to technically comply with most of these requirements, we don't feel we are meeting the intent of the regulations. Any new regulations should clearly present an overall public communication strategy. We should be confident public comments are reviewed, considered, and responded to. The Commonwealth's approval of the yearly operational plan should establish confidence in the process, in contrast to the one or two line approval statements we've seen in 2013 and 2014. The Pesticide Review Board should actually oversee this process, as opposed to being invisible as they've been in recent years. The Commonwealth should maintain and use the mailing list required by the regulations.

More critical, we need to immediately halt NSTAR's past practice of posting a notice that, essentially, says they'll spray in a particular community sometime over the next nine months. To protect their families, their health, and their properties, the citizens on the Cape need to know when they need to prepare for their neighborhood to be sprayed and when it was actually sprayed.

Target Vegetation and Appropriate Herbicides

While the current regulations cover more details than we're going into here, we are puzzled by two particular details.



For some reason, the current regulations are very specific about the vegetation NSTAR can target and NSTAR has unilaterally added poison ivy and other invasive species to the list. While we're not lawyers and we don't have the legal resources to fight both NSTAR and MDAR, we see no basis for MDAR to approve the additional target species.

Also, we noticed that last year NSTAR added Garlon IV to the list of planned herbicides, although we have no way to know if they actually used Garlon IV during the year. While we believe all the herbicides represent risk, Garlon IV is toxic to oysters and other shellfish. We believe MDAR should not have approved Garlon IV and, obviously, this raises concerns about MDAR's overall approval process.

Thank you for the opportunity to submit these comments. If you have questions or want additional information, please contact us at poccapcod@gmail.com.

Sincerely,

Laura Kelley
Director, POCCA Cape Cod

Jim McCauley



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Office of the Board of Selectmen

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

March 17, 2015

Mr. John Lebeaux
Commissioner
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, Massachusetts 02114

Dear Commissioner Lebeaux:

Eversource (formerly known as NSTAR) has indicated they plan to spray herbicides this year in the Town of Truro on Right of Way (ROW) 301 in addition to 13 towns across Cape Cod. They have also submitted their proposed 2015 yearly operational plan (YOP) for approval by the Massachusetts Department of Agricultural Resources (MDAR). Considering the widespread concern regarding the use of these chemicals, in addition to indications that the Massachusetts Legislature is proposing changes to the current regulations, we ask that you deny Eversource's request to use pesticides along our utility rights-of-way in 2015.

We ask that you review the attached letter from Pocca (dated March 2, 2015) to our local representatives and consider using it as a basis to create a long term solution to this ongoing issue. The Town of Truro concurs with the issues Pocca portrays in their letter. We believe it represents a constructive approach forward and your support would be invaluable.

Thank you in advance.

Sincerely,

Jay Coburn, Chairman

Paul Wisotzky, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

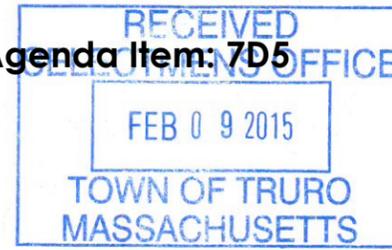
Maureen Burgess
Board of Selectmen
Town of Truro

Cc: Michael McClean, Director, Rights-of-Way Programs



One NSTAR Way
Westwood, Massachusetts 02090

Agenda Item: 7D5



January 30, 2015

Dear Municipal Official:

This letter is to inform you that NSTAR Electric & Gas intends to selectively apply herbicides along power line and natural gas rights-of-way that pass through your municipality. This treatment is conducted as a component of an integrated vegetation management program that also utilizes mechanical and natural control techniques.

NSTAR's five-year Vegetation Management Plan (VMP) for 2013-2017 is posted at the following website: www.kenersongroup.com/vmp/2013/nstar. If you would like a hard copy please contact us with this request.

NSTAR's Yearly Operational Plan (YOP) for 2015 is posted at the following website: <http://www.kenersongroup.com/yop/capecod2015/nstar>. If you would like a hard copy please contact us with this request. Please note that the YOP also includes the rights-of-way (ROW) from the 2014 treatment program. This is just in case NSTAR needs to request a "touch-up" retreatment of scattered locations from its contractor(s). For some municipalities, these "touch-up" ROW's are the only ones that are located within your boundaries; please note the difference on pages 3 in the YOP.

Please review the YOP map(s) that locate the ROW corridors and the plotted location of known sensitive areas including public and private drinking water supplies. **If there are any additional sensitive areas located on or near the ROWs please advise us as soon as possible so a permanent record can be established and appropriate field protective actions implemented. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.** The enclosed maps will be updated with any new information that is received by NSTAR and posted at the above website.

The herbicides are listed in Section VII of the YOP and will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the ROWs using backpack equipment.

The foliage treatments will take place between September 1st and October 16th along with cut surface treatments (CST). Fall CST, basal treatments or sensitive foliar treatments may be necessary and are scheduled between October 5th and December 31st in areas along the ROWs that might not have received a foliage treatment or to trees over 12 feet tall. The exact time is dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, No herbicide applications will occur before the conclusion of the 45 day YOP review period, the 21 day treatment notice and the 48 hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

All of the herbicides selected for this program are registered by the Federal Environmental Protection Agency, the Massachusetts Pesticide Board, and are recommended for use in and around sensitive areas jointly by the Massachusetts Pesticide Bureau and Massachusetts Department of Environmental Protection (please refer to the YOP for specifics).

The treatments will be performed by one of the following companies:

Vegetation Control Service, Inc.
2342 Main Street
Athol, MA 01331
(978) 249-5348

Lewis Tree Service, Inc
300 Lucius Gordon Drive
West Henrietta, NY 14586
(585) 436-3208

Lucas Tree
636 Riverside St.
Portland, ME 04104
(888) 845-7870

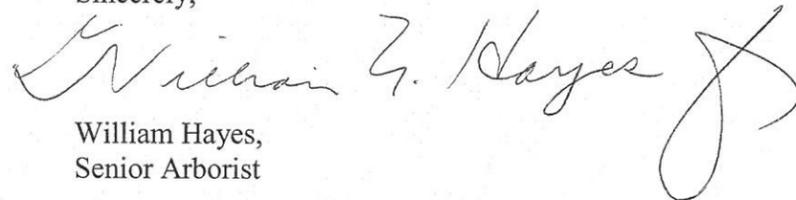
This informational 21-day notification is in compliance with Chapter 132B, section 6B of the Massachusetts General Laws and 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000.

For inquires concerning the safety of the herbicides please contact:

Director of Rights of Way Program
Department of Food and Agriculture
251 Causeway Street, Suite 500
Boston, MA 02114-2151

If there are any questions or comments relative to technical questions about the treatment program, you would like a hard copy of the VMP or YOP, or have any questions about NSTAR and its electrical rights-of-way system please contact William Hayes (781) 441-3932 for transmission lines and Paul Sellers (508) 957-4517 for distribution lines.

Sincerely,



William Hayes,
Senior Arborist

Enc: Environmental Monitor Notice
2015 Yearly Operational Plan Maps
45 Day YOP Public Notice and Review and Comment Period Document

cc: Board of Health
Board of Selectmen
Conservation Commission
Municipal Water Supplier
Massachusetts Pesticide Bureau

Certified mail-return receipt requested



One NSTAR Way
Westwood, Massachusetts 02090

January 30, 2015

**45 Day Yearly Operational Plan
Public Notice, Review and Comment Period**

Dear Municipal Officials:

In compliance with 333 CMR 11.06, *45 Day Yearly Operational Plan Public Notice, Review and Comment*, please review NSTAR Electric and Gas 2015 Yearly Operational Plan.

NSTAR's Yearly Operational Plan (YOP) details specific information pertaining to the intended 2015 program. NSTAR's YOP is posted at the following website:

<http://www.kenersongroup.com/yop/capecod2015/nstar>

Please review the enclosed YOP maps that locate the rights-of-way and the plotted location of known *sensitive areas* including public and private drinking water supplies. If there are any additional *sensitive areas* located on or near the right-of-way, please advise us as soon as possible, so we may establish permanent records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the locations of private wells. The enclosed maps will be updated with any new information that is received by NSTAR and posted at the above website. If you would like a hard copy of the YOP please contact us with this request.

Also please review the enclosed hard copy of the Environmental Monitor Notice, published under the Massachusetts Environmental Policy Act (MEPA) also located at:

www.env.state.ma.us/mepa/emonitor.aspx

Enclosures: 21 Day Letter
Environmental Monitor Notice
2015 Yearly Operational Plan Maps

Notice Sent to: Chief Elected Municipal Official
Board of Health
Conservation Commission
Municipal Water Supplier
Massachusetts Pesticide Bureau

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

MATTHEW A. BEATON
Secretary

Notice

Pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way (ROW), a five year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Department of Agricultural Resources (DAR). NSTAR has submitted and holds a current VMP, therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

The Kenerson Group (TKG) of Athol, Massachusetts submitted a YOP to DAR for NSTAR, A Northeast Utilities Company in January 2015.

In 2015 NSTAR will conduct an Integrated Vegetation Management (IVM) program on their transmission and distribution lines. The intended vegetation control program will be consistent with NSTAR's VMP (approved by DAR in 2013). In accordance with the guidelines set forth in NSTAR's VMP and YOP, herbicides will be selectively applied to target vegetation by licensed/certified applicators carrying backpack or hand held application equipment for the IVM program.

NSTAR's YOP identifies the following 13 municipalities as locations where they intend to use herbicides to treat their electric Rights-of-Way in 2015:

Barnstable	Dennis	Harwich	Sandwich	Yarmouth
Bourne	Eastham	Mashpee	Truro	
Chatham	Falmouth	Orleans	Wellfleet	

NSTAR will only use herbicides recommended by DAR for use in Sensitive Areas for their IVM program. Pursuant to 333 CMR 11.04, no herbicides will be sprayed within any designated "no spray sensitive sites" instead mechanical only methods will be used to control vegetation.

Public notification, by certified mail, will be provided to each "affected" municipality at least twenty-one days prior to any herbicide application.

In accordance with 333 CMR 11.06 (2), NSTAR's YOP includes the identification of target vegetation; methods of identifying, marking and protecting Sensitive Areas; application techniques; the herbicides, application rates, carriers and adjuvants proposed for use; alternative control measures, a list of the application companies and YOP supervisor; procedures for handling, mixing and loading herbicides; emergency resources including local, state and federal emergency telephone numbers; maps of the ROW which included mapped Sensitive Areas, and herbicide fact sheets and labels.

PUBLIC REVIEW

The DAR seeks to verify the location of Sensitive Areas defined in Section 11.02 reported in the YOP. DAR itself has a limited ability to survey the geography, land use and water supplies in all the communities through which ROWs pass. Municipalities have most of this information readily available, and the particular knowledge with which to better certify the Sensitive Areas in their communities. DAR, therefore, requests, and urges the

assistance of the "affected" municipalities in reviewing the completeness and accuracy of the maps contained in the submitted YOP.

DAR has established the following procedures for this review:

Copies of the YOP and this *Notice* will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and the Head of Government (Mayor, City Manager, Chair of the Board of Selectman) of each municipality where herbicides are to be applied during the calendar year of 2015; and if applicable to the Natural Heritage Endangered Species Program of the Massachusetts Department of Fisheries and Wildlife, the Massachusetts Water Resource Authority and the Massachusetts Department of Conservation and Recreation. Municipal agencies and officials will have forty-five days, following receipt of the YOP, to review its map for inaccuracies and omissions in the location of "Sensitive Areas not readily identifiable in the field."

Municipal agencies and officials are requested to forward the YOP to the appropriate official(s) in their municipality qualified to certify the accuracy of the Sensitive Areas indicated on the maps. The maps should then be "corrected" and returned to the applicant and a copy should be sent to DAR at the address listed below within the forty-five day review period.

If a city or town needs more time to carry out this review, it should send a written request for an extension to DAR and cite why there is a "good cause" for requesting additional time.

The applicant is required to make all corrections and the corrected maps will be sent back to the city/town that requested the disputed changes within fifteen days of receipt of the request. DAR will decide whether or not the YOP should be approved without the requested changes. DAR will consider the "final approval" of a YOP individually for each municipality.

The twenty-one day public review period of the Municipal ROW Notification Letter may serve concurrently with the forty-five day YOP review period in order to provide public notifications as required by 333 CMR 11.07, if the applicant has an approved VMP and if all the requisite city-town offices that received copies of the YOP completed their review and all corrections were duly made by the applicant and approved by DAR.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day period will automatically be considered by DAR to indicate agreement by the municipal officials with the Sensitive Area demarcations provided by the applicant in their YOP.

Any questions or comments on the information provided in this *Notice* and the procedures established for the municipal review outlined above should be addressed to:

Michael McClean
Director of Rights-of-Way Programs
Massachusetts State Pesticide Bureau
251 Causeway Street, Suite 500
Boston, MA 02114-2151

Any questions or comments regarding the YOP should be addressed to:

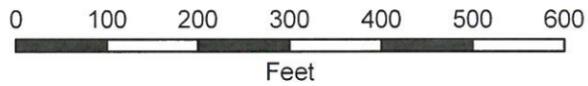
William Hayes, Senior Transmission Arborist
NSTAR, A Northeast Utilities Company
Vegetation Management
One NSTAR Way, SE-370
Westwood, MA 02090-9230
781-441-3837 (office)

COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS ON Friday March 27, 2015

NSTAR
2015 Yearly
Operational Plan
TRURO
 Right of Way 301



1:2,400



— 2015 NSTAR Electric Rights-of-Way
 — 2014 NSTAR Touchup Rights-of-Way

- ▲ Emergency Surface Water Well
- Ground Water Well
- Non-Transient, Non-Community Well
- ⊕ Proposed Well
- ◆ Surface Water Well
- ★ Transient, Non-Community Well
- Private Well
- * NHESP Certified Vernal Pools
- Perennial Rivers and Streams
- - - Intermittent Rivers and Streams
- ▭ Mass Town Lines
- ▨ Mass Zone A (identifies surface waterbodies, tributaries and associated waterbodies, follow Sensitive Area treatment methods per 333 CMR 11.04)



Source: "Office of Geographic and Environmental Information (Mass GIS), Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs".
 Public Water Supply data provided by MA DEP Drinking Water Program, July 2014, DEP Public Water Supplies

Agenda Item: 7E

Truro Board of Selectmen
Meeting Minutes – Tuesday, February 10, 2015
Truro Town Hall, 4:00 p.m.

Members Present: Chair-Jay Coburn, Vice Chair-Paul Wisotzky, Clerk-Jan Worthington, Bob Weinstein, Maureen Burgess
Present: Town Administrator-Rae Ann Palmer, Jamie Veara

Chair Coburn called the meeting to order at 4:00 p.m. He announced the reason for this meeting was to interview candidates for Town Counsel. The first interview will be held with current Town Counsel, Jamie Veara from Zisson & Veara.

Mr. Veara approached the Board. Chair Coburn stated that they had some set questions which they would ask, and then members of the Board might have some follow up questions. Selectman Wisotzky informed Mr. Veara that they would be asking the same questions to all of the candidates.

Selectman Wisotzky asked question #1 and #2- *What is your firm's overall approach to working with clients? What do you believe are the key components of an effective working relationship?* Mr. Veara believes that the first and most important component of a relationship between an attorney and a client is communication.

- Being accessible
- Responsive
- Keeping people informed

Selectman Wisotzky asked if Mr. Veara thought he had an approach that is different from others. Mr. Veara stressed accessibility. Someone always answers the phone in his office from 8-5. He also employs an answering service for after office calls, and those messages are relayed back to him.

Selectman Worthington asked question #3-*What sets Truro apart from other Municipalities and what are the three most important attributes that you bring to the table working with the Town of Truro-- Attributes that you believe sets your firm apart from others.* Mr. Veara thinks that one of the things that sets Truro apart from other Municipalities is its history and its commitment to the character of the Town. Truro still holds to its agricultural background, and aquaculture is an integral part of what happens here. Pamet Harbor and the fishing community are also parts and components. The character of Truro is very rural, which makes it fundamentally different. Some of the attributes which Mr. Veara brings to the table is that he's from the Cape, his family is from Provincetown, his parents attended Provincetown High School, his family still operates a business in Provincetown, he attended school at Dennis-Yarmouth High School, therefore he is connected to the Cape. He is a local person and believes in doing things locally. Having a working understanding of what life is like on the Cape, he is mindful of those things when he's doing a job for the Town of Truro, or any individual he does work for. He charges a low rate, comparatively, from what other folks charge.

Selectman Burgess asked question #4-*What is your strongest area of expertise with regard to municipal governance? What is your weakest?* Mr. Veara's area of expertise would be in land use (zoning, planning, and property development). Mr. Veara believes he has knowledge in both sides of the equation in the areas of analyzing a particular project which is presented, and giving guidance to Boards when they have to wrestle with questions that are presented to them by applicants that come forward. His weakest area of expertise would be municipal finance. Looking at the municipal finance components of things that the Accounting Department is constrained to do when payments have to be made, mostly because that is not something which Counsel is asked to do.

Chair Coburn stated that Mr. Veara has been involved with the Town for a long time and has a sense that one of the issues that confront Truro is the trajectory in which our municipal spending is increasing. Chair Coburn asked question #5-*What processes or procedures would you recommend to control costs related to legal services?* Mr. Veara stated that something which was implemented a while back, as the best mechanism of control, was channeling and curtailing access to Counsel. There were times, years ago, where there was no policy in place for access to Counsel. Making sure the process stays in place is the biggest way to control costs. Also, people should particularize what they want to have answered. Some questions can be very general and could lead to a lot of time. Also, keeping his rate low will also control costs. When litigation ensues, it should be determined at the earliest stage just what the Town's interest is that they are trying to protect, and what involvement does the Town want to take.

Selectman Weinstein then asked question #6-*As the issue of regionalization or service sharing between communities becomes a reality, how would you handle representing the Town in developing agreements and what would you do if you represented both Towns to prevent a conflict and protect both Town's interest?* Mr. Veara does not know if it's in the best interest for an attorney to represent two towns in the context of any regionalization type of approach whatsoever. Putting aside whether or not that is an iron-clad conflict of interest of rules of ethics, he would not recommend that, and does not feel it's beneficial to either community. His position would be to represent only one municipality. If there is ever a conflict with a town which he represents presently, that is the town he would go with first. If any regionalization issue ever came up that Truro was involved in, and he happened to be representing another municipality, he would decline representation of that other municipality and continue to work with Truro. What to do, in terms of regionalization, would be to identify protecting the Town's interests.

Selectman Wisotzky mentioned that there are firms that are specialized in municipal law, and asked Mr. Veara if he currently only represents Truro (in terms of municipalities). Mr. Veara stated that Selectman Wisotzky's statement was correct. Selectman Wisotzky is curious why he has taken that approach, in terms of only having one municipal client vs specializing in municipal law. When Mr. Veara started, they were representing two municipalities. Over the years, they have had occasions to do some work for other towns on a one or two case basis. Brewster chose to make a change three years ago. When he started practicing, each town on the Cape had a different lawyer which was a local town counsel. He likes representing one or two municipalities, but beyond that they would be spread too far.

Selectman Weinstein asked if Zisson & Veara, specifically Mr. Veara, would provide continuing education for the Board of Selectmen or other Town bodies. Mr. Veara stated that they used to do that years ago, and for some reason quite a few years ago, it stopped. He does not have an explanation as to why. He believes it is a good service to provide to the Town. Selectman Weinstein then asked, with his knowledge of the statutes and municipal governance issues, legally, what would Mr. Veara do if confronted with a directive (from a Board) stating that he proceed in a certain fashion. Would he be guided by his best legal judgment? Mr. Veara replied, saying that with any issue, you analyze the facts and the situation. At the end of the day, it's the Board of Selectmen that control what happens in terms of litigation (or strategy of a type of case). However, if confronted with a directive, a lawyer is required to advocate for the client. It's also incumbent upon Counsel to come to an executive session, outline the options, and then the Board chooses the direction they want to go in.

Selectman Burgess asked if Mr. Veara would feel comfortable addressing where he would caution the Board to be aware of issues which may be cropping up in the future. Mr. Veara responded, stating that it's a difficult question to answer. It's not Counsel's job to set policy. Every town is confronted with the financial pressure of raising revenue and addressing budgetary issues. They will always be confronted with development pressures. What direction do they want (or not want) the development to go in. The Board sets the policy of the direction it thinks it wants to go in, and through his assistance, they try to implement the best safeguards to provide the citizens the ability to obtain those goals. He is not sure

his job is to tell the Town what direction to go in, but he is amenable to stating what can be implemented and provide ideas for that.

Selectman Wisotzky made a motion to adjourn at 4:32PM.

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

None

Truro Board of Selectmen
Meeting Minutes – Tuesday, February 17, 2015
Truro Town Hall, 2:30 p.m.

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

Others Present: Town Administrator Rae Ann Palmer

Attorneys from: Kopelman & Paige, P.C.: Attorney Lauren Goldberg and John Giorgio; Petrini & Assoc. P.C.: Attorneys Chris Petrini & Barbara Saint Andre & Light house Legal Counsel LLC: Attorneys Jack Dolan; Huggins & Witten, LLC: Barbara Huggins & Jon Witten

Town Counsel Applicants

Petrini & Associates PC

Attorneys Chris Petrini & Barbara Saint Andre

The first set of questions was asked by Selectmen Wisotzky:

- What is your firms overall approach towards working with clients?

Attorney Petrini responded with a discussion about their experience and personalized attention provided by 6 Attorneys, representing 5 towns as well as experience working on the Cape. Ms. Saint Andre explained her strategy with regards to working with clients.

- What do you believe are the key components of an effective working relationship?

Attorney Saint Andre responded to communication as being the key factor.

The second question was asked by Selectmen Worthington:

- What sets Truro apart from other municipalities and what are the three most important attributes that you bring to the table working with the Town of Truro?

Attorney Saint Andre responded that one key element is the National Seashore and the seasonality of the town. She also added that another attribute is their experience as Municipal Attorneys working in a law firm their size. She also noted that they are also very responsive to their clients.

The third question was asked by Selectmen Burgess:

- What is your strongest area of expertise with regard to municipal governance? What is your weakest?

Attorney Petrini responded by citing examples of his experience with Municipal law. He also noted their strengths in the area of public construction and infrastructure disputes, litigations and cited examples and how this experience would be pertinent to Truro. He stated with respect to weakness their firm does not do tax taking or tax title work. Attorney Saint Andre responded that her area of expertise is general Municipal law with a specialized area of land use.

The fourth question was asked by Selectmen Coburn:

- What processes or procedures would you recommend to control costs related to legal services?

Attorney Petrini responded that they have a fixed fee and annual retainer proposed (\$65K 1st & 2nd year & \$70K 3rd year) and cited what is covered in the retainer with a provided itemized bill; with major transactions outside of that amount. He spoke of the importance of having a policy in place with regards to accessing Town Counsel as a way to restrict costs. He added that they send client advisories with legal updates which can be cost effective in the long run for towns. Attorney Saint Andre also spoke of seminars that they offer on open meeting law.

The fourth question was asked by Selectmen Weinstein:

- As the issue of regionalization or service sharing between communities becomes a reality, how would both Towns prevent a conflict and protect both Town's interest?

Attorney Petrini responded that regionalization is a key issue and spoke to how this pertained to Truro with its relationship and water supply with Provincetown. He spoke of the IMAs (Intermunicipal Agreements) that their firm have been involved with recently. Attorney Saint Andre informed the Board that they are currently not representing the neighboring towns.

The second part of the fourth question was asked by Selectmen Weinstein:

- What would you do if you represented both Towns to prevent a conflict and protect both Town's interest? (second part of the question)

Attorney Saint Andre responded that their firm's soul loyalty would be to the Town of Truro. Attorney Petrini concurred.

Selectmen Worthington asked about the smallest towns that their firm also represents.

Attorney Saint Andre spoke of West Brookfield having less than 5K people. Attorney Petrini listed the remaining four towns that were small other than Framingham.

Selectmen Worthington asked about the retainer and whether it included the land use case that the Town is now involved in.

Attorney Petrini stated that there would be no additional charge getting up to speed on the case but after that such things as major real estate litigation would be outside of the retainer. Selectmen Worthington asked what their hourly rate would be for that case. It was stated that there proposal was \$175-225.00 (per hour).

Selectmen Worthington asked how the Attorneys would describe the community of Truro. Attorney Saint Andre responded that the National Seashore stands out the most in her mind. She also mentioned that it is a very seasonal area.

Selectmen Wisotzky asked what in particular it was about the Truro that would be a good fit for their firm.

Attorney Saint Andre stated that the size of the town makes it a good fit and they do not represent any other towns on the Cape, as well as the issues that Truro faces are similar to

what the other towns they represent are facing. Attorney Petrini stated that they have the skill set and the familiarity with the issues that the town is facing. Attorney Saint Andre responded that she had formerly been the principal Attorney for Harwich when she worked for Kopelman and Paige.

Selectmen Burgess asked where the Attorneys resided and the time it took to get to Truro.

Attorney Saint Andre stated she lived in the South Shore and the drive was not that long. Attorney Petrini stated that he resides in Natick and the length of time it took him to arrive in Truro.

Selectmen Weinstein asked how they would handle the transition if they were hired.

Attorney Saint Andre stated that they will not charge during the transition period and explained how they would process the information from current Town Counsel, the Town Administrator, Department Heads, and the Board of Selectmen.

Selectmen Coburn asked if they had experience appearing before the court system with land use cases. They were asked since Truro has Labor Counsel would they adjust their retainer fee if the labor component were left out. Attorney Petrini was fine with that.

Town Counsel Applicants

Kopelman and Paige PC

Attorneys Lauren Goldberg & John Giorgio

Attorney Goldberg introduced herself and Attorney John Giorgio.

The first question was asked by Selectmen Wisotzky:

- What is your firms overall approach to working with clients?

Attorney Goldberg responded that Kopelman and Paige will designate a single attorney to the Town of Truro with the guidance of other Attorneys at their lawfirm. She explained further their availability. The Town would work with a small group of Attorneys that would be well versed in the Town's Charter and Bylaws which would alleviate the expense of special counsel.

Attorney Giorgio added that Kopelman and Paige is a municipal practice only and their firm does not take cases against municipalities.

The second question was asked by Selectmen Wisotzky:

- What do you believe are the key components of an effective working relationship?

Attorney Giorgio emphasized that Truro will have a designated small team of Attorneys working for them with all services coordinated. Attorney Goldberg suggested that their track record also be reviewed. Their representation is enhanced due to a policy neutral stance since they are not a local firm.

The second question was asked by Selectmen Worthington:

- What sets Truro apart from other municipalities and what are the three most important attributes that you bring to the table working with the Town of Truro?

Attorney Giorgio responded that Truro has similar legal issues that other towns on the Cape are facing in Barnstable County. Truro is located within the National Seashore and there are also coastal erosion issues. He cited things that their lawfirm could possibly look into, for example, year round resident tax breaks. Attorney Girogio described their working relationship with the Cape Cod Commission. Attorney Goldberg spoke again of the breadth of different Attorneys that are available at their firm.

The third question was asked by Selectmen Burgess:

- What is your strongest area of expertise with regard to municipal governance? What is your weakest?

Attorney Giorgio responded that they work on many issues with labor and employment law which is his weakest area and his strongest areas are Environmental Law, Municipal Finance, contracts and Procurement.

The fourth question was asked by Selectmen Weinstein:

- As the issue of regionalization or service sharing between communities becomes a reality how would you handle Truro in developing these agreements?

Attorney Giorgio stated that they have worked on many Intermunicipal Agreements and explained his history in working with Truro and Provincetown and the benefits that come with neighboring communities having such agreements. Attorney Goldberg cited the benefit of sharing the costs and the concern with the Town's legal budget.

The second part of the fourth question was asked by Selectmen Weinstein:

- What would you do if you represented both Towns to prevent a conflict and protect both Town's interest? (second part of the question)

Attorney Giorgio responded that should a conflict of interest arrive it would be the responsibility of the law firm. Attorney Goldberg added that they would not put themselves or the town into a situation of conflict with regards to regional matters as it is the conflict of the law firm not the towns.

The fourth question was asked by Selectmen Coburn:

- What processes or procedures would you recommend to control costs related to legal services?

Attorney Giorgio explained that there would be a discussion with the Town Administrator as to what services needed their attention first. He spoke of being proactive to prevent legal issues from arising and spoke of issues that can arise that are ultimately civil matters. Attorney Goldberg reiterated the importance of having so many Attorneys at their ready that can be consulted prior to an issue become expensive.

Selectmen Worthington asked on the day to day which Attorney would be consulted first.

Attorney Giorgio stated that he would be the first contact and noted Jonathan Silverstein would handle complicated land use issues but all requests would initially come through Attorney Giorgio.

Selectmen Burgess asked how they would handle the transition with current litigation.

Attorney Giorgio explained that there would be a review of litigation without a charge to the Town and perhaps a meeting with the Board in Executive Session to discuss matters of current litigation. Attorney Goldberg added that the transition process is crucial to the beginning of the relationship with the cost of legal services being tailored to Truro.

Attorney Giorgio stated that he lives in Chatham and his schedule is flexible with a capped rate at one hour round trip.

Town Counsel Applicants
Lighthouse Legal Counsel LLC
Attorneys Jack Dolan, Barbara Huggins & Jon Witten (Huggins & Witten LLC)

The first questions were asked by Selectmen Wisotzky:

- What is your firm's overall approach to working with clients?

Attorney Dolan responded that he prefers a small group of clients versus a vast array of clients with advice based on best judgment. Attorney Witten added that they only represent a select number of towns and stated his and Attorney Huggins' history with Municipal Law. Attorney Dolan spoke of Attorney Witten having been Town Counsel when he was a Town Administrator.

Selectmen Wisotzky asked the follow up question:

- What do you believe are the key components of an effective working relationship between a Municipality and their Counsel?

Attorney Dolan stated that an effective relationship is based on trust, expertise and responsiveness and that Counsel is always looking out for a Town's best interest. He also stated the importance of communication. Attorney Witten added that you want to receive the best legal advice that can be provided.

The second question was asked by Selectmen Worthington:

- What sets Truro apart from other municipalities and what are the three most important attributes that you bring to the table working with the Town of Truro?

Attorney Dolan stated that Truro has a unique geography and demographics. He stated that he has an existing solid relationship with the Board of Selectmen, Town Administrator and desire to extend that relationship. He added that he has lived and worked in coastal communities. Attorney Huggins added that the town is subject to the jurisdiction of the National Seashore and the Cape Cod Commission and the layers of governance. Attorney Witten added that he and Attorney Huggins are Planners with respect to the land use and the rural area of Truro.

The third question was asked by Selectmen Burgess:

- What is your strongest area of expertise and weakest?

Attorney Dolan responded that his strength lie with labor and human resource issues. He explained that his weakness is in the area of land use with respect to practicing in Massachusetts. Attorney Witten explained that their strengths are in land use mitigation and general Municipal law. He added in the labor side is one of their weaknesses. Attorney Huggins stated that items like unemployment insurance would be a weakness but anything pertaining to land use would be his strength.

The fourth question was asked by Selectmen Weinstein:

- As the issue of regionalization or service sharing between communities becomes a reality, how would you handle Truro in developing those agreements?

Attorney Witten explained his work history and stated representation to two municipalities requires loyalty to one town; which would be to the Town of Truro.

The second part of the fourth question was asked by Selectmen Weinstein:

- Asked how their law firm would handle both Towns to prevent a conflict and protect both Town's interest?

Attorney Witten stated that they would fight for the best interest of Truro and they do not handle too many municipalities because that is itself a conflict of interest.

The fifth question was asked by Selectmen Coburn:

- What processes or procedures would you recommend to control costs related to legal services?

Attorney Dolan stated the importance of a firm policy being in place for access to Town Counsel. Attorney Witten stated that they respect the legal counsel budget. He added that they have done estimations with itemization for certain tasks. Attorney Dolan stated that there could be alternative fee agreements. He added that they are open to alternative fee arrangements with Truro.

Selectmen Coburn asked how the communication will work.

Attorney Dolan stated that their relationship would be transparent. He stated that there would be a designated Attorney established as a first contact. Attorney Witten further expanded on this seamless operation in using them as Counsel.

Selectmen Weinstein asked how they would handle the transition period with Truro's ongoing issues.

Attorney Dolan stated that their transition process would not be to the cost of the town and would start with consultation with the Board of Selectmen or the Town Administrator. Attorney Huggins added that it would include meeting with key stake holders and visiting with people to see what the current issues are.

Selectmen Burgess asked Attorney Dolan what changed his career direction from having been a Town Administrator. Attorney Dolan explained his work history and how his dual experience is a benefit to the client. Attorney Witten added that they collectively bring a Planning piece to the table. Attorney Huggins explained her skill set as a Lawyer and Planner have grown over the years.

Selectmen Weinstein asked what their availability would be regarding seminars. Attorney Witten added that they do seminars all the time and cited examples but noted that it must be the most current information as updates to the law change frequently.

Selectmen Coburn stated that he was not ready to make a decision and felt that there should be time to go through the references. There was discussion as to how to approach this next. It was decided to add to the agenda of the 24th a discussion on Legal Counsel. There was a discussion on the presentation from the law firms.

At 4:33PM Coburn asked for a motion to adjourn. Weinstein so moved. Wisotzky seconded the motion. So voted unanimously 5-0.

Respectfully submitted, Nicole Tudor, Board of Selectmen Secretary

Jay Coburn, Chairman

Paul Wisotzky, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

Maureen Burgess
Board of Selectmen
Town of Truro

Agenda Item: 7E

Truro Board of Selectmen
Meeting Minutes – Tuesday, February 24, 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, Tony Jackett, Tim Silva, Paul McClanahan, Dan Slater, Eric Morea, Joe Francis, Charleen Greenhalgh, Monica Kraft, Trudi Brazil

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. No one came up to speak during the public comment period, and Chair Coburn opened the Public Hearing.

Public Hearings

- A. The Truro Board of Selectmen will hold a public hearing on Tuesday, February 24, 2015 at 5:00PM at the Truro Town Hall, 24 Town Hall Road, Truro, at which time proposed changes will be made to the Canoe/Kayak/Raft-Daily Launch & Seasonal Fees; Ramp-Fee Daily; Commercial Hauler Ramp-Seasonal & Single Launch Fees; & a Proposed Non-State Resident Daily Ramp Fee.**

Tim Silva and Tony Jackett approached the Board. Mr. Silva explained that since the Land Management Agreement has been signed, the Board of Selectmen can vote on the increase of fees to be sent to the State. He then went over the current and proposed fees. Chair Coburn clarified the term “commercial hauler” to be an entity such as Nauset Marine or Bay Sails who pull boats out of the water. Charter boats are not included in the Commercial Hauler category. Selectman Worthington asked how much it cost to have a boat put in the water by Nauset Marine (or another establishment). Mr. Silva stated that he was not sure, but that it was most likely “hundreds” of dollars. Selectman Wisotzky mentioned that he knew the Town was restrained by the State in regards to fees, and he asked what the maximum allowable increases were. Mr. Silva told the Board that Truro has the highest fee, for daily ramp usage, in the State at \$10.00 per day. The maximum for Commercial Launchers is \$1500.00

Chair Coburn asked if there were comments from the public regarding the proposed fees. Mr. McClanahan came up to ask a question for clarification. Since, for the first time, Pamet Harbor is considering going to a resident/non-resident fee structure would the non-resident be determined by the registration on the boat, trailer, or tow vehicle. Mr. Silva stated that personally, he would use the registration of the boat as the determining factor. Chair Coburn is sure that the State has outlined how non-resident status is determined, but that they would get clarification. Mr. Slater then approached the Board. He knows that there are some parking issues down at the harbor and wonders if one of the fees could be split for residents; \$10 for parking and \$5 for launch. Many residents could launch their boat and bring their vehicle back to their home. Mr. Silva informed the group that the State has told the Commission that the fee is a ramp fee, and not a parking fee.

Selectman Worthington asked if the raft fee was new. Mr. Silva explained that it’s always been there, per the State, but they have never had a raft launch out of Pamet. He stated that it falls under the category of a small boat without a motor, such as a canoe or kayak.

Selectman Wisotzky mentioned that one of the items the Board has been looking at during the budget process is departments that have fees associated with their services, and how much of that department's budget can be offset by fees. He's curious how the fee adjustment will affect how much more (in terms of a percentage) it would cover in terms of operations of the harbor. Mr. Silva stated that in general, the fees collected pretty much cover the salary of the Harbor Master and his budget, and that the dredging is what puts the Harbor "in the hole". Chair Coburn mirrored what Selectman Wisotzky said. Not all departments can generate enough in fees to cover their expenses. He asked what the parameters are around fee increases. The Chair would like to see by State Statutes, or Rules and Regulations, what the State restraints are on fees. He would also like to see a profit and loss statement on the harbor. It is difficult for him to approve fees, absent of that information. Ms. Palmer and Ms. Brazil can work with Mr. Jackett and the Commission to get the information which Chair Coburn is asking for. Selectman Worthington asked that when they revisit this on the March 17th meeting, can they get a breakdown of how much revenue is generated from each fee, per category.

Mr. Morea came before the Board to speak. He asked if the basin moorings and shallow water moorings were regulated by the State. Mr. Jackett stated that they were not. Mr. Morea asked if the Town could up those fees to make up the difference if the State does not approve the proposed fee hikes. Chair Coburn stated that it could be a possibility; however he would want the Harbor Commission to weigh in. Mr. Jackett told the Board that the season starts the week before Memorial Day weekend. Applications to be on the wait list have been mailed out. Chair Coburn asked what the State's turnaround time is on approval of fee increases. Mr. Jackett estimated about a month.

Mr. Francis came before the Board to speak. He advised the Board that when he worked at the harbor, he had trouble with the State and their timeframe to approve fees. It requires a meeting of different people from the State, at different levels, and he is urging the Board to start the process as soon as possible. He also suggested cutting the Harbor Master's hours back to 35 hour, to save money.

Selectman Weinstein made a motion to continue this public hearing to their March 17, 2015 meeting. Selectman Burgess seconded this motion. So voted unanimously, 5-0.

Board/Committee/Commission Appointments

- A. Review and Approve Appointment of Noelle Scoullar to Registrar of Voters for the Town of Truro.**

Selectman Wisotzky made a motion to approve Noelle Scoullar as Registrar of Voter. Selectman Burgess seconded this motion. So voted unanimously, 5-0.

Tabled Items

- A. Final Recommendations (#8) from the Charter Review Committee on the Truro Town Charter.** Ms. Greenhalgh approached the Board. Chair Coburn informed the Board that the Charter Review Committee was unable to get a quorum, but they do have a recommendation from the Chair to address some of the concerns that were discussed the last time this was on their agenda. Ms. Greenhalgh stated that the concern was in Section 5-4-2, where it lists a number of Department Heads as well as other positions within the community. It was suggested that they take the reference to 5-4-2 out and just say "to all Department Heads and employees, including the Police Chief and the Fire Chief" thus eliminating the word "officials".

Selectman Wisotzky made a motion to add the proposed article that would revise the new Section 5-5 to the Town Charter.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Board of Selectmen Action

A. Discussion of Strategies for increasing attendance at the 2015 Annual Town Meeting.

Ms. Kraft approached the Board. She let the Board know that Chair Coburn had approached her with the idea of moving the Town Meeting to the school instead of the Community Center. She wholeheartedly supports this idea. The school is a huge portion of the budget, and a lot of people who come to the Town Meeting have no connection to the school. She also hopes it would encourage parents of young children to attend as well. She has spoken to the Superintendent, and it is not a problem as long as set up and cleanup is taken care of. Selectmen Worthington and Burgess think it's a great idea. Selectman Wisotzky is in agreement also, but believes that since many people are now used to going to the Community Center, there will need to be very clear signage on the highway, the warrant, and the Town website, that this is a change. Selectman Wisotzky asked if child care could be arranged at the school for during the meeting. Chair Coburn let him know that traditionally the Recreation Department provides child care. Selectman Wisotzky also asked about whether a power point presentation could be available at the meeting, as it was last year. Ms. Kraft has spoken with Harry Terkanian about this, and he recommends the IT department at Barnstable County. She will be having a discussion with someone there regarding cost, etc. Ms. Palmer informed Ms. Kraft that Truro has a contract with Barnstable County IT to help provide support. She has a meeting set up for next week with their Director, and she will add this to the agenda to discuss. Selectman Wisotzky is hoping that in addition to projecting what the warrant is that they can also do real-time amendments for people to read. Chair Coburn is suggesting an earlier start time (6:00PM instead of 7:00PM), and wondered if there was a way to quickly poll people. Ms. Palmer requested that the Board allow her to check with the Clerk to see what kind of lists they have, in terms of voters and year round residents. Using that list, they could notify people of the change of venue and they could also ask whether a 6:00PM start time is more preferable. Chair Coburn would like to see signage on Route 6 alerting people of the change in location and possible time change. He also would like to send a flyer home with children to alert parents. Selectman Weinstein would also like the flyer to notify parents that child care services will be available. He also asked if it were possible, through the Council on Aging, to use one of their vehicles to transport senior citizens to and from the meeting. Other suggestions were discussed among various Selectmen.

B. Preview of Town Meeting Warrant

Chair Coburn asked Ms. Palmer to do a walk-through of the items on the warrant to make sure the Selectmen were aware of everything, and to give them a chance to suggest items not currently on the warrant. Ms. Palmer went through the articles for the draft 2015 Annual Town Meeting. Selectman Weinstein observed that in looking through the hard copy there are several references to the golf course which he thinks are no longer appropriate because of the change in management. He believes that language should be removed. Ms. Palmer did clarify that they still have some golf course reserves.

C. Discussion on FY16 Budget

Ms. Palmer stated that at the last Budget Task Force meeting on February 12, 2015 they were asked to incorporate the dump truck back into the budget as opposed to having it be a capital exclusion. Since then, they have "sharpened their pencils" on a couple of items. The request for a portable scale, and new compactor, which were in the capital budget for the DPW, has been amended because the compactor is far out of reach of what they are willing to request this year. Cape Cod Tech's recent assessment estimate is much larger than the one originally in the budget. Ms. Brazil stated that the figure is a 40% increase over the FY15 assessment. Ms. Palmer let the Board know that the final date

that the Finance Committee can hold a public hearing on the budget is March 13th, 2015. As she recalls, the Finance Committee Chair is out of the country until March 10th. She also mentioned that they are waiting on the assessor, who is working for Truro through PK, to get all of the data into the computer so that they can get a good number on the valuation for the year. That will enable them to get a solid number on what the taxable property is. Ms. Brazil hopes that by mid-March (or the third week of March) they can have things buttoned-up. Ms. Brazil had a request. One of the available funding sources is a request to use overlay surplus funds. Overlay surplus is a funding source that occurs when your overlay in the Provision for Abatement and Exemption account exceeds the amount of outstanding receivables in any ATB cases that would be pending. She has a list of all of the levy year overlays, combined with outstanding personal property and real estate. On those levy years that have a surplus, that no ATB cases are outstanding, the Board has the ability to request that the Board of Assessors release the overlay. If the Board of Assessors agrees, then the Assessors notify the Accountant, who transfers from the levy years, into an overlay surplus account. Those funds can be used for any legal purpose. Ms. Brazil respectfully requests that the Board of Selectmen request the Board of Assessors follow that process.

Selectman Wisotzky made a motion to authorize the Town Administrator to request that the Board of Assessors release \$183,000 in overlay surplus.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

D. Discussion on Quarterly Review of Town Administrator

Selectman Weinstein began the discussion. From his perspective, he is delighted that she stepped forward to take the position of Town Administrator. Her communication with the Board has been terrific, and he particularly likes the weekly report. He lauds her attempt to set a parameter of expectations of her staff.

Selectman Burgess finds Ms. Palmer very accessible, and really appreciates the weekly report. She has a sense that she covers all the bases, and looks for information so she can make informed decisions.

Selectman Wisotzky reported that it's been a pleasure to work with Ms. Palmer, and she has exceeded his expectations. She has listened, and learned how to familiarize herself with the way of doing things. He feels very well supported as a Selectman. The cover sheets for the packets are extremely helpful. In terms of moving forward, Selectman Wisotzky would like to refocus on making sure the packet is complete when they receive it. If an item is not complete, it should be removed from the agenda. He would also like to hear more from Ms. Palmer at their meetings. He would like to hear her point of view. He is concerned about her burning out, and encourages her to pace herself.

Selectman Worthington agrees with everything which has been said. She feels the Town is lucky to have her. The communication level is great, and the weekly reports are welcomed. The way Ms. Palmer has built a frame work for teamwork is a breath of fresh air. She thanked her for all that she's done so far, and looks forward to everything she will accomplish.

Chair Coburn agrees with everything his colleagues have observed. He, too, finds the weekly report to be extraordinarily helpful, and he particularly likes how she engages the staff in producing it. He feels that the entire team is supporting the Board of Selectmen. She has an extraordinary grasp of the issues, and that's one of the reasons why he wanted to hire her. As a Chair, he perhaps has failed to be as clear as possible on the Board's priorities and he is looking forward to revising their goals and objectives.

E. Selection of Town Counsel

Chair Coburn mentioned that he'd sent out an email to the Board, informing them that the Town Administrator had requested a writing sample from all of the candidates. Those are due by this Friday. He would like to table the decision, and revisit it on March 17th. Selectman Burgess asked since they

seem to be moving forward in having some sort of formal arrangement for engaging Town Counsel services, she does not think they've spoken about any length of time. Are they talking about one year, three years, or one year with possible renewal? She thinks it would be helpful to think about this, and to inform the candidates as well. Chair Coburn thought that once they make a decision about what direction to move in, that the Board would discuss a time frame. Ms. Palmer added that each of the proposals had a recommended time frame in them. She can pull that information out and give it to the Board. She has received three of the four letters. As soon as she receives the fourth, she will get those out to them as well. Selectman Wisotzky asked a question regarding appropriation, which Chair Coburn answered.

Consent Agenda

- A. Review & Approve and Authorize the Chair to sign:
Paul S. Kapinos & Associates Contract for Assessor's Services.**
- B. Review & Approve Use of Town Property-Town Hall Parking Lot-May 30th, 2015 2-7:30pm.**
- C. Review and Approve 2014 Seasonal Population Estimate for ABCC Alcoholic Beverages Control Commission.**
- D. Review and Approve Rental Registration Fee for 2015.**
- E. Review & Approve Meeting Minutes: Feb. 2nd (Budget); Feb. 10th Regular Meeting; Feb. 12th Budget**

Selectman Burgess asked to make a change to a section in the February 10th minutes, and to correct one name in the same section. Selectman Weinstein had a correction in the February 2nd minutes, and a clarification in the February 12th minutes. Chair Coburn would like to hold consent agenda item B.

Selectman Wisotzky made a motion to approve the consent agenda, with the corrections to February 2nd, 10th, and 12th minutes, and with the amendment on the rental registration fee to include the increase to \$200.00.

Selectman Weinstein seconded this motion.

So moved unanimously, 5-0.

Chair Coburn stated that there is a request in the consent agenda to use the Town Hall parking lot on May 30th, 2015 for a wedding. Ms. Palmer brought an issue to his attention which he felt should be discussed. Ms. Palmer explained that the wedding is being held at Hedgebound which has caused some consternation in the past with neighbors. If the use of the Town Hall parking lot is allowed, we may be putting ourselves in a position where the Town is supporting the use of rental properties for events. The issue in the agreement from 2013, as she understands it, was that these places would not be advertised as wedding venues and there is no way of telling whether it was or not. A quick look on Google did not indicate that it was being advertised; however advertising from 2012 (in terms of wedding photographs) was still available. She checked with current Town Counsel, and he felt that the Town could be putting itself in a difficult position if the Board of Selectmen approved this request. His suggestion was for Ms. Palmer to bring this information to the Board for their consideration.

Selectman Weinstein made a motion to deny the request for parking at the Town Hall on May 30th, 2015.

Selectman Worthington seconded this motion.

So voted unanimously, 5-0.

Selectmen Reports and Liaison Reports

Selectman Weinstein-Does not have any direct committee reports due to the Board of Health meeting being cancelled because of the snow. For public information, there is a meeting of the SMART/Pay as you Throw Committee on February 26, 2015. He also wanted to commend the Public Safety facility and the DPW on the condition of the roads.

Selectman Burgess-Due to inclement weather some of the committee meetings she is liaison to were cancelled.

Chair Coburn-Wished to inquire if any of the Selectmen were attending the meeting being held by the Cape Cod Commission. Selectman Weinstein and Ms. Palmer will be attending. Selectman Burgess asked Chair Coburn to explain why the meeting was so important. Chair Coburn gave a brief summary.

Selectman Wisotzky-The CPC made their final recommendation, which the Board of Selectmen will see in the warrant. They will present those articles to the Board. Also as liaison to the Recreation Commission, they are getting the report related to the tennis court/walking trails from the engineering firm. Once they have the recommendations, they will hold a public hearing.

Selectman Worthington-Had a chance to attend the Shellfish meeting this afternoon. She wished to say that it's so fun and exciting to listen to that group. The ADA farming has the potential to be a great thing. She would like to talk more about Ballston Beach, specifically about the parking lot, and asked that it be placed on the March 17th agenda. At some point she would also like to hold a discussion about the private and public roads. She thinks that the issue of who gets plowed and who does not, when it's an emergency situation, needs some sort of protocol. Chair Coburn is glad that Selectman Worthington brought up the road situation, as he believes it is a very important and complicated issue. He thinks this would be a great objective to add to the Board of Selectmen's goals and objectives.

Chair Coburn-He attended a meeting of the Cape and Islands Selectman and Counselor's Association last Friday, which had a very interesting discussion on coastal erosion. There were a number of informative presentations, including one by Pat Hughes who is a Select Board member in Brewster, but also works at the Center for Coastal Studies. He was surprised by the variety of perspectives by different towns.

Next Meeting Agenda: March 17, 2015

Chair Coburn will be on vacation, and Vice Chair Wisotzky has volunteered to coordinate with members, and Ms. Palmer, the development of the agenda during the week.

- Public hearing for the last acre of the ADA grant will be held.
- Seasonal All Alcohol Pouring License hearing for Highland Links Golf Course.
- Representative to the Cape Cod Commission will be here to give an update.
- Vote to place goals on the Annual Town Meeting warrant.
- Update on Board of Selectmen goals and objectives.
- Discussion of Ballston Beach parking lot.
- Consent agenda will include:
 - Approving the "Light it up Blue" Autism Awareness
 - Common Victualer (food) license approvals

Town Administrator's Report

Jay Norton is compiling policies and procedures that other towns use for plowing private roads. Ms. Palmer agrees that the Town needs a policy. In regards to Ballston Beach, she is working with Mark Borelli from the Center for Coastal Studies to refine his proposal, as the timeline is a bit long. They have talked about holding a meeting within the next month to look at possibilities for the parking lot, so that the beach can be opened this summer. Her goal is to have Mark go to the meeting on March 17th as well, to talk to the Board about what he's looking to accomplish with the study. Selectman Worthington is concerned that they are getting the science of the whole erosion problem mixed up with the parking

lot. The parking lot is really the only thing they have control over. She would like to see it dealt with as a separate issue. Ms. Palmer believes the study is intended to deal with the impact to the Town for the beach and the parking lot. Ultimately, it's the overwash that's trying to recreate the salt water marsh, and where it wants to recreate it, is the parking lot. They can clean the sand out, but the reality is (long term) we may have to abandon the parking lot and look to other alternatives to deal with the houses there and the parking. Selectman Burgess recalls a discussion of whether there should even be blacktop in the parking area. Ms. Palmer continued her report, stating that they are working on the transition to their payroll service doing automated collection of employee leave accruals. In terms of the snow budget, it is now \$28,000 over the appropriation. They are projecting around \$45,000 in overage by the time all the bills come in. \$56,000 has been spent to date.

Selectman Wisotzky made a motion to adjourn the meeting at 7:00PM.

Selectman Burgess seconded this motion.

So voted unanimously, 5-0.

Respectfully submitted,
Noelle Scoullar

DRAFT

Jay Coburn, Chairman

Paul Wisotzky, Vice-Chairman

Janet W. Worthington, Clerk

Robert Weinstein

**Maureen Burgess
Board of Selectmen
Town of Truro**

Documents Used

Public Hearing announcement for amendment to Pamet Harbor Fees; Pamet Harbor Rules and Regulations; Proposed Harbor Fees
Application to serve-Registrar of Voters-Noelle Scoullar
Draft 2015 ATM-Table of Contents
Amended Agreement between Town of Truro and Paul S. Kapinos
Application to use Town-Owned Property-Abigail Hackler
Letter from Executive Director of ABCC regarding Population Estimates for Seasonal Licenses in 2015-
Copy of M.G.L. Ch. 138 Section 17-ABCC Quota System-Increased Population Form
2015 Annual Rental Registration Letter-Rental Registration Data from 2006-2014-2015 Application for
Seasonal Rental Registration-Copy of General Bylaw, Chapter II
February 2, 2015 draft minutes-February 10, 2015 draft minutes, February 12, 2015 draft minutes
FY2016 Municipal Operating Budget-FY2016 Projected Available Spending Capacity-FY2016 Projected
Expenditures and Assessments
Permit/License Fees, MA cities and towns