



## Truro Board of Selectmen Meeting Agenda

**Tuesday, March 29, 2016**

**Regular Board of Selectmen Meeting - 4:00pm**

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

### 1. PUBLIC COMMENT

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

### 2. PUBLIC HEARINGS

- A. Please be advised that the Truro Board of Selectmen will hold a Public Hearing on Tuesday, **March 29, 2016 at 4:00 p.m.** to hear the application of Captain's Choice, Inc., Christopher W. King, Manager and Owner of Record is requesting a New Seasonal –Wines and Malt Beverages Pouring License (under MGL Chapter 138 § 12) with the Town of Truro. The premises location is 4 Highland Road, Unit D, North 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: Attorney Chris Fiset and Christopher King

### 3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS NONE

### 4. TABLED ITEMS NONE

### 5. BOARD OF SELECTMEN ACTION

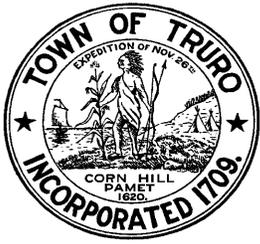
- A. Presentation on the 2015 Cape Cod Commission Report  
Presenter: Kevin Grunwald, Truro's Representative to the Cape Cod Commission
- B. Continued Vote to Recommend Warrant Articles to Annual Town Meeting 2016  
Presenter: Rae Ann Palmer, Town Administrator

### 6. CONSENT AGENDA

- A. Review/Approve and Authorize the Chair to sign:
  1. Agreement with EF Winslow for HVAC Duct Work Cleaning
- B. Review and Approve Proclamation declaring the month of April 2016 Autism Awareness Month.
- C. Review and Approve Reappointments of Officers Rose, Roda and McGlynn to the Truro Police Department.
- D. Review and Approve Seasonal Common Victualer and Transient Vendor (Seasonal Retail) License: Highland Links Golf Course
- E. Review and Approve Consultant; under provisions of Conservation Bylaw, Chapter 8 Section 4e

### 7. SELECTMEN AND LIAISON AND TOWN ADMINISTRATOR REPORTS

### 8. NEXT MEETING AGENDA: TUESDAY, April 19, 2016



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Licensing Department

**REQUESTOR:** Noelle Scoullar, Executive Assistant on behalf of Licensee Christopher W. King, owner/manager of Captain's Choice, Inc.

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Public Hearing to approve, as Local Licensing Authority for the Town of Truro, a new Seasonal Wine & Malt Pouring License for Captain's Choice, Inc. located at 4 Highland Road, Unit D. North Truro, MA

**EXPLANATION:** The Selectmen's office received an application on March 8, 2016 from Christopher W. King, owner and manager of Captain's Choice, Inc. for a seasonal wine & malt pouring license. This license, once approved, would be a Seasonal Wine & Malt Pouring License. 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 Selectmen's signature once an approval vote is made. The ABCC will return this document stamped APPROVED, or this office will be contacted with a request for additional information from the applicant. The requested license is for 7 days a week from 10:00AM-10:00PM.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** Captain's Choice, Inc. will not be allowed to serve wine or malt in their establishment.

**SUGGESTED ACTION:** *MOTION TO Approve. a Seasonal Wine & Malt pouring license for Christopher W. King, manager of Captain's Choice, Inc. located at 4 Highland Road, Unit D, North Truro, MA.*

**ATTACHMENTS:**

1. Public Hearing Notice
2. ABCC Application (Confidential-available for viewing in the Selectmen's Office)
3. Police Chief Review
4. Form 43 for LLA signature



# 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](mailto:ntudor@truro-ma.gov) or [nscoullar@truro-ma.gov](mailto:nscoullar@truro-ma.gov)

## TOWN OF TRURO PUBLIC HEARING

### NEW SEASONAL WINES AND MALT BEVERAGES POURING LICENSE

Please be advised that the Truro Board of Selectmen will hold a Public Hearing on Tuesday, **March 29, 2016 at 4:00 p.m.** to hear the application of Captain's Choice, Inc., Christopher W. King, Manager and Owner of Record is requesting a New Seasonal –Wines and Malt Beverages Pouring License (under MGL Chapter 138 § 12) with the Town of Truro. The premises location is 4 Highland Road, Unit D, North 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.

Paul Wisotzky, 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](mailto:ntudor@truro-ma.gov) or [nscoullar@truro-ma.gov](mailto:nscoullar@truro-ma.gov)

To: Police Chief, Kyle Takakjian, Truro Police Department  
 From: Noelle Scoullar, Executive Assistant  
 Date: March 10, 2016  
 Re: **Application for a New Seasonal –Wine & Malt –Pouring License**  
**Captain’s Choice, Inc. Located at 4 Highland Road, Unit D, North Truro, MA 02652**

The Office of the Board of Selectmen is in receipt of an ABCC (Alcoholic Beverages Control Commission) application from, Christopher W. King, Manager- Owner of Captain’s Choice, Inc.

Captain’s Choice, Inc. is requesting a New Seasonal –Wine & Malt –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 29, 2016.

Please kindly review for purposes of approval with the Local Licensing Authority (BOS) this request for a New Seasonal –Wine & Malt –Pouring License to ensure that the safety and well-being of the public will be protected.

Please provide any comments below:

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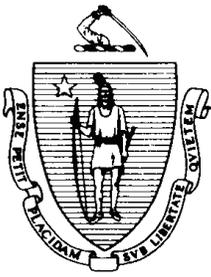
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POLICE DEPARTMENT  
REVIEW & APPROVAL

Signature: *Kyle Takakjian*  
 Police Chief, Kyle Takakjian  
 Date: 3/10/16



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

Agenda Item: 2A4

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

STAT

MA

ZIPCODE

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:

One story building with kitchen, dining room, and bathroom (850 sq. ft.). Three entrances and three exits of which two entrances and two exits are available to the public. Outdoor patio area beneath awning (1,200 sq. ft.). Crawl space (850 sq. ft.) not used. Attic (850 sq. ft.) used for storage.

Application Filed:   
Date & Time

Advertised:   
Date & Attach Publication

Abutters Notified: Yes  No

Licensee Contact Person for Transaction

Phone:

ADDRESS

CITY/TOWN

STAT

MA

ZIPCODE

Remarks:

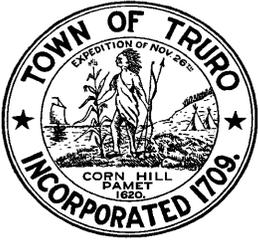
The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
 Ralph Sacramone  
 Executive Director

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ABCC Remarks:



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**BOARD/COMMITTEE/COMMISSION:** Cape Cod Commission

**REQUESTOR:** Noelle Scoullar, Executive Assistant, on behalf of Kevin Grunwald, Truro's Representative to the Cape Cod Commission

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Presentation on the 2015 Cape Cod Commission Report

**EXPLANATION:** Mr. Grunwald, Truro's representative to the Cape Cod Commission, will be presenting the 2015 Cape Cod Commission Report.

**FINANCIAL SOURCE (IF APPLICABLE):** N/a

**IMPACT IF NOT APPROVED:** The Board of Selectmen will not hear the 2015 Cape Cod Commission Report.

**SUGGESTED ACTION:** None

**ATTACHMENTS:**

1. Cape Cod Commission report for 2015

## *CAPE COD COMMISSION*

### **About the Cape Cod Commission**

The Cape Cod Commission is the regional land use planning, economic development, and regulatory agency for Barnstable County, Massachusetts. It was created in 1990 to serve the citizens and 15 towns the comprise Cape Cod. The Commission works toward maintaining a healthy balance between economic progress and environmental vitality. “Keeping a special place special” describes the agency’s mission to protect the region’s unique qualities.

### **Section 208 Areawide Water Quality Management Plan Update**

The initial draft of the 208 Plan Update was submitted to The Massachusetts Department of Environmental Protection (MassDEP) in June 2014. The plan was released for public comment in August 2014 with a presentation and overview at Cape Cod Community College. This was followed by public hearings in all subregions of the Cape over the next two months.

The plan and its implications for the Cape’s towns was the focus of the OneCape Summit, sponsored by the Cape Cod Water Protection Collaborative and supported by Commission staff. Held February 25 and 26 at the Hyannis Resort and Conference Center, the Summit brought more than half of the Cape’s local elected leaders together with representatives from U.S. EPA, MassDEP, the Conservation Law Foundation and the Commission. It was the first time towns were able to ask questions and get answers from regulators and others directly involved in developing the framework for addressing Cape Cod’s coastal nitrogen issues.

The final draft was submitted to MassDEP in March 2015, except for the designation of Waste Management Treatment Agencies, or WMAs. These are the entities responsible for carrying out the plan’s recommendations. The designation of WMAs, as required by Section 208 of the federal Clean Water Act, was the focus of another set of workshops conducted by the Commission through the spring of 2015.

With submission of the final plan to the Massachusetts DEP in June 2015, the Commission recommended that each of the 15 towns be designated as WMAs for the watersheds they control and/or share. The final plan also set the share of responsibility based on nitrogen contributions on a sub-embayment level.

In support of the 208 Plan Update, the Cape Cod Commission Act was successfully modified in August 2014 to allow for streamlined permitting. The stakeholder process used in the development of 208 Plan Update was recommended for us in local plans and has been put into action by the Town of Orleans in FY2015. The Commission looked forward to approval of the 208 Plan Update by U.S. EPA in the fall of 2015, leading to the implementation phase of the plan.

The commission also developed innovative, first-of-their-kind decision-support tools as part of the plan. WatershedMVP (multi-variant planner), the Scenario Assessment Model (SAM), a financial model and others will make local discussions and decisions easier by processing complex data sets into usable options. These and other tools are available at [www.capecodcommission.org/blackbox](http://www.capecodcommission.org/blackbox) . More information on the 208 Plan Update is located at [www.capecodcommission.org/208](http://www.capecodcommission.org/208) .

### **Regional Policy Plan Update**

The required five-year update to the Regional Policy Plan (RPP) started with three regional meetings in December 2014 focusing on the history of Cape Cod, its people, economy, infrastructure and other factors that led the Cape to where it is today. The last update in 2009 represented the first substantial reorganization of the RPP since it was first drafted, separating

the regulatory and planning sections. Those changes and others were based on recommendations of the 21<sup>st</sup> Century Task Force, a broad-based panel appointed to perform an outside review of the Commission.

For the 2015 update, the Commission will build on those earlier reforms. Among the goals for this RPP update are to:

- Ease the local comprehensive planning process and increase consistency with regional goals
- Simplify the regulatory process
- Create a framework for regional capital planning

A series of on-line planning tools were developed to support the RPP Update process and local decision making, such as the Chronology Viewer, Community Characteristics Viewer and Envision Tomorrow. These and other tools are available at [www.capecodcommission.org/blackbox](http://www.capecodcommission.org/blackbox) .

### **Strategic Information Office**

The Commission's Strategic Information Office (SIO) continued its technical support and development of an electronic permits, licenses and inspection solution for Cape towns, known as ePermitting. The system is live in the towns of Yarmouth, Chatham, Provincetown, and Harwich. Sandwich, Falmouth, and Orleans may move forward with e-Permitting implementation in the coming 12 months.

The Commission contracted for planimetrics data to be developed from imagery from the April 2014 Cape-wide aerial flyover. Planimetrics is the conversion of imagery into a flat digital map of elements such as roads, fire hydrants, utility poles, curb cuts and other such features essential for capital facilities and infrastructure design and general planning. The Cape-wide contract for this work has an estimated savings of between \$370,000 and \$620,000, as opposed to individual town contracts.

The Commission also continues to support the Regional Wide Area Network (RWAN), utilizing the OpenCape broadband accessible throughout the Cape. The Commission has connected 13 of the 15 Cape towns together with 1 Gbps shared Internet access, and access to regional hosted services developed by the SIO and its Governance Committee.

### **Planning/Community Design**

With expertise in land use planning, zoning, natural resources, historic preservation, affordable housing, and other areas, the planning staff works to improve the function and character of communities while managing growth and protecting the Cape's sensitive environment. The Planning department plays a major role in the five-year updates to the Regional Policy Plan (RPP), Local Comprehensive Plan assistance, establishing Districts of Critical Planning Concern and Growth Incentive Zones, regional and corridor-wide transportation/planning studies, and resource protection efforts including the Cape Cod Ocean Management Plan, 208 Plan update, and hazard mitigation planning. Planning staff works collaboratively with Community Design and Economic Development staff on Regional Economic Strategy Executive Team (RESET), projects described below.

Through the Commission's historic preservation specialist, 48 historic properties and districts were protected through inventory and state register listing. The Commission provided technical assistance and support to five towns to update their Multi-Hazard Mitigation plans-Barnstable, Chatham, Dennis, Provincetown, Truro-and six other towns are updating their existing plans. The Commission assisted the town of Provincetown on a coastal resiliency green infrastructure (GI) project partially funded by the Massachusetts Coastal Zone Management office, and assisted the town of Barnstable on two GI stormwater retrofit projects. Planning staff assisted

transportation staff by providing land use planning associated with corridor studies in the town of Barnstable and a commuter rail study in downtown Buzzards Bay. Planning staff has led an 18-month effort with the National Park Service to complete bicycle master plan for the Outer Cape communities.

### **CEDS/Economic Development**

Barnstable County received federal designation as an Economic Development District in late 2013, resulting in a \$60,000 Economic Development Administration grant. The Commission's administration of the Comprehensive Economic Development Strategy, or CEDS, was key in receiving the designation.

The Commission maintains 20 balanced economy benchmarks, eight up-to-date town-level data tables and 11 maps by county for each town, which are available on [STATSCapeCod.org](http://STATSCapeCod.org).

Adding to this economic analysis is BART (Barnstable Area Regional Trends), a quarterly on-line publication that identifies and examines important economic trends in the region, available at [www.capecodcommission.org/bart](http://www.capecodcommission.org/bart).

### **RESET Projects**

Among the services the Cape Cod Commission provides to towns is technical assistance through RESET (Regional Economic Strategy Executive Team) projects. Staff members from multiple departments collaborate with town leaders on planning projects to promote economic development on Cape Cod. It is part of the implementation strategy for the Cape Cod Comprehensive Economic Development Strategy, or CEDS, which is administered by the Commission.

### **Orleans, Rte 6**

The Commission has been examining ways that the town can meet the vision established in the Local Comprehensive Plan for the Route 6A corridor between the Brewster and Eastham town lines. The project has involved analysis of the existing zoning, parking, and infrastructure; survey of local business and property owners to better understand issues and opportunities; review of bicycle, pedestrian and automobile circulation, and the development of a range of recommendations for land use, circulation and zoning changes, streetscape improvements and funding sources for implementation.

### **Barnstable, Rte 132**

Supported by a state District Local Technical Assistance (DLTA) grant, the Commission is working with the Town of Barnstable to stimulate the redevelopment of the four major retail centers along Iyannough Road (Route 132) to increase economic opportunity and the Town's non-residential tax base. The project focuses on the four commercial areas on Route 132 (the Cape Cod Mall, the Capetown Plaza, the Festival Plaza, and the Southwind Plaza). The project includes identifying public and private impediments to redevelopment, evaluating alternatives development scenarios, creation of concept plans, and the development of zoning proposals to implement.

### **Falmouth, Davis Straits**

The Commission will be providing technical assistance to the Town of Falmouth by creating a redevelopment plan for Davis Straits and Worcester Court area of the community, focusing on the stretch between Jones Rd and Scranton Ave. The Commission will also develop plans for a Greenway Corridor that links Little Pond to the newly created Teaticket Park. This project builds off previous work completed by the Commission on the Spring Bars Road Feasibility

Assessment and will involve coordination of efforts with transportation improvements in the vicinity.

### **Falmouth Olympic Village**

The Commission is working with the Town of Falmouth to facilitate discussions within the community concerning the future use of a 31-acre piece of property on Route 151 in North Falmouth. The Commission has conducted public workshops to explore the vision and alternatives for the site, conducted an opinion poll to gather preferences, and provided visualizations of possible development to stakeholders, and will conclude with estimates of the feasibility of scenarios under consideration.

### **Mashpee**

Also supported by a DLTA grant, Commission is working with the Town of Mashpee on several economic development related initiatives in the town. These include an evaluation of the suitability of Mashpee Executive Park located near Route 28 for a Commission designated Chapter H designation; an assessment of the feasibility of hotel uses in the Upper Cape including an inventory of existing hotel/motel stock; and a review of the development options for the non-residentially zoned districts within the town. [www.capecodcommission.org/ceds](http://www.capecodcommission.org/ceds)

### **Smarter Cape Conference**

The 5<sup>th</sup> Annual SmarterCape focused on the housing challenges and opportunities facing Cape Cod from multiple perspectives, including results of a housing survey by the Cape Cod Young Professionals. Sessions included discussions about when increased housing density make sense, interactive planning tools, and examples of what other communities have done to create wage-sustainable housing in their communities. Gov. Charlie Baker was keynote speaker at the Summit. The Cape Cod Commission is among the founding members of the SmarterCape Partnership. Among the objectives of the partnership is to create a vibrant Cape Cod community “that supports the evolution of our economy from service-based to knowledge-based.”

### **Regulatory Program**

Through its Regulatory Program, the Cape Cod Commission reviews projects that present regional issues identified in the Act, including water quality, traffic flow, community character, affordable housing, open space, natural resources, and economic development as Developments of Regional Impact (DRIs).

In FY2015, the Commission took the following actions:

- Approved 7 DRI-related decisions
- Approved 12 DRI modifications
- Issued 3 Development Agreement-related decisions
- Issued 14 Certificates of Compliance
- Provided 3 Chapter 40B housing project comment letters
- Approved 7 Implementing Regulations under the Cape-wide Fertilizer District of Critical Planning Concern

### *Development Agreement*

South Sandwich Village, Sandwich, Extension of Filing Period, Approved by RegCom, 8/4/14  
Cape Cod Healthcare/Wilkens Medical Center, Barnstable, Extension, Approved, 2/19/15

### *DRI*

Eastham Water Supply System, Eastham, DRI, Approved, 2/5/15  
Bourne Solar Project, Bourne, Limited DRI Decision, Approved, 10/16/14  
Town of Dennis & Agricultural Research Corp, Dennis, DRI Exemption, Approved, 5/28/15

*Limited DRI Scoping Decision*

Bourne Solar Project, Bourne, Approved, 9/4/14  
Springhill Suites by Marriot, Falmouth, Approved, 1/22/15  
Atkins Road Cluster Subdivision, Sandwich, Approved, 3/23/15

*Minor Modification Type 1*

ICE Tower Echo Road, Mashpee, Approved, 7/8/14  
Omnipoint Tower Falmouth, Falmouth, Approved, 7/8/14  
Omnipoint Tower Falmouth, (American Tower), Falmouth, Corrected Modification, Approved, 9/12/14  
Seacoast Tower Sandwich, Approved, 7/9/14  
Seacoast Tower Falmouth, Falmouth, Approved, 7/9/14  
Omnipoint Tower Falmouth (American Tower), Falmouth, Approved, 7/9/14  
MP Renaissance, Brewster, Approved, 7/10/14  
ICE/Sprint Barnstable, Barnstable, Approved, 7/17/14  
ICE Tower Sagamore Beach, Bourne, Approved, 8/11/14  
Hydroid, Inc., Bourne, Approved, 8/13/14  
Omnipoint Tower Falmouth (American Tower), Falmouth, Approved, 8/27/14  
MP Renaissance-Maplewood, Brewster, Approved, 6/4/15  
Barnstable Municipal Airport, Barnstable, Approved, 3/25/15

*Other*

South Sandwich Village Sports & Convention Complex, Sandwich, NOI to File a Development Agreement, Approved 5/28/15  
Bridges at Mashpee Rental Monitoring Services Agreement, Mashpee, Rental Monitoring Services Agreement, Approved, 3/11/15

*Cape-wide Fertilizer Management DCPC*

Nitrogen Control Bylaw Implementing Regs, Mashpee, Approved, 11/13/14  
Phosphorus Provisions Implementing Regs, Orleans, Approved, 12/4/14  
BOH Fertilizer Control Implementing Regs, Chatham, Approved, 12/18/14  
BOH Fertilizer Control Implementing Regs, Eastham, Approved, 12/18/14  
BOH Fertilizer Control Implementing Regs, Provincetown, Approved, 12/18/14  
ConsCom Wetlands Nitrogen & Phos Implementing Regs, Eastham, Approved, 12/18/14  
Nitrogen & Phosphorus Implementing Regs, Barnstable, Approved, 12/18/14  
Fertilizer Control Implementing Regs, Brewster, Approved, 12/18/14

**Affordable Housing/HOME Consortium**

The Commission administered the U.S. Department of Housing and Urban Development (HUD)-funded HOME Programs, which created 71 rental units in 2015, and provided direct technical assistance to the towns of Bourne, Brewster, Chatham, Wellfleet and Truro. The Commission also completed and submitted the federally-required Affordable Housing Consolidated Plan for 2016

FY2015 saw a number of transitions for the HOME Program, which has been administered by the Commission since 1993. With the retirement of Housing Specialist Paul Ruchinkas in

October 2014, the program was reevaluated and the decision made to transfer the operation to Barnstable County's Department of Human Services. This was accomplished as part of the budget process for FY2015.

The Commission's housing specialist position was redefined and will see formal implementation in FY2016.

### **Water Resources**

Water Staff provides technical assistance to towns, citizens and the County on water resources projects including: water supply, wastewater and stormwater management, fresh water ponds and marine waters.

Project assistance included numerous technical assessments, Cape-wide well monitoring, planning, education and regulatory review on all aspects of Cape Cod's water resources. Water staff participates on a variety of local, regional and state committees and strives to develop strategies to implement cost-effective solutions to capitalize on common regional needs across the Cape.

In support of the Section 208 Plan Update, water resources staff provided technical assistance to five towns in development of wastewater management plans, facilitated meetings to establish technology monitoring protocols and worked with four Upper Cape towns on development of solutions for multi-town watersheds.

The Commission's watershed manager also serves as the Licensed Site Professional for Barnstable County and provided support to the Barnstable County Commissioners related to contamination related to past operations at the Barnstable Fire Training Academy.

The Commission has coordinated the PALS (Ponds and Lake Stewards) pond sampling program since its inception in 2001.

### **Transportation**

The Cape Cod Commission's transportation staff provides technical expertise in transportation and traffic-related matters for the Commission, its staff, and the 15 Cape Cod towns. The Cape Cod Commission Act charges the Commission with furthering and coordinating the provision of "adequate capital facilities," including transportation services, through the goals and standards specified in the Cape Cod Regional Policy Plan.

The Commission provides administrative and staff support for the Cape Cod Metropolitan Planning Organization (MPO), and the Cape Cod Joint Transportation Committee (CCJTC). The CCJTC is the transportation planning advisory group, comprised of local representatives, that reviews, discusses, and votes on recommendations to the MPO, comprised of local, regional, state and federal representatives, which meets to review, direct, and vote on aspects and products of the transportation planning process.

The Cape Cod Unified Planning Work Program (UPWP) is developed annually by Cape Cod Commission transportation staff on behalf of the MPO, in accordance with the requirements in MAP21 and federal planning regulations. The UPWP describes all significant transportation planning activities planned on Cape Cod over the twelve (12) month period, regardless of lead organization and funding source.

In FY2015, more than \$18.6 million in Federal and State infrastructure capital was secured for the region.

The TIP is a list of transportation system projects to be implemented with federal and state funds available for Cape Cod. Projects may include roadway, bicycle, pedestrian, and transit improvements. The TIP includes four years of projects developed in accordance with federal laws.

[Capecodcommission.org/transportation](http://Capecodcommission.org/transportation)

### ***Highlighted Transportation Projects:***

**Regional Transportation Plan Update:** A draft of the 2016-2019 Regional Transportation Plan, prepared by Commission Staff, was released for public comment by the Cape Cod MPO in June 2015. A website was developed to track the plan's progress and provide updates on meeting schedules and key decisions ([www.capecodcommission.org/rtp](http://www.capecodcommission.org/rtp)).

**Cape-Wide Bicycle Network Plan:** Through work with individual towns and development of 10 multi-modal plans, consensus was achieved among all 15 towns for cross-border bicycle connections.

**Traffic Counting Program:** The Commission's transportation staff conducted annual summer traffic counts in all 15 Cape towns, including automatic traffic recorders (ATRs) and turning movement counts (TMCs). Traffic data is available online: [www.capecodcommission.org/counts](http://www.capecodcommission.org/counts)

**Cape Cod Canal Transportation Study:** The Commission assisted the Massachusetts Department of Transportation (MassDOT) on the Canal Area Study by providing traffic counts to calibrate the transportation model.

**Critical Transportation Assets and Their Vulnerability to Sea Level Rise:** Completed in February 2015, this study looked at the impact of sea-level rise on the transportation network in Barnstable County. Public transportation assets in each mode (air, highway, sea, transit and rail) were examined to determine whether the asset was critical to the network and/or the community and to assess the asset's vulnerability to sea level rise.

### **Joint Land Use Study (JLUS) Implementation for Joint Base Cape Cod**

Continuing its work with Joint Base Cape Cod, the Commission assists with coordination in land use planning between Upper Cape towns of Falmouth, Mashpee, Sandwich and Bourne and JBCC.

The Commission provided technical assistance to the Upper Cape Regional Transfer Station steering committee, which ceased operation of the transfer station on JBCC in 2014, to evaluate possible re-uses of the facility. Working with the committee, staff prepared a request for proposals for the re-use study which is currently underway. Planning and legal staff also completed a study of notification procedures to JBCC personnel for proposed development projects in the Upper Cape towns and issued a final report in September 2015. Commission staff serve as representatives to the Military Civilian Community Council and Environmental Management Commission that meet quarterly to provide coordination on matters concerning the base and surrounding communities. [capecodcommission.org/jbcc](http://capecodcommission.org/jbcc)

### **Regional Coordination/Technical Assistance**

The Commission is in a position to respond to issues of regional concern with technical assistance and facilitation. Among the issues for which Commission expertise was sought are:

- Restoration of Route 6 overcut areas between exits 2 and 4, including coordination of a working group and review of draft plans.
- Facilitation of the Regional Beach Access Committee, which advocated for awareness of regulations relative to the shoreline and local control on beach access issues such as shoreline protection, permitting, dredging, endangered species and tourism.
- Convening of the National Grid Ad-Hoc Advisory Committee to help communities directly affected by the natural gas connection moratorium, expedite permitting process and

facilitate communication.

**District Local Technical Assistance (DLTA) Grants**

For the past several years, the Commonwealth of Massachusetts has allocated funds to each of the state's 13 regional planning agencies, the Cape Cod Commission among them, to help municipalities with sustainable development and to encourage municipalities to form partnerships to achieve planning and development goals consistent with state and regional priorities.



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Rae Ann Palmer, Town Administrator

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Review and vote to recommend or not recommend the articles as presented in the attached draft 2016 Annual Town Meeting Warrant.

**EXPLANATION:** In accordance with the Truro Town Charter, 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. The Board of Selectmen must review and either vote to recommend or to not recommend each article to Town Meeting. At the March 22<sup>nd</sup> meeting the Board voted on most of the articles. There were questions on some of the articles and therefore, they were not acted upon. The attached warrant now includes all changes as recommended by Town Counsel and those that resulted from the questions at the March 22<sup>nd</sup> meeting. The questions were as follows:

1. CPA Articles – CPC Co-Chair Deborah McCutcheon and I had a conference call with Attorney Giorgio and resolved all comments and questions. The warrant reflects the results of that conversation.
2. The Acquisition of State Land article was rewritten to specify that the land is for affordable housing.
3. The Civil Fingerprinting Bylaw is not required under Massachusetts General Law; however, Attorney Giorgio recommends that communities adopt such a bylaw. He will be sending me an explanation for his recommendation which I will forward when I receive it.
4. The Proposition 2 ½ override article is now included.
5. I am waiting a response from Attorney Silverstein on the questions regarding the petition street article. I expect to have that prior to the meeting.
6. The Ballot is now included.

I have forwarded the warrant to Attorney Giorgio for one last review. Once you take final action on the motions, we will set the table of contents and wait for the Finance Committee votes which are scheduled for March 30th. The warrant must be completed and prepared for printing no later than March 31, 2016.

Chairman Wisotzky will also have the letter to voters for Board review and approval at the meeting.

**SUGGESTED ACTION:** *Motion to recommend Articles to the 2016 Annual Town Meeting.*

**ATTACHMENTS:**

1. Draft of Proposed 2016 Annual Town Meeting Warrant



**Warrant**  
**Truro Annual Town Meeting**  
**April 26, 2016, 6:00 pm**  
**Truro Central School**  
**&**  
**Annual Election Ballot**  
**7am to 8pm**  
**Tuesday, May 10, 2016**  
**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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DRAFT

## Message from the Board of Selectmen

Dear Truro Voter:

Respectfully,

The Truro Board of Selectmen

Paul Wisotzky, Chair  
Janet W. Worthington, Vice Chair  
Maureen Burgess, Clerk  
Jay H. Coburn  
Robert Weinstein

DRAFT

## Message from the Finance Committee

Truro Finance Committee,

Robert Panessiti, Chairman

Lori Meads, Vice -Chair

Richard Wood

Roberta Lema

Dennis Clark

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 the treasurer for each bond issue. It shows the amount of interest and principal coming due each date and all other pertinent information concerning the bond issue.

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

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

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

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

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

**CMR** – Code of Massachusetts Regulations.

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

**COLA** – Cost of Living Adjustment

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

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

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

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

**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 ( $\frac{2}{3}$ ) 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 ( $\frac{2}{3}$ ) 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  $2\frac{1}{2}\%$  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  $2\frac{1}{2}\%$  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 2017**

### **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 2017 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. 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 vehicles, 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 \$251,065.00 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 FY2017, most of the safety and high priority capital needs are included in the Operating Capital Account budget request. One item will appear as Capital Exclusion appropriation and several other capital items have been deferred to FY 2018, or later.

## FIVE YEAR CAPITAL IMPROVEMENT PLAN

\*\*Debt figures include principal and interest

<b>PREVIOUSLY COMMITTED LONG TERM DEBT**</b>	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>	<b>FY2021</b>
<u>Year committed/amount/repayment</u>					
<b>TRURO PUBLIC LIBRARY</b> (Note 1)	\$63,000	\$00.00	\$00.00	\$00.00	\$00.00
1999/\$1,108,708/20 - paid in full FY2017					
<b>TOWN HALL REHABILITATION</b> (Note 2)	\$205,000	\$194,000	\$188,000	\$182,000	\$177,000
2002/\$3,258,360/20 - paid in full FY2023					
<b>SEWER (MWPAT)</b> (Note 3)	\$11,000	\$11,000	\$11,000	\$11,000	\$11,000
2003/\$197,404/19 - paid in full FY2021					
<b>COMMUNITY CENTER</b> (Note 4)	\$278,000	\$269,000	\$255,000	\$247,000	\$240,000
2006/\$3,735,000/20 - paid in full FY2026					
<b>HARBOR JETTY REPAIR</b>	\$120,000	\$115,000	\$00.00	\$00.00	\$00.00
2009/\$1,100,000/10 - paid in full FY2018					
<b>SUB TOTAL</b>	<b>\$677,000</b>	<b>\$589,000</b>	<b>\$454,000</b>	<b>\$440,000</b>	<b>\$428,000</b>
<b>PREVIOUSLY COMMITTED LAND BANK DEBT**</b> (Note 5)	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>	<b>FY2021</b>
<u>Year committed/amount/repayment</u>					
<b>Morea Property</b>	\$18,000	\$17,000	\$16,000	\$16,000	\$00.00
2002/\$312,000/17 - paid in full FY2020					
<b>Meldahl Property</b>	\$58,000	\$56,000	\$54,000	\$52,000	\$00.00
2001/\$860,000/17 - paid in full FY2020					
<b>Poor Property</b> (Note 6)	\$135,000	\$130,000	\$125,000	\$115,000	\$00.00
2005/\$1,500,000/13 - paid in full FY 2020					
<b>SUB TOTAL</b>	<b>\$211,000</b>	<b>\$203,000</b>	<b>\$195,000</b>	<b>\$183,000</b>	<b>\$00.00</b>
<b>NEW AND POTENTIAL CAPITAL PROJECTS**</b>					
<u>Year to Commit/Amount/Repayment</u>	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>	<b>FY2021</b>
<b>New DPW Facility</b> Land Acquisition/Trade & Building Construction (Note 7)	\$311,000	\$303,000	\$296,000	\$287,000	\$280,000
2015/\$3,700,000/20 - Paid in full FY 2034					
<b>SUB TOTAL</b>	<b>\$311,000</b>	<b>\$303,000</b>	<b>\$296,000</b>	<b>\$287,000</b>	<b>\$280,000</b>
<b>TOTAL</b>	<b>\$1,199,000</b>	<b>\$1,095,000</b>	<b>\$945,000</b>	<b>\$910,000</b>	<b>\$708,000</b>

### 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 FY2017- FY2021

### Projected Capital Needs

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

DEPARTMENT ITEM REQUESTED	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b><u>DPW</u></b>					
Zero-turn mower	\$12,000				
F 150 Pick Up Truck	\$37,000				
Brush cutter/mower		\$80,000			
One-ton Dump Truck		\$70,000			
Kinematic GPS		\$15,000			
Software		\$15,000			
Chipper			\$40,000		
Rubber-tire Front End Loader			\$120,000		
Zero-turn Lawn Mower				\$15,000	
Rough terrain lawn mower				\$18,000	
Dump truck, plow & sander				\$140,000	
Pick Up Truck					\$40,000
Tracked Bobcat					\$100,000
<b><u>TRANSFER STATION</u></b>					
Recycling Compactor (2)		\$60,000			
Trash Compactor		\$80,000			
Transfer Trailer			\$80,000		
Roll-off Trailer				\$100,000	
<b><u>PUBLIC BUILDING MAINTENANCE</u></b>					
Public Safety Building carpet and matting	\$15,000				
Public Safety Building exterior door replacement	\$30,000				
Public Safety Building key fob system	\$44,000				
Public Safety Building Siding and Trim		\$60,000			
Library Roof			\$65,000		
Town Hall Siding and Trim			\$30,000		
Community Center Carpet Replacement				\$20,000	
Community Center interior painting				\$22,000	
<b><u>COUNCIL ON AGING</u></b>					
Ford FLEX Passenger Vehicle		\$32,000			
<b><u>RECREATION AND BEACH DEPARTMENT</u></b>					
Recreation Software	\$20,000				
4X4 Beach Truck		\$40,000			
ATV		\$10,000			
Community Center Shade Sail		\$10,000			
Snow's Field Improvements			\$50,000		
Snow's Fieldhouse: finish basement				\$50,000	
Sedan vehicle replacement				\$25,000	
Addition to Recreation Lounge (Feasibility)					\$50,000

<b><u>FIRE AND RESCUE</u></b>					
Tanker (A)		\$250,000			
Radio System Replacement		\$85,000			
Radio System Replacement			\$85,000		
<b><u>LIBRARY</u></b>					
Replace carpet on lower level		\$25,000			
Carpet in Children's room		\$12,000			
Replace carpet in main area		\$25,000			
Furniture on Lower Level		\$10,000			
Engineering/Architectural Plans			\$50,000		
<b><u>POLICE</u></b>					
Dodge Charger	\$31,500	\$41,000	(2) \$70,200	(2) \$82,655	
Dodge SUV	\$37,000	\$37,000		\$36,655	\$37,000
Furniture/Equipment in training room	\$20,000				
Radio System Replacement		\$110,000	\$110,000		
(3) Moving radar units for cruisers		\$5,000			
Firing Range EPA Cleanup (A)				\$250,000	
Toyota Camry					\$30,000
<b><u>HARBOR OPERATIONS/SHELLFISH WARDEN</u></b>					
New Engine for Harbormaster Boat		\$10,000	\$10,000	\$10,000	
Upweller		\$5,000			
Float and Poles			\$6,000		
<b><u>SCHOOL</u></b>					
Technology	\$17,500	\$25,000	\$17,500	\$17,500	\$25,000
Repaint Exterior: West Side	\$25,000				\$27,500
Reseal Parking lots/playground	\$40,000				
Paint Exterior: East Side		\$25,000			
Paint Exterior: South Side			\$25,000		
Interior Painting			\$15,000	\$15,000	\$15,000
Paint Exterior: North Side				\$27,500	
Replace Carpet					\$20,000
<b><u>ANIMAL CONTROL OFFICER</u></b>					
Replace 4X4 Truck		\$37,000			
<b><u>TOTAL</u></b>	<b><u>\$ 329,000</u></b>	<b><u>\$ 1,174,000</u></b>	<b><u>\$ 773,700</u></b>	<b><u>\$ 829,310</u></b>	<b><u>\$ 344,500</u></b>

(A) This may appear as Capital Exclusion Article (Articles)

*Greetings:*

In the name of the Commonwealth, you are hereby required to warn the inhabitants of the Town of Truro qualified to vote in town affairs, to meet at the Truro Central School, 317 Route 6, Truro, MA 02666, on Tuesday, April 26, 2016 at 6:00 pm, then and there, to vote on the following articles:

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

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2015 Annual Town Report, or take any other action relative thereto. *Requested by the Board of Selectmen*

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment: Customary Article**

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

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 2017: 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: 5-0-0 in favor**

**Comment: Customary article**

**ARTICLE 3: AUTHORIZATION TO SET THE SALARY OF THE MODERATOR**

To see if the Town will vote to determine and set the salary for the Town Moderator, who shall receive for Fiscal Year 2017: Moderator @ \$150.00

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

**Finance Committee Recommendation:**  
**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment: Customary article**

**ARTICLE 4: AMENDMENTS TO THE FY2016 OPERATING BUDGET**

To see if the Town will vote to appropriate from available funds (Free Cash) such sums of money necessary to supplement the operating budgets of the various Town departments for the current fiscal year 2015-2016 (FY2016), or take any other action relative thereto. *Requested by the Board of Selectmen*

**Finance Committee Recommendation:**  
**Board of Selectmen Recommendation: 5-0-0 in favor**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
Free Cash	Snow Removal	\$18,300
<i>To balance FY 2016 budget for emergency snow and ice removal operations</i>		
Free Cash	Beach Program – Purchase of Services	\$10,000
<i>To purchase Beach Sticker Sales and Tracking Software</i>		
Free Cash	Transfer Station – Purchase of Services	\$10,000
<i>To purchase Transfer Station Sticker Sales and Tracking Software</i>		
Free Cash		
Free Cash		
<b>TOTAL</b>		<b>\$ 38,300</b>

**ARTICLE 5: FY 2017 OMNIBUS BUDGET APPROPRIATION**

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Eighteen Million, Two Hundred forty-seven thousand, Six Hundred seventy-six dollars and no cents (\$18,247,676.00) to defray the expenses and charges of the Town of Truro in Fiscal Year 2017 (the period from July 1, 2016 through June 30, 2017), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

<b>Source</b>	<b>Amount</b>
Raise through taxation	17,217,715.86
Transfer from Beach Receipts Reserved for Appropriation	361,500.00
Transfer from Golf Receipts Reserved for Appropriation	270,335.14
Transfer from Pamet Harbor Receipts Reserved for Appropriation	77,500.00
Transfer from Recreation Receipts Reserved for Appropriation	21,000.00
Transfer from Conservation Commission Receipts Reserved for Appropriation	17,000.00
Transfer from Educational/Governmental Programing Access Fund	63,050.00
Appropriate within the Septic Betterment Program Fund	10,400.00
Appropriate within the Community Preservation Act Fund	209,175.00
<b>TOTAL</b>	<b>18,247,676.00</b>

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

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment:*** *The proposed Fiscal Year 2017 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 2015, appropriation figures for Fiscal Year 2016 (as amended), and request for Fiscal Year 2017 for Town 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: TO FUND SIX (6) FULL TIME FIRE/RESCUE POSITIONS**

To see if the Town will vote to add six (6) full-time employment positions to the Fire/Rescue/EMS Department, effective July 1, 2016, to raise and appropriate the sum of Two Hundred Forty-one Thousand, Seven Hundred twenty-seven dollars and no cents (\$241,727.00), of which \$153,197.00 is to be added to the Fire/Rescue/EMS Salary and wage budget (line item 01022051-510000) and \$88,530.00 is to be added to the Group Health Insurance: Town Share budget (line item 01091451-517015), and further to make this appropriation contingent upon the passage of an override ballot question under Massachusetts General Laws Chapter 59, Section 21C(g) (Proposition 2 ½ so called), or to take any other action relative thereto. *Requested by the Board of Selectmen, Fire Chief and Town Administrator*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment:** Currently, we staff the Fire Department 24 hours a day, seven days a week with per-diem firefighters in addition to our call volunteers. Most of our per diem firefighters are already working full time for us, yet they are not being paid benefits that other full time staff receive. In order to recruit and retain the professional, trained and certified firefighting personnel necessary, the Town needs to remain competitive with most of the other departments in the area that offer benefits to their firefighting personnel. We believe this is a necessary step the Town must take in order to make sure we are able to continue to provide excellent and essential fire and rescue services year round.

## **ARTICLE 7: TRANSFER OF FUNDS FROM FREE CASH**

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

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: 5-0-0 in favor**

**Comment:** *Customary Article.*

### **Section Two: To the OPEB Trust Fund**

To see if the town will vote to transfer the sum of Four Hundred Thousand dollars (\$400,000.00) 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: 5-0-0 in favor**

**Comment:** *This is a Customary Article that began at the 2014 ATM to transfer funds into the Other Post-Employment Benefits (OPEB) Trust Fund to cover future liability in accordance with government accounting standards. This year's proposal is to transfer four hundred thousand dollars (\$400,000).*

### **Section Three: To the Affordable Housing Trust Fund**

To see if the town will vote to transfer the sum of three thousand and fifty two dollars (\$3,052.00) from free cash to the Affordable Housing Trust Fund, which is the amount of monies received from the rental house property management company as excess rental proceeds, or take any other action relative thereto. *Requested by the Board of Selectmen*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment:** *Excess rental housing proceeds are the difference between rent received by the Management Company and the cost of the ongoing upkeep and maintenance on the property.*

## **ARTICLE 8: COMMUNITY PRESERVATION ACT**

### **Section One: Access to Town Green at Truro Center**

To see if the Town will vote to appropriate the sum of twenty-six thousand, five hundred dollars (\$26,500.00) from Community Preservation Act Undesignated Fund Balances for the design and construction of ADA-compliant (Americans with Disabilities Act) parking and access pathways at the Town Green at Truro Center or take any other action relative thereto. *Requested by the Truro Commission on Disabilities*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

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

***Comment:** Many town-sponsored activities, such as the Thursday evening concert series and the Truro Agricultural Fair, are held on the Town Green at Truro Center, even though the access to the area, and to the stage, does not permit handicapped persons, particularly those who are wheelchair-bound, any reasonable access to the area. This proposal will provide a designated parking area and a path around the perimeter of the park, which will allow access to the area and to the stage for those who need the assistance. The design of the path incorporates a gradual incline to the stage, and the path will not require handrails. The path will be constructed with a water-permeable material that will permit grass to grow and be mowed, as well as water to flow away, while stabilizing the ground surface to support automobiles and pedestrians. This is a recreation project.*

### **Section Two: Restoration of the Revere Foundry Bell for the Truro Meeting House**

To see if the Town will vote to appropriate the sum of forty-eight thousand six hundred dollars (\$48,600.00) from Projected Fiscal Year 2017 Community Preservation Act Surcharge Revenues to restore the Revere Foundry Bell at the Truro Congregational Meeting House, or take any other action relative thereto.

*Requested by the Friends of the Truro Meeting House*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

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

***Comment:** This request is to provide funds for the restoration of the Truro Meeting House's rare Paul Revere Bell, cast by Paul Revere's foundry in 1828. This Revere bell has called our community to weddings and funerals, to celebrations of good times and to mourn together in sorrow. With this appropriation this bell will ring again to mark the 500<sup>th</sup> anniversary of the Pilgrims arrival, in Provincetown, and here at Pilgrim Spring and Corn Hill. This appropriation request also marks the end of the multi-year project to restore the Meeting House, one of the oldest buildings in Truro, and the end of a project which, in our opinion, exemplifies the best kind of community involvement in preservation. Several years ago Town Meeting first approved funds for this project, and each year since we have come back to town meeting to share our progress and request additional funds. We have funded this project in phases, annually expanding our work, starting with a grant to the Parish and then for several years with the Friends of the Truro Meeting House. Our meeting house is now a venue for summer entertainment and education, having held 14 events with 760 people attending*

*in 2015, as well as for worship, and the Friends are now firmly established as a community group committed to on-going protection of this historic property. The end result has been well worth the work.*

### **Section Three: Edgewood Farm Historic Preservation Project**

To see if the Town will vote to appropriate the sum of one hundred and fifty thousand dollars (\$150,000.00) from Projected Fiscal Year 2017 Community Preservation Act revenues to restore and preserve three historic buildings at Edgewood Farm, subject to a deed restriction satisfactory to the Community Preservation Committee or take any other action relative thereto. ***Requested by the Truro Center for the Arts at Castle Hill***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

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

***Comment:*** *Edgewood Farm is home to the historic Manuel Corey House, Barn and Cottage, all of which were built in the 1800s by Manuel Corey. Corey was a Truro native, and was for many years the Town Clerk for Truro. After Mr. Corey's demise, and for over 50 years, Eleanor Meldahl and her family lived at the farm. Ms. Meldahl, one of the founders of the Center for the Arts at Castle Hill, facilitated the acquisition of Edgewood Farm by Castle Hill, in order to preserve the property and to foster the further development of Truro as a flourishing creative community. The Center has raised a significant amount of money to acquire Edgewood Farm and to rehabilitate and restore the farm's buildings. This first phase of rehabilitation will include a deed restriction, in a form acceptable to the Truro Community Preservation Committee to ensure that the Farm remains a historic property owned by a non-profit organization.*

### **Section Four: Historic Preservation and Rehabilitation of Highland House Museum**

To see if the Town will vote to appropriate the sum of One hundred sixty-eight thousand, two hundred dollars (\$168,200.00) , including one hundred twenty thousand, six hundred and fifty two dollars (\$120,652.00) from Undesignated Fund Balances and Forty-seven thousand five hundred and forty eight dollars (\$47,548.00) from Projected Fiscal Year 2017 Community Preservation Act Surcharge Revenues for the historic restoration of the Highland House Museum, subject to a grant agreement satisfactory to the Community Preservation Committee, or take any other action relative thereto. ***Requested by the Truro Historical Society***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

**Community Preservation Committee Recommendation: 6-0-1 in favor**

***Comment:*** *The Truro Historical Society has worked with the Cape Cod National Seashore and the National Park Service (NPS) to put together the basic elements required for Community Preservation Act funding of the restoration and adaptation to contemporary use as a museum, of the Highland House Hotel, built in 1835. Over the past year, the NPS has finally agreed that it will meet the conditions for Community Preservation Act Funding of this project, including a long term lease (20 years) for the Historical Society. This agreement finally allows the Historical Society and the CPC to move forward with Phase I of this project: securing the building envelope to prevent further interior damage and to protect the artifacts (including but not limited to Town owned artifacts) and executing the lease with the National Park Service. As the project accomplishes the goals of phase I,*

*the Historical Society plans to advance this project in Phases, with a planned final phase, completion of this important project, in FY 2020.*

**Section Five: Regional Housing Consultant**

To see if the Town will vote to appropriate the sum of Forty thousand dollars (\$40,000.00) from Projected Fiscal Year 2017 Community Preservation Act Surcharge Revenues to permit the Truro Housing Authority, by itself or jointly with other communities, to hire technical consultants for specific Affordable Housing projects or take any other action relative thereto. ***Requested by the Truro Housing Authority***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

**Community Preservation Committee Recommendation: 6-0-1 in favor**

***Comment:*** *The members of the Truro Housing Authority, like members of the Wellfleet Housing Authority and other small communities, are volunteers, working with very detailed and complicated state and Federal regulations. In order to achieve the best use of our limited resources, the Truro Housing Authority needs access to professional expertise in developing and implementing housing projects. These funds will be used for consultants to work on an “as needed” basis, in conjunction with other housing authorities, and specifically the Wellfleet Housing Authority. The consultants will work on property acquisition, construction and preservation, and will include technical support.*

**Section Six: Reserve for Affordable Housing**

To see if the Town will vote to appropriate the sum of thirteen thousand five hundred sixty-seven dollars and no cents (\$13,567.00) from 2017 Anticipated Community Preservation Act revenues for a reserve for Community Housing as required by the Community Preservation Act, or take any other action relative thereto. ***Requested by the Truro Preservation Committee***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

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

***Comment:*** *The Community Preservation Act and our implementing By-laws require that at least ten percent of each year’s revenues be allocated to the development of community housing. This reserve is necessary to satisfy the requirement that at least ten percent of current revenues be allocated to, or reserved for, community housing projects. Article 7 Section Five is a request for the other portion of the 10%.*

**Section Seven: Administrative Percentage**

To see if the Town will vote to appropriate the sum of Twenty six thousand, seven hundred eighty-four dollars (\$26,784.00) exactly from Projected Fiscal Year 2017 Community Preservation Act Surcharge Revenues for the administrative expenses of the Community Preservation Committee or take any other action relative thereto. ***Requested by the Community Preservation Committee***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation:**

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

***Comment: The Community Preservation Act and the Truro Community Preservation By-Law permit 5% of the Community Preservation Act revenue to be used to cover expenses for a consultant to manage CPC operations, as well as for legal expenses, membership in the Community Preservation Coalition, printing, advertising and supplies. Any money remaining unspent at the end of Fiscal Year 2017 will be retained in the Community Preservation Act as undesignated funds.***

**ARTICLE 9: AUTHORIZATION TO EXPEND FUNDS IN ANTICIPATION OF REIMBURSEMENT FOR STATE HIGHWAY ASSISTANCE AID**

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

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment: Customary Article, the amount Chapter 90 funds to be awarded to municipalities by the State is not approved at this time. The FY 2016 amount was \$170,426.***

**ARTICLE 10: CAPITAL EXCLUSION – EAST HARBOR PIPE REPAIR**

To see if the Town will vote to raise and appropriate the sum of one hundred twenty thousand dollars (\$120,000) to fund the repairs of the outfall pipe at East Harbor, 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; provided that no sums shall be expended hereunder unless and until the Town shall have voted to approve a capital outlay exclusion ballot question pursuant to Chapter 59, Section 21C(i½) of the General Laws (Proposition 2½), or to take any other action relative thereto.

***Requested by the Town Administrator***

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment: The termination point of the East Harbor concrete outfall pipe in Cape Cod Bay is in disrepair. Due to deterioration over the years, the concrete pipe sections are forming voids and are separating from one another causing a concern for public safety. In addition, the grate that should be secured to the end of the pipe is missing. This repair constitutes an interim fix to the pipe with design, permitting and construction and does not include the replacement of the entire length of pipe that connects to Pilgrim Lake. The larger scope continues to be assessed with staff and Town consultants.***

***In order for the Capital Exclusion to be finalized, the request must be approved by a majority of voters at Town Meeting and at the Annual Town Election on May 10, 2016.***

**ARTICLE 11: TRANSFER OF FUNDS FROM STABILIZATION FUND TO EMPLOYEE BENEFITS ACCOUNT**

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:, or to take any other action relative thereto. *Requested by the Town Administrator and Town Accountant*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***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 recommendation is to continue to reserve funds annually for this purpose as more employees reach retirement.*

**ARTICLE 12: NON-UNION PERSONNEL CLASSIFICATION AND COMPENSATION SCHEDULE, COST OF LIVING ALLOWANCE FOR FISCAL YEAR 2016**

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, 2016, (said schedule appearing in Appendix A). Said amendments having been incorporated in the FY 2017 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: 5-0-0 in favor**

***Comment:** Customary Article. The Town Administrator has recommended a 1.5% non-union personnel cost of living allowance for FY 2017, which was incorporated in the FY 2017 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 beginning on page 37.*

**ARTICLE 13: REAUTHORIZATION OF REVOLVING FUND FOR COA**

To see if the town will vote to reauthorize the Council on Aging revolving fund originally established by Article 13 of the Annual Town Meeting held April 29, 2009 under the authority of MGL Chapter 44 Section 53E1/2. Said revolving fund will be used to aid in the development of self-funded, self-sustaining programs, activities and events. Receipts received from activities, events and programs shall be deposited into the fund and shall be available for expenditure by the Director of the Council on Aging, with the approval of the Town Administrator, for purposes connected to the development and promotion of self-supporting activities. The total authorized expenditures from the fund shall not

exceed Thirty Thousand dollars in any one fiscal year. As per MGL Ch.44 sec 53E1/2, expenditures from said fund shall not exceed the balance in the fund nor the total authorized expenditures established by annual town meeting. The fund will not be used to pay salary, wages or benefits of any full time employee. The fund shall be subject to annual authorization by annual town meeting, or take any other action relative thereto. *Requested by the Town Accountant*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment: Customary article.**

**ARTICLE 14: AUTHORIZATION TO CREATE A CAPITAL PROJECT AND EQUIPMENT STABILIZATION FUND AND TO APPROPRIATE FREE CASH INTO THE NEWLY CREATED FUND**

To see if the Town will vote to establish, as per MGL Chapter 40, section 5c, a separate Stabilization Fund which shall be labeled the “CAPITAL EXPENSE STABILIZATION FUND”. The purpose of this fund is to reserve such sums of money as annual or special town meeting shall vote to appropriate into it for future capital expense purposes; appropriations for use of the fund shall be taken at any annual or special town meeting; and further, to see if the town will vote to transfer the sum of One Hundred Thousand dollars from Free Cash into the Capital Expense Stabilization Fund authorized by this article, or take any other action relative thereto. *Requested by the Town Administrator and Town Accountant*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Comment: The administration is frequently made aware of significant capital purchases that will occur several years in the future, for example, the Public Safety Radio System will need a complete replacement in three to four years, rather than waiting and appropriating or borrowing the entire sum in one year, this fund will allow us to reserve, with town meeting approval, incremental sums of money over a period of time. When the project or purchase is ready to be funded, a town meeting vote will be required to appropriate the funds.**

**ARTICLE 15: RESCISION OF BORROWING AUTHORIZATION – TRURO CONSERVATION TRUST**

To see if the Town will vote to rescind the \$500,000 borrowing approved by the Town under Article 18 of the Warrant for the Annual Town Meeting held on April 29, 2014, which borrowing was approved to pay costs of purchasing a conservation restriction on the entirety of two parcels of land located at 8 and 10 Edgewood Way, respectively, or take any other action relative thereto. *Requested by the Town Treasurer*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment:*** *The Truro Conservation Trust has indicated that they do not need the funding for this purchase.*

**ARTICLE 16: REQUEST FROM TRURO CONSERVATION TRUST FOR A PERMANENT EASEMENT OVER TOWN LAND**

To see if the Town will authorize the Board of Selectmen to grant a perpetual pedestrian access/trail easement to the Truro Conservation Trust, a non-profit land conservation organization, over the Town-owned conservation land located at 139 State Route 6, shown as Parcel 91 on Town Assessors' Map 51, totaling 11.38 acres, more or less, and shown as Lot 5 on a plan recorded in the Barnstable County Registry of Deeds as Plan Book 569, Page 44, on such terms and conditions as the Board of Selectmen deems appropriate, for the purpose of constructing and using a trail from the portion of State Route 6 adjoining said Lot 5 to the southern corner of the parcel of land owned by the Truro Conservation Trust and shown as Lot 4 on the aforementioned plan, and, further, to authorize the Selectmen, if necessary, to petition and obtain approval for this transaction from the Massachusetts General Court in accordance with Article 97 of the Amendments to the Massachusetts Constitution., or to take any other action relative thereto. *Requested by the Board of Selectmen.*

**Finance Committee Recommendation:**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment:*** *The purpose of this article is to enable the Town and the Truro Conservation Trust (TCT) to form a partnership for conservation and trail development and maintenance at Edgewood Farm. Last year the Town of Truro established a public parking lot on Rt. 6 and the TCT started the installation of a public walking trail system on the 11 acres, with the approval of the Selectmen. A short spur is needed off the existing Town-sponsored trail to reach the new conservation lots owned by the Truro Conservation Trust, which will extend the public trail to an overlook across the Upper Pamet Valley. The Town has worked cooperatively with the TCT many times in the past on joint acquisitions, such as at High Head, Poor's Hill, and the Arnold property across Rt. 6. No Town funding will be involved in the creation or maintenance of the trail spur.*

**ARTICLE 17: ROOM OCCUPANCY TAX**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation applying the local room occupancy tax to seasonal rentals as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT APPROVING THE APPLICATION BY THE TOWN OF TRURO OF THE LOCAL OPTION ROOM OCCUPANCY EXCISE TO SEASONAL RENTAL PROPERTIES IN THE TOWN OF TRURO**

Section 1. Notwithstanding the provisions of any general or special law to the contrary, in addition to the authority to impose a local excise tax upon any transfer of occupancy of any room or rooms as may be set forth in and authorized by Chapter 64G section 3A of the Massachusetts General Laws or other law, as the same may be amended from time to time, the town of Provincetown shall, commencing on the first day of the fiscal year that begins after the effective date of this Act, be authorized to impose a local excise tax upon the transfer of occupancy of any room in a seasonal rental property or other transient accommodations located within said town by any operator at the rate of up to but not exceeding six (6) percent of the total amount of rent of each such occupancy.

Section 2. For the purposes of this chapter, all terms used herein shall, unless the context requires otherwise, have the same meanings as set forth in Chapter 64G section 1 of the Massachusetts General Laws and as follows:

“Occupancy”, the use or possession, or the right to the use or possession, of any room or rooms in a bed and breakfast establishment, bed and breakfast home, hotel, lodging house, motel, seasonal rental property or other transient accommodation designed and normally used for sleeping and living purposes, or the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment or bed and breakfast home, accompanying the use and possession of such room or rooms, for a period of ninety consecutive calendar days or less, regardless of whether such use and possession is as a lessee, tenant, guest or licensee.

“Seasonal rental property or other transient accommodations” shall mean any bed and breakfast home, as defined by Chapter 64G section 1 of the Massachusetts General Laws and any residential or commercial dwelling, dwelling unit or part thereof, unit of a condominium as defined by Chapter 183A of the Massachusetts General Laws or time-share as defined by Chapter 183B of the Massachusetts General Laws, used for the lodging of guests or invitees in exchange for rent.

Section 3. No excise shall be imposed upon for the transfer of occupancy of any room in a seasonal rental property or other transient accommodations if the total amount of rent is less than fifteen dollars per day or its equivalent or if the accommodation, other than a bed and breakfast home, is exempt under the provisions of Chapter 64G section 2 of the Massachusetts General Laws.

Section 4. All operators of seasonal rental property or other transient accommodations shall be responsible for assessing, collecting, reporting and paying such local excise tax as set forth in Chapter 64G sections 3, 4, 5, 6 and 7A of the Massachusetts General Laws and shall be liable in the same manners as operators in Chapter 64G section 7B of the Massachusetts General Laws.

Section 5. This act shall take effect upon its passage.

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

**Finance Committee Recommendation:**

**Selectmen Recommendation: 5-0-0 in favor**

***Comment: This article requests that the State Legislature grant the town the ability to raise revenue by closing a loophole in the rooms tax. Currently visitors staying in motels and guest houses pay a 9.7% rooms tax (5.7% goes to the state and 4% goes to the Town). If approved by Legislature, this article would require visitors who rent homes or condos for 90 days or less to pay the same rooms tax applied to motels and guest houses. The rooms tax is applied to short-term vacation rentals in most neighboring states.***

**ARTICLE 18: TO AMEND THE GENERAL BYLAWS TO INCLUDE A PROVISION FOR CIVIL FINGERPRINTING**

To see if the Town will vote to create a civil fingerprinting by-law in the Town of Truro as authorized by Massachusetts General Laws, Chapter 6, Section 172 B 1/2, to authorize the Police Department to conduct state and federal fingerprint based criminal history records checks for individuals applying for or in possession of certain licenses enumerated in the by-law, and further, that the Truro General Bylaw be amended by inserting the by-law as Chapter II *Licensing and Permits* Section 4 *Civil Fingerprinting* as follows:

Fingerprint-Based Criminal History Record Checks

2-4-1 Purpose and Authorization

This Bylaw authorizes the Police Department to conduct state and national fingerprint based criminal history checks for individuals applying for specific licenses in Town to enhance public safety, as authorized by Massachusetts General Laws Chapter 6, Section 172B½. To carry out the criminal history checks authorized by this Bylaw, the Police Department shall be authorized to use state and Federal Bureau of Investigation (“FBI”) records, provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with all applicable law.

The Bylaw further authorizes the Board of Selectmen, in consultation with the Chief of Police, to promulgate policies and procedures to implement this Bylaw, which may include, but shall not be limited to, establishment of submission deadlines, procedures for making recommendations to the licensing authority or making a licensing as a result of the criminal history check, procedures for assessing, correcting or amending any such record, criteria for fitness determinations, security of information obtained and penalties for failure to comply with this Bylaw.

2-4-2 Applicant's Submission to Fingerprinting by the Truro Police Department The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172B½, conduct State and Federal Fingerprint Based Criminal History checks for individuals and entities for the following licenses. Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Truro Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal history record check to determine the suitability of the applicant for the following licenses:

Hawker and Peddler  
Ice Cream Truck Vendor

At the time of fingerprinting, the Police Department shall notify the individual being fingerprinted that the fingerprints will be used to check the individual's criminal history records and obtain the individual's consent. After the applicant completes a consent form, provides his/her fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this Bylaw to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (“DCJIS”), and/or the FBI or the successors of such agencies as

may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks for the license applicants specified in this Bylaw.

The Town authorizes the Massachusetts State Police, the DCIS and the FBI and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this Bylaw. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this Bylaw and its implementing regulations. In accordance with its implementing regulations, the Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town.

#### 2-4-3 Police Department Processing of Fingerprint-Based Criminal Record Background Checks and Communication of Results

The Police Department shall transmit fingerprints it has obtained pursuant to Section 2-4-2 of this by-law to the Identification Section of the Massachusetts State Police, DCJIS, and/or the FBI as may be necessary for the purpose of conducting fingerprint-based state and national criminal history records checks of license applicants specified in Section 2-4-2.

The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal history record check and supply the applicant with the opportunity to complete or challenge the accuracy of the information contained in it, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 C.F.R. Part 16.34 pertaining to FBI identification records. The Police Department shall not utilize the fingerprint-based criminal history record check pursuant to the paragraph below until it has taken the steps detailed in this paragraph and otherwise complied with the Town's policy applicable to Town licensing-related criminal history record checks.

#### 2-4-4 Reliance on Results of Fingerprint-Based Criminal History Record Checks

Licensing authorities of the Town are hereby authorized to deny an application for any license specified herein and in the implementing regulations, including renewals and transfers of said licenses, from any person who is determined unfit for the license due to information obtained pursuant to this Bylaw. Factors that shall be considered in making a determination of fitness shall include, but not be limited to, whether the record subject has been convicted of, or is under pending indictment for a crime, that bears upon the subject's ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or sex-related offense.

#### 2-4-5 Compliance with Law, Regulation, and Town Policy

Implementation of this by-law and the conducting of fingerprint-based criminal record background checks by the Town shall be in accordance with all applicable laws, regulations, and Town policies, including, but not limited to, the Town's policy applicable to licensing-related criminal record background checks which shall include record retention and confidentiality requirements. The Town shall not disseminate the results of fingerprint-based criminal background checks except as may be authorized by law, regulation, and Town policy. The Town shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

#### 2-4-6 Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100). A portion of the fee, as specified in Massachusetts General Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

Or take any other action relative thereto. *Requested by the Town Administrator.*

**Board of Selectmen Recommendation:**

***Comment:*** Pursuant to Massachusetts General Law c.6, § 172B1/2 and Public Law 92-544, municipalities are now able to request fingerprint-based national criminal record checks on applicants for certain municipal occupational licenses. However, before being permitted to submit fingerprint-based criminal record checks, a municipality must have in place a local bylaw or ordinance specifically authorizing that fingerprint-based checks be done on certain license applicants. This article allows the Town’s Police Department to request fingerprint based national criminal history record checks for individuals who are seeking licenses listed in the bylaw. Having the ability to perform these nationally based fingerprint based criminal background checks locally will provide an additional protection to residents. Fees will be charged for the service to offset the costs of administering the program.

**ARTICLE 19: TO AMEND THE GENERAL BYLAWS APPENDIX A SECTION 3-3 REGARDING LICENSING OF SWIMMING POOLS**

To see if the Town will vote to amend Appendix A Section 3-3 *Swimming Pools* of the Truro General Bylaws by deleting existing language and replacing it with the following (new language shown in ***bold italics***, deleted language shown in ~~strike-out~~):

3-3	Swimming pools	\$50.00 per offense	<del>Licensing agent</del> <b><i>Health Agent, Building Commissioner</i></b>
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Or to take any other action relative thereto. *Requested by the Board of Selectmen.*

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment:*** The Licensing Agent is not involved in the licensing swimming pool, this change more accurately reflects responsibilities. The construction of the private swimming pools is under the Building Commissioner’s review. The Health Agent enforces the sanitary code on semi-public and public-pools.

**ARTICLE 20: TO AMEND THE GENERAL BYLAWS CHAPTER VI PRESERVING HISTORIC PROPERTIES SECTION 5-PROCEDURES FOR REVIEW OF APPLICATIONS PARAGRAPH 6-5-4 TO CLARIFY ABUTTER NOTIFICATION PROCESS**

To see if the Town will vote to amend the General Bylaws, Chapter VI Preserving Historic Properties, Section 5, Procedures for Review of Applications paragraph 6-5-4, by adding additional language (new language shown in ***bold italics***, deleted language shown in ~~strike-out~~)

6-5-4 Notice of the time, place, and subject matter of the Historic Review Board hearings shall be provided by publication in a newspaper of general circulation in the Town once a week for two (2) consecutive weeks, the first notice to appear at least fourteen (14) days before the day of the hearing (including the day of publication and excluding the day of the hearing); and ***the applicant is responsible for obtaining the list of certified abutters (which includes direct abutters and abutters to abutters within 300 feet ), mailing public hearing notice*** by certified mail, ~~return receipt to the owner or applicant,~~ ***to*** all abutters to the subject property, ***and to*** the Truro Historical Commission, the Board of Selectmen, the Planning Board, and such other persons as the Historical Review Board may determine ***and demonstrate that they have done so.***

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

**Historic Review Board Recommendation: 3-0 in favor**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment: This additional language will clarify for Town staff and applicants the abutter notification process and identify which precise abutters are being notified.***

## **ARTICLE 21: ACQUISITION OF STATE PROPERTY**

To see if the Town will vote to authorize the Board of Selectmen to acquire from the Commonwealth of Massachusetts a parcel of land containing 4 acres, more or less, located near the intersection of Highland Road and Route 6 for affordable housing purposes, and for the purpose of conveyance and/or lease (which may be a 99-year lease), and further to authorize the Board of Selectmen to dispose of said property and grant easements therein for the purpose of developing affordable housing, said acquisition and disposition to be on such terms and conditions consistent with this authorization, and for such consideration, which may be nominal consideration, as the Board of Selectmen deems appropriate; or take any other action relative thereto. ***Requested by the Board of Selectmen***

**Board of Selectmen Recommendation:**

***Comment: The land is currently owned by the Massachusetts Department of Transportation for future expansion of Route 6.***

## **ARTICLE 22: CHARTER AMENDMENT TO SECTION 4-2-10**

To see if the Town will vote to amend Section 4-2-10 of the Town Charter by adding new language and deleting language as follows (new language shown **underlined**, deleted language shown in ~~strike-out~~):

4-2-10 The Board of Selectmen shall **appoint a Collective Bargaining Team**, ~~act as the collective bargaining agent for the Town unless otherwise provided by the General Laws, which shall include the Town Administrator, and may include members of the Board of Selectmen~~ It shall appoint a collective bargaining team which shall consist of not less than two selectmen, the Town Administrator, and those department heads whose employees shall be subject to the collective bargaining agreement. The Board of Selectmen may use professional assistance on the collective bargaining team, **and** ~~the~~ collective bargaining team shall appoint one of its members to serve as the **Chief** negotiator.

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

**Board of Selectmen Recommendation: 5-0-0 In favor**  
**Charter Review Committee:**  
*Two-thirds vote.*

***Comment:** This change makes the language less specific, which allows for more operating flexibility. It is also consistent with current practice.*

#### **ARTICLE 23: CHARTER AMENDMENT TO SECTION 5-4-2**

To see if the Town will vote to amend Section 5-4-2 of the Town Charter by adding new language and deleting language as follows (new language shown **underlined**, deleted language shown in ~~strike-out~~):

5-4-2 ~~After consultation with the Board of Selectmen, the Town Administrator shall appoint the following, subject to the provisions of section 5-5-4 of this Charter:~~

<del>Director of Public Works</del>	<del>Beach Commission Supervisor</del>
<del>Town Accountant</del>	<del>Golf Course Manager</del>
<del>Building Commissioner</del>	<del>Recreation Director</del>
<del>Deputy Assessor</del>	<del>Harbormaster</del>
<del>Administrative Secretary</del>	<del>Town Clerk</del>
<del>Licensing Agent</del>	<del>Town Treasurer</del>
<del>Agent to the Zoning Board of Appeals</del>	
<del>Collector of Taxes</del>	
<del>Agent to the Board of Health</del>	<del>Council on Aging Director</del>

5-4-2 **After consultation with the Board of Selectmen, the Town Administrator shall appoint all Department Heads, which are those positions reporting directly to the Town Administrator. All such appointments shall be subject to disapproval by a majority vote of the Board of Selectmen, provided that such a vote is taken prior to the date of the offer. This section does not apply to appointment authority granted to the Board of Selectmen in accordance with section 4-3-1 of this Charter.**

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

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**

*Two-thirds vote*

**Comment:** *Currently, all of these positions are listed in section 5-4-2 of the Charter. This requires a charter change any time a department head position is added, deleted or otherwise changed. In addition, disapproval by the Board of Selectmen (formerly in 5-4-5) is limited to Department Heads only, and requires the disapproval vote to occur earlier in the process.*

**ARTICLE 24: CHARTER AMENDMENT TO SECTION 5-4-3**

To see if the Town will vote to amend Section 5-4-3 of the Town Charter by adding new language and deleting language as follows (new language shown **underlined**, deleted language shown in ~~strike-out~~):

5-4-3 After consultation with ~~the~~ appropriate elected officials, department heads or ~~multi-member-bodies~~ supervisors, 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.

*Note: Deleted language in italics is pending approval on the May 2016 ballot.*

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**  
*Two-thirds vote*

**Comment:** *This change eliminates multi-member bodies from the consultation process.*

**ARTICLE 25: CHARTER AMENDMENT TO SECTION 5-4-5**

To see if the Town will vote to amend Section 5-4-5 of the Town Charter by deleting language as follows (deleted language shown in ~~strike-out~~):

5-4-5 ~~All appointments for regular full time and regular part time employees made by the Town Administrator shall be subject to disapproval by a majority vote of the Board of Selectmen, provided that such a vote is taken prior to the date of the appointment~~

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

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**  
*Two-thirds vote*

**Comment:** *Amended language has been included in 5-4-2.*

**ARTICLE 26: CHARTER AMENDMENT TO SECTION 5-4-6**

To see if the Town will vote to amend Section 5-4-6 of the Town Charter by deleting language as follows (deleted language shown in ~~strike-out~~):

~~The Town Administrator shall appoint, as needed, the director, clerk, and employees of the Council on Aging, notwithstanding the provision of section eight B of chapter 40 of the General Laws.~~

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

**Charter Review Committee: 4-0-0 in favor**

**Board of Selectmen Recommendation: 5-0-0 in favor**

*Two-thirds vote*

**Comment:** *These appointments are covered by sections 5-4-2 and 5-4-3.*

**ARTICLE 27: CHARTER AMENDMENT TO SECTION 6-3-1**

To see if the Town will vote to amend Section 6-3-1 of the Town Charter by adding new language and deleting language as follows (new language shown **underlined**, deleted language shown in ~~strike-out~~):

6-3-1 The multi-member bodies listed in ~~appendix B part 1~~ **section 3-1-1** shall be elected in accordance with subsections 3-2-3 and 6-2-6 of this Charter.

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

**Charter Review Committee: 4-0-0 in favor**

**Board of Selectmen Recommendation: 5-0-0 in favor**

*Two-thirds vote*

**Comment:** *At the 2015 Town Meeting, the listing of elected multi-member bodies was removed from Appendix B, Part 1 and was included in section 3-1-1.*

**ARTICLE 28: CHARTER AMENDMENT TO SECTION 7-1-2**

To see if the Town will vote to amend Section 7-1-2 of the Town Charter by adding new language and deleting language as follows (new language shown **underlined**, deleted language shown in ~~strike-out~~):

7-1-2 On or before December 15 of each year, the Town Administrator shall submit to the Board of Selectmen the following:

- (a) A draft budget of the probable expenditures of the Town government, including the draft school budget, for the ensuing fiscal year, together with an estimate of such expenditures for the current fiscal year and a statement of such expenditures for the two preceding fiscal years;

- (b) Revenue projections for the ensuing fiscal year, together with an estimate of such revenues for the current fiscal year and a statement of such revenues for the two preceding fiscal years;
- (c) The draft budget document for the ensuing year shall:
  - (1) Include a financial summary listing all proposed expenditures, show the tax levy limit, disclose the source of any additional revenues, and itemize the Town's reserves;
  - (2) Explain the budget in terms of service changes or major expenditure changes and outline the reasons for such changes;
  - ~~(3) Indicate any major changes from the current fiscal year in financial policies together with the reasons for such changes;~~
  - (4) Summarize the Town's debt position and projections;
  - (5) Include such other material deemed to be appropriate.
- (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.
- (e) **Changes to the preliminary budget by the Budget Task Force shall be forwarded to the Board of Selectmen for review and recommendations on or before January 31<sup>st</sup>. The Board of Selectmen shall then forward any recommendations to the Finance Committee by February 21<sup>st</sup>.**

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

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**  
**Two-thirds vote**

***Comment: Changes to the Financial Procedures section are intended to reflect current practice and to establish dates for decision points.***

**ARTICLE 29: CHARTER AMENDMENT TO SECTION 7-2-1**

To see if the Town will vote to amend Section 7-2-1 of the Town Charter deleting language as follows (deleted language shown in ~~strike-out~~):

- 7-2-1 On or before December 15 of each year, the Town Administrator shall submit to the Board of Selectmen a five-year capital improvement plan that shall include:
- (a) A clear summary of its contents;
  - (b) A list, together with supporting data, of all capital improvements proposed to be undertaken in the next five years; such list to include all capital improvements of the School Department and those resulting from any inter-municipal or regional agreements. Such list shall detail proposed:
    - (1) Acquisition of new land, facilities, vehicles, and equipment;
    - (2) Construction and expansion of existing facilities;
    - (3) Major maintenance and repairs of facilities, vehicles and equipment;
    - (4) Replacement program for existing equipment and vehicles;

- (c) Cost estimates, methods of financing, and recommended timetables;
- (d) ~~Estimated annual operating costs including maintenance for newly acquired or constructed facilities.~~

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

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**  
*Two-thirds vote*

***Comment:*** *Changes to the Financial Procedures section are intended to reflect current practice and to establish dates for decision points.*

**ARTICLE 30: CHARTER AMENDMENT TO SECTION 7-2-2**

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

7-2-2 On or before ~~January 15~~ **February 21<sup>st</sup>** of each year, the Board of Selectmen shall submit to the Finance Committee the capital improvement plan together with its recommendations thereon.

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

**Charter Review Committee: 4-0-0 in favor**  
**Board of Selectmen Recommendation: 5-0-0 in favor**  
*Two-thirds vote*

***Comment:*** *Changes to the Financial Procedures section are intended to reflect current practice and to establish dates for decision points.*

**ARTICLE 31: AMENDMENT TO SECTION 40.6 – GROWTH MANAGEMENT OF THE ZONING BYLAWS**

To see if the Town will amend the Zoning Bylaw Section 40.6 – Growth Management, by removing the language shown below with a strikethrough and adding the language shown below with bold underline, for the purpose of extending the time period of Section 40.6 by five years.

§ 40.6. Growth Management

A. Purpose. The purpose of § 40.6 of the bylaw is **to provide adequate time for the Town to plan and prepare for the effects of future residential growth, and ensure that control the pace of the Town’s growth does not diminish the Town’s rural character, impair natural resources or overwhelm town services or infrastructure.** ~~so that build-out will be gradual. This gradual~~ pace of development afforded by the bylaw will provide opportunities for the Town to: 1) ~~an opportunity to purchase and protect open spaces, thereby reducing the Town’s ultimate density and~~

preserving, as much as possible, the Town's rural character; 2) **undertake comprehensive planning to the time for the Town to adequately identify a community land use vision to guide the regulation of land use and development;** 3) **study-assess the impacts of anticipated growth on town infrastructure, roads, drinking water supply and fresh and marine wetlands and water bodies, and plan appropriate measures to protect the integrity of those resources,** and possibly regulate the impact of continued development on the Town's existing roads and water quality; and 4) **develop a financially sustainable plan for the provision of town services and infrastructure necessary to support the community's land use vision.** protection for the Town from a sharp acceleration of population growth that could suddenly overwhelm our current public services. This section, 40.6, shall expire on December 31, **2021**16.

B. Residential Development Limitation.

1. There shall be no more than forty (40) building permits for new single family dwelling units authorized within any calendar year, beginning January 1 and ending December 31. Permits not issued within the calendar year may be carried over and added to the next calendar year's quantity. This bylaw shall be effective as of March 3, 2006.
2. The Building Commissioner shall issue building permits in accordance with the following:
  - a. For the purposes of this section, an application shall be accepted for review only if it conforms to all applicable building and zoning requirements, and has received all necessary approvals from pertinent Town boards, including the Board of Health, Planning Board, Board of Appeals, Conservation Commission, and so forth.
  - b. Applications for building permits for single family dwelling units certified complete by the Building Commissioner shall be dated and time-stamped upon determination of completeness. Building permits shall be issued on a first-come/first-served basis.
  - c. Within any calendar month, no more than six (6) permits for single family dwelling units may be issued. Permits not issued during one month may be carried forward and issued the next month, assuming it is within the same calendar year.
  - d. No applicant may have more than one (1) application processed for a single family dwelling unit in any given month.
  - e. No more than four (4) building permits for single family dwelling units shall be issued to any one applicant within a single calendar year unless 1) there are available permits within the yearly limit and 2) no other applicant has applied for them before the fifteenth day of December.

C. Exemptions.

1. Construction of affordable housing units provided such housing units have deed restrictions to ensure they remain affordable for the maximum period permitted under Massachusetts law. Occupancy permits for such affordable units are not to be issued until the restricted deed has been recorded or registered.
2. A presently existing structure which is otherwise subject to this bylaw but which is destroyed by fire or other calamity. Such a structure may be rebuilt outside of these limitations as long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) so long as application for a building permits is submitted within two (2) years of the destruction.
3. A presently existing structure which, following demolition, is being rebuilt to no more than one hundred twenty-five percent (125%) of its current footprint. Such a structure may be rebuilt so long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) the application for a building permit is submitted within two (2) years of the existing structure's demolition. (4/16)

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

**Board of Selectmen Recommendation:**

**Planning Board Recommendation:**

*Two-thirds vote*

***Comment:*** *The purpose of this proposed change is to extend the time period of the Growth Management bylaw, which caps single-family residential building permits at 40 per year. Affordable housing units are exempt from this building permit cap. The annual cap on permits ensures that the rate of residential growth does not outpace the Town's ability to provide services and infrastructure, and to put in place measures to protect the community's rural character and natural resources. The additional five years will allow time to complete comprehensive community-based planning for land use, water resource protection, infrastructure and services.*

**ARTICLE 32: PETITIONED ARTICLE – AMEND THE CURRENT DEFINITION OF “STREET” WITHIN THE ZONING BYLAW**

To see if the Town will vote to Amend the current Definition of “STREET” within the Zoning Bylaw to include the actual requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards, (b), (c), & (d) as they existed on January 1, 1989.

**Street.** A public or private way which affords access to abutting property. For the purposes of this bylaw, the terms “street”, “road”, “way”, and “road right-of-way” bear the same meaning. 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.

*The aforementioned 1989 Design Standards are: b) The minimum width of street right-of-ways shall be 40 feet, c) Property lines at street intersections shall be rounded to provide for a curb radius of not less than 20 feet, and d) Dead-end streets shall be provided at the closed end with a turnaround having a property line diameter of at least 80 feet. When ways requiring turnarounds may be extended in future subdivision, the Board may require only an area equal to the above requirement to be shown and marked “Reserved For Turning”. Upon extension of the way through this turning area, the portions not included in the way shall revert to their respective lots.*

Street(s) shall have a center line length in excess of 100 feet. For dead-end street(s), this distance shall be measured from the sideline of the layout of the road to be intersected to the opposite end of the layout of the turnaround cul-de-sac. Town of Truro paved street(s) that: (1) have a minimum layout width of 20 feet, (2) were created prior to January 1, 1989 and (3) were accepted by Truro Town Meeting, are exempt from the width requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards. These accepted public paved ways shall be deemed adequate as lot frontage for the issuance of building permits. The list of accepted Truro public paved ways is available from the Town of Truro Town Clerk upon request.

Or to take any other action relative thereto. *Requested by Petitioner.*

**Board of Selectmen Recommendation:**

**Planning Board Recommendation:**  
*Two-thirds vote.*

**Comment:** *This was submitted by petition for consideration at Town Meeting and the comment was prepared by the petitioner.*

*This is a housekeeping article. This amendment simply inserts the actual language of the requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards, (b), (c), & (d) as they existed on January 1, 1989. The insertion of the missing language makes the definition clear and easy for all to understand and does not alter the current ‘Street’ definition in any way.*

**ARTICLE 33: PETITIONED ARTICLE-AMEND GENERAL BYLAW BY ADDING THE FOLLOWING SECTION 4-2-4 DOG EXCREMENT BYLAW**

To see if the Town will vote to amend the General Bylaw by adding the following section 4-2-4 Dog Excrement Bylaw:

4-2-4 Dog Excrement Bylaw- No owner shall permit a dog to defecate upon sidewalks, streets, beaches, or Town-owned land or structures without immediately and permanently removing the excrement therefrom, nor shall said person permit such excrement to remain on private property without consent of the owner or occupant same. A non-criminal disposition penalty will be assessed in the amount of \$100 (one hundred dollars) to the owner for the first offense; \$200 (two hundred dollars) for the second offense; and \$300 (three hundred dollars) for the third subsequent offenses. Or to take any other action relative thereto. ***Requested by Petitioner.***

**Board of Selectmen Recommendation:**  
**Finance Committee Recommendation:**

**Comment:** *This was submitted by petition for consideration at Town Meeting.*

**ANNUAL TOWN ELECTION  
TUESDAY, MAY 10, 2016  
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, 7 Standish Way, Truro, MA, on Tuesday, May 10, 2016 from 7:00 am to 8:00 pm for the following Town offices and questions:

#	OFFICE	TERM
2	Selectmen	3 year
2	School Committee	3 year
1	Library Trustee	3 year
1	Cemetery Commission	3 year
2	Planning Board	5 year
1	Housing Authority	5 year
1	Housing Authority	4 year

**QUESTION 1**

Shall the Town of Truro be allowed to assess an additional \$120,000 in real estate and personal property taxes for the purpose funding the repairs of the outfall pipe at East Harbor,, and for the payment of all other costs incidental and related thereto for the fiscal year beginning July first, two thousand sixteen?

Yes\_\_\_\_ No\_\_\_\_

**QUESTION 2**

Shall the Town of Truro be allowed to assess an additional \$241,727.00 in real estate and personal property taxes for the purpose of funding wages and the Town share of Employee Group Health Insurance benefits for six full-time Firefighter/EMS positions in the Fire/Rescue/EMS Department beginning July first, two thousand sixteen?

Yes\_\_\_\_ No\_\_\_\_

**QUESTION 3:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change the Town Charter by changing throughout the term “Town Administrator” to “Town Manager”.

**QUESTION 4:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change 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 of 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.***

**QUESTION 5:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change 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 to \$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.

**QUESTION 6:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change 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.

**QUESTION 7:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change 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”***

**QUESTION 8:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change Section 4-3-1 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 change

Police Chief ~~and Officers~~

Fire Chief

Constable

~~Civil Defense Director~~

**QUESTION 9:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change 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.~~

**QUESTION 10:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

Yes \_\_\_ No \_\_\_

This amendment will change the Town Charter by adding a new Section 5-5-5 as follows:

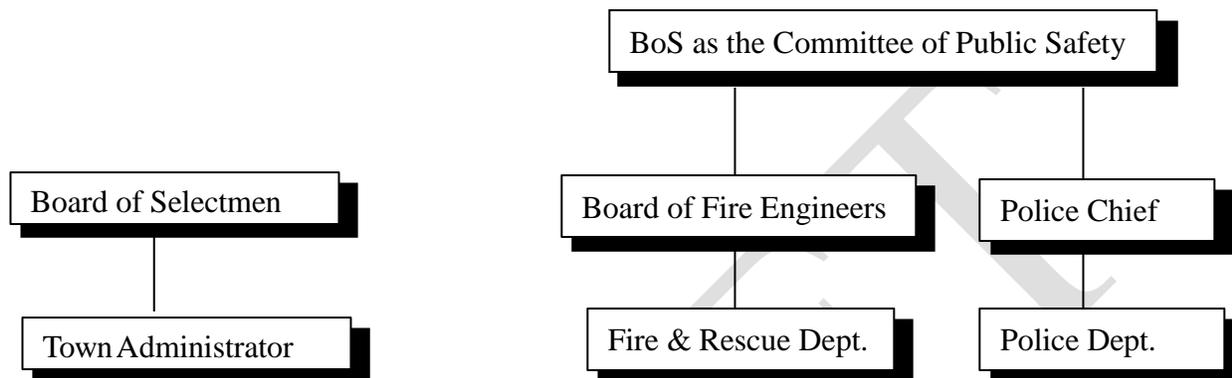
5-5-5 The Town Administrator shall regularly provide direction to all department heads and employees, including the Police Chief and Fire Chief, unless stated otherwise in the Charter. All such department Heads and employees shall receive an annual performance evaluation from the Town Administrator,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

**QUESTION 11:** Shall the Town approve the Charter amendment proposed and passed at the April 28, 2015 Town Meeting as summarized below?

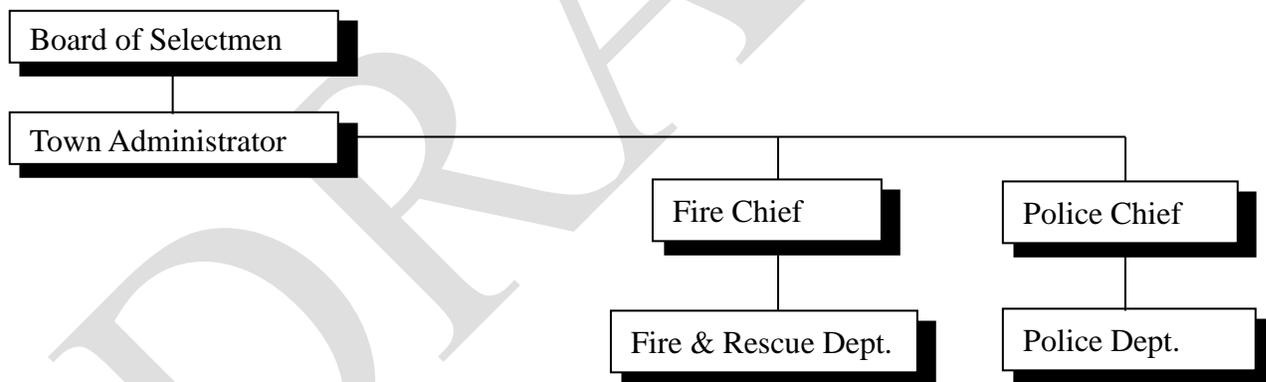
Yes \_\_\_ No \_\_\_

This amendment will change 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.

*Portion of the existing Appendix B, Part 3 Departmental Chart:*



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



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 24th day of March in the Year of our Lord, Two Thousand and Sixteen.

We, the members of the Board of Selectmen of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 6:00 p.m. on April 26, 2016, at the Truro Central School and have read the warrant for the Town election to be held on Tuesday May 10, 2016 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

\_\_\_\_\_  
Paul Wisotzky, Chair

\_\_\_\_\_  
Jan Worthington, Vice-Chair

\_\_\_\_\_  
Maureen Burgess, Clerk

\_\_\_\_\_  
Jay Coburn

\_\_\_\_\_  
Robert Weinstein

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  
FY2016 and FY2017

FROM 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%		<b>TO FY17 – CLASSIFICATION &amp; COMPENSATION SCHEDULE</b>							
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	\$11.91	\$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	Annual	\$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 2017

DRAFT



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

## 6. CONSENT AGENDA

- A. Review/Approve and Authorize the Chair to sign:
  - 1. Agreement with EF Winslow for HVAC Duct Work Cleaning
- B. Review and Approve Proclamation declaring the month of April 2016 Autism Awareness Month.
- C. Review and Approve Reappointments of Officers Rose, Roda and McGlynn to the Truro Police Department.
- D. Review and Approve Seasonal Common Victualer and Transient Vendor (Seasonal Retail) License: Highland Links Golf Course
- E. Review and Approve Consultant; under provisions of Conservation Bylaw, Chapter 8 Section 4e



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Public Works

**REQUESTOR:** Jay Norton, Director

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** HVAC Duct Work Cleaning

**EXPLANATION:** E.F. Winslow has provided an estimate for \$7,225.00 to clean the HVAC duct work in the Community Center, Library and Town Hall. There are 11 systems in total and the work will be completed in one week's time. The purpose of performing this task is to remove particulates (dust, dirt and other debris) from the duct work that build up over the years.

**FINANCIAL SOURCE (IF APPLICABLE):** There are encumbered funds from 2015 for duct work cleaning. Account 020133-582000 has an appropriation amount of \$14,000.

**IMPACT IF NOT APPROVED:** Air quality in Town buildings will not be improved and further particulate accumulation could clog vents.

**SUGGESTED ACTION:** *MOTION TO approve and execute a contract with E.F. Winslow for HVAC duct work cleaning in the Community Center, Library and Town Hall and Authorize the Chair to sign.*

**ATTACHMENTS:**

1. Quote from E.F. Winslow



8 Reardon Circle  
 South Yarmouth, MA 02664  
 800-870-1117  
 www.efwinslow.com

Quote Number:  
 10121

Work Order Id:

Date:  
 08/06/2015  
 Submitted By:  
 CARR  
 Page: 1 of 2

**Proposal To:**  
 PROVINCETOWN D.P.W.  
 260 COMMERCIAL STREET  
 PROVINCETOWN MA 02657

**Service Location:**  
 TRURO D.P.W.  
 143 SHORE ROAD  
 WATER TREATMENT PLANT  
 NORTH TRURO MA  
 4877060-143 SH

THANK YOU VERY MUCH FOR ALLOWING US THE OPPORTUNITY TO PROVIDE YOU THIS ESTIMATE. WE LOOK FORWARD TO WORKING WITH YOU AND DEMONSTRATING TO YOU OUR PROFESSIONAL WORKMANSHIP. PLEASE DO NOT HESITATE TO LET ME KNOW IF YOU HAVE ANY QUESTIONS OR CONCERNS. PHONE AT 508-542-1142 OR EMAIL AT STEVECARR@EFWINSLOW.COM

**Option # 1**

- \*WE WILL PROVIDE COMMERCIAL DUCT CLEANING SERVICES FOR ELEVEN (11) SYSTEMS FOR THE TOWN OF TRURO.
- \*IF THIS OPTION IS CHOSEN, WE PLAN ON PERFORMING THE DUCT CLEANINGS ON ALL THREE BUILDINGS IN ONE WEEK'S TIME, INCLUDING ONE SATURDAY (TOWN HALL).
- \*WE CONNECT OUR HIGH POWERED VACUUM TO THE SYSTEM(S) AND RUN IT CONTINUOUSLY. THE DUST, DIRT AND OTHER DEBRIS IS THEN PULLED BY THE VACUUM OUTSIDE. SINCE IT IS NOT PUSHED TOWARD THE REGISTERS, THE PROCESS DOES NOT LEAVE A MESS. WE ALSO CLEAN EACH DUCT RUN WITH SPECIAL HOSES AND TOOLS TO LOOSEN DIRT AND DEBRIS (TOOLS INCLUDE: BRUSHES; SNAKES; WHIPS AND OTHER SPECIALIZED AIR MOVEMENT DEVICES). ALL GRILLS, REGISTERS, DIFFUSERS AND PLENUMS ARE CLEANED AS WELL.
- \*AFTER THE DUCTS ARE THOROUGHLY CLEANED, WE THEN DEODORIZE THE ENTIRE SYSTEM WITH AN EPA APPROVED AGENT (NON-SCENTED).

<b>Initial:</b> _____	<b>Total</b>	----- <b>7,225.00</b>
<b>Total Prices (including all options)</b>		<b>7,225.00</b>

PAYMENT TO BE MADE WITHIN 30 DAYS OF COMPLETION.

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

ACCEPTANCE OF CONTRACT- THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.



Plumbing • Heating • Cooling • Electric • Kitchens • Baths • Carpentry • Central Vacuum  
 Emergency Restoration • Generators • Oil Delivery • Septic Pumping • Duct Cleaning



8 Reardon Circle  
South Yarmouth, MA 02664  
800-870-1117  
www.efwinslow.com

Quote Number:  
10121  
Page: 2 of 2

Authorized Signature: \_\_\_\_\_

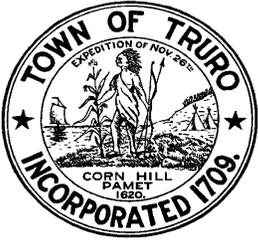
Date: \_\_\_\_\_

Accepted By: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_



Plumbing • Heating • Cooling • Electric • Kitchens • Baths • Carpentry • Central Vacuum  
Emergency Restoration • Generators • Oil Delivery • Septic Pumping • Duct Cleaning



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Administrative Office

**REQUESTOR:** Noelle Scoullar, on behalf of Amy Rogers, Commission on Disabilities

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Review and approve a proclamation declaring the month of April as Autism Awareness Month.

**EXPLANATION:** We have been approached by Amy Rogers, a member of the Commission on Disabilities, to declare April as Autism Awareness Month. A proclamation has been written and is ready for the Board of Selectmen to sign.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** Truro will not participate in recognizing April as Autism Awareness Month.

**SUGGESTED ACTION:** *MOTION TO declare April as Autism Awareness Month.*

**ATTACHMENTS:**

1. Proclamation

**Town of Truro - Autism Awareness Month April 2016**

**Whereas** Autism is a lifelong neurological disorder with current statistics bringing it to 1 in 68 children being diagnosed with Autism Spectrum Disorder in 2015.

**Whereas** Prevalence of autism in the U.S. is the fastest-growing developmental disability.

**Whereas** Autism affects each individual in different ways and can range from very mild to severe; Autism knows no racial, ethnic or social boundaries and affects young and old alike.

**Whereas** **World Autism Awareness Day** is observed on April 2 and was adopted by the United Nations in 2007 to shine a bright light on autism as a growing global health priority. Every year on World Autism Awareness Day, Autism Speaks celebrates its international "Light It Up Blue" campaign.

**Whereas** The Light It Up Blue campaign was founded with the intention of spreading awareness and understanding of autism, to celebrate and honor the unique talents and skills of people with autism and to bring attention to the needs of all people with autism and their families. Thousands of iconic landmarks, skyscrapers, schools, businesses and homes across the globe unite by shining bright blue lights in honor of the millions of individuals and families affected by autism.

**Whereas** We join the Autism Speaks organization in proclaiming April 2016 as Autism Awareness Month in The Town of Truro, MA and we pledge to Light It Up Blue at all Town Buildings in honor of Autism Awareness Month.

**Now Therefore, Be It Resolved**, that we the Board of Selectmen of the Town of Truro, MA do hereby proclaim April 2016 as Autism Awareness Month in the Town of Truro in the Commonwealth of Massachusetts.

In Witness Whereof, we have affixed our signatures and the seal of the Town of Truro, MA to this declaration today March 29, 2016.

\_\_\_\_\_  
Paul Wisotzky, Chair

\_\_\_\_\_  
Janet W. Worthington, Vice Chair

\_\_\_\_\_  
Maureen Burgess, Clerk

\_\_\_\_\_  
Jay Coburn

\_\_\_\_\_  
Robert Weinstein



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Truro Police Department

**REQUESTOR:** Chief Kyle Takakjian, Police Chief

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Officer Re-Appointments

**EXPLANATION:** Three Officers have successfully completed the first year of service and are now off of probationary status. Re-appointing the Officers puts them on our normal re-appointment schedule.

**FINANCIAL SOURCE (IF APPLICABLE):** FY16 and continuing year's budgets

**IMPACT IF NOT APPROVED:** Removal of statutory authority / Reduction in force posts are not presented to the public

**SUGGESTED ACTION:** *Move to approve the re-appointment of Officers Roda, Rose and McGlynn as full-time Police Officers for the Town of Truro for the period beginning February 17, 2016 through December 31, 2018.*

**ATTACHMENTS:** None



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Licensing Department

**REQUESTOR:** Nicole Tudor, Executive Assistant

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Approval of 2016 Transient Vendor (Seasonal Retail) License and Seasonal Common Victualer License –Highland Links Golf Course

**EXPLANATION:** The approval of Highland Links Golf Course, Seasonal Common Victualer license is under the authority of the Board of Selectmen as Local Licensing Authorities. When the license is approved for renewal, the license will be issued only upon compliance with all regulations and receipt of the necessary fees. The Health Department Food Service licenses will be approved once the Common Victualer Licenses are approved.

The Transient Vendor (Seasonal Retail) application and supporting documentation is under the authority of the Board of Selectmen as Local Licensing Authorities. Please know that if you approve this for renewal, this license will be issued only upon compliance with all regulations and receipt of the necessary fee.

1. *There were no reported issued with Highland Links Golf Course in 2015.*

Mass General Law	Licenses & Permits Issued by Board of Selectmen	Names of Businesses
Chapter 140 § 2	<b>Common Victualer</b> (Cooking, Preparing and Serving food)	<b>Highland Links Golf Course</b>
Chapter 101 § 2	<b>Transient Vendor</b> (Seasonal Retail)	<b>Highland Links Golf Course</b>

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** The applicant will not be issued their 2016 Common Victualer Seasonal License or Transient Vendor (Seasonal Retail) License to operate at the Highlands Links Golf Course.

**SUGGESTED ACTION:** *MOTION TO approve the 2016 Common Victualer License and 2016 Transient Vendor (Seasonal Retail) License for Highland Links Golf Course upon compliance with all regulations and receipt of the necessary fees.*

**ATTACHMENTS:**

1. Renewal Application 2016 for Highland Links Golf Course

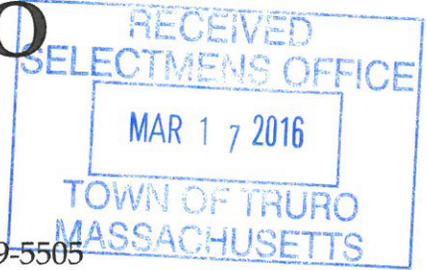


# TOWN OF TRURO

## BUSINESS LICENSE APPLICATION ADMINISTRATION OFFICE

Main Floor Town Hall • P.O. Box 2030  
24 Town Hall Rd • Truro, MA 02666

Tel: 508-349-7004 Extensions: 10 or 24 Fax: 508-349-5505



**NO BUSINESS MAY OPERATE WITHOUT A VALID LICENSE ON THE PREMISES**

The undersigned hereby applies for a License to conduct business in the Town of Truro in accordance with the Statutes of the Commonwealth of Massachusetts and subject to the Rules and Regulations of the Licensing Authorities.

Please check the appropriate box that best describes the license type (s) being applied for:

Business Request	License Type	Hours of Operation
<input type="checkbox"/> New Application	<input checked="" type="checkbox"/> Common Victualer (Food)* <i>See Health Department</i>	<input type="checkbox"/> Annual License
<input checked="" type="checkbox"/> Renewal – No Changes	<input checked="" type="checkbox"/> Transient Vendor (Retail)	Number of Days Open:
<input type="checkbox"/> Renewal – Change (s)	<input type="checkbox"/> Peddler/Mobil Lunch Cart* <i>See Health Department</i>	Hours      AM      PM 6          7
<input type="checkbox"/> Transfer of License	<input type="checkbox"/> Entertainment License <i>Complete Entertainment Application</i>	<input checked="" type="checkbox"/> Seasonal License
<input type="checkbox"/> Name Change	<input type="checkbox"/> Lodging House	Number of Days Open: 7
<input type="checkbox"/> Manager Change	<input checked="" type="checkbox"/> Alcohol License <i>Complete ABCC Application</i>	Opening Date: April 1, 2016
<input type="checkbox"/> Location Change	<input type="checkbox"/> Innholder	Closing Date: November 30, 2016
<input type="checkbox"/> Seasonal to Annual	<input type="checkbox"/> Taxicabs	Hours 6 AM 7 PM
<input type="checkbox"/> Annual to Seasonal	<input type="checkbox"/> Other	<input type="checkbox"/> Change of Hours
<input type="checkbox"/> Extension of Premises		<input type="checkbox"/> Other

Other information please describe \_\_\_\_\_

**APPLICANT INFORMATION**

Name of Applicant Jason Laramee

Name of Business/Corporation/Partnership Johnson Golf Management / Highland Links

Business Location 10 Highland Light Rd

Mailing Address of Business Truro Street Address  
PO Box 1659 Harwich, MA 02645

*Please use preferred mailing address for any Town Correspondence*

Business Contact Information Jason Laramee [redacted] jlaramee@johnsongolfmanagement.com

Name of Manager Kelly Laramee

*Please Print*

Manager Contact Information [Redacted] *K Laramee @johnsengolfmanagement.com*  
 Manager's Mailing Address PO Box 1659 Harwich, MA 02645 *Cell Number/Email Address*  
 FEIN Business Number [Redacted]  
 Food Vendor Drivers' License # \_\_\_\_\_ Vehicle Registration # \_\_\_\_\_

**CHECKLIST-Please provide the following items if not provided to the Health Department.**

- RESTAURANTS- See Health Department Application
- FIRE PROTECTION SYSTEMS ANNUAL TEST REPORT
- IF YOU HAVE EMPLOYEES- Provide Workers Compensation Affidavit **AND** Certificate of Insurance
- IF YOU DO NOT HAVE EMPLOYEES- Provide Workers Compensation Affidavit **ONLY**
- IF SELLING ALCOHOL FOR CONSUMPTION ON PREMISE
  - Provide Liquor Liability Insurance
  - Provide Current Building and Fire Certificate of Inspection
  - TIPS Server Training Certificates for Servers
- Mobil Food Unit-Attach State Hawker Peddler License
- Ice Cream Truck-Complete CORI Form and Permit to Engage in Ice Cream Vending (MGL 270 §25)
- Business Certificate with the Clerk's Office-*A Business Certificate is commonly referred to as a d/b/a or "Doing Business As" form. Its purpose is primarily for consumer protection and is considered a public record. Pursuant to M.G.L. Chapter 110, section 5, a person must file a business certificate when conducting business in Truro under any title (business name) other than the real name of the individual, partnership, or corporation. (Note: Certain exemptions to filing are allowed under section 6: a corporation doing business as its true name; a legal partnership is doing business under any title which includes the true surname of any partner; certain other exemptions exist for trusts and limited partnerships.)*

**ATTESTATION**

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

Jason Laramee  
 Print Name

  
 Signature of Applicant

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

TOWN OF TRURO  
 Administration Office ♦ Main Floor Town Hall  
 24 Town Hall Rd ♦ PO Box 2030  
 Truro, MA 02666

**Office Use Only**

- Payment Received
- Health Agent or Board of Health Approval    Board of Selectmen Meeting Date for Approval March 29, 2016



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Conservation

**REQUESTOR:** Emily Beebe, on behalf of the Conservation Commission

**REQUESTED MEETING DATE:** March 29, 2016

**ITEM:** Contract for Consultant; under provisions of Conservation Bylaw, chapter 8, section 4e

**EXPLANATION:** The Commission has selected a consultant for expert review of a Notice Intent application currently pending. This consultant is a uniquely qualified Coastal Geologist, selected on the basis of his qualifications from an RFP for peer review services. A copy of his proposal and qualifications are attached. In accordance with the Conservation Commissions process for hiring Consultants as found in the Bylaw and regulations, the fee (\$1955) for his services will be paid by the applicant in full. There will be no cost to the Town by entering into this contract. Staff is requesting that the Board authorize the Town Administrator to sign this contract on behalf of Board of Selectmen for the Conservation Commission and any future contract for consultants hired under this provision. There is no cost to the Town for this contract and there will not be any cost to the Town for future agreements. Authorizing the Town Administrator to sign the agreements will allow for timely review of projects.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** Each agreement must be sent to the Board of Selectmen for signature which may negatively impact meeting statutory review timelines.

**SUGGESTED ACTION:** *MOTION TO Authorize the Town Administrator to sign the attached and future contracts per the Conservation Bylaw, Chapter 8, Section 4e which authorizes the Conservation Commission to hire a technical review Consultant to be paid for by the applicant.*

**ATTACHMENTS:**

1. *Letter of Contract from Town of Truro*
2. *Letter of proposal from Coastal Advisory Services*
3. *Qualifications of Consultant*



**TOWN OF TRURO  
CONSERVATION COMMISSION**  
P.O. Box 2030  
Truro MA 02666-0630

Jim O'Connell  
Coastal Advisory Services  
P.O. Box 401  
Brant Rock, MA 02020

March 23, 2016

Re: Contract for Consulting - 618 Shore Road, North Truro

Dear Mr. O'Connell:

This letter of contract is formal acceptance by the Truro Conservation Commission of your proposal to Review Resource Area delineations and opinion of regulatory compliance of the Notice of Intent submitted for 618 Shore Road" dated March 11, 2016.

Therefore, the Town of Truro, acting through its Board of Selectmen hereby engages in contract with Coastal Advisory Services in accordance with your proposal, and the procedures outlined in the Truro bylaws, chapter 8, section 4e.

\_\_\_\_\_  
Rae Ann Palmer  
Truro Town Administrator

  
\_\_\_\_\_  
Jim O'Connell, Coastal Advisory Services



**Jim O'Connell** Coastal Geologist  
Coastal Advisory Services  
P.O. Box 401, Brant Rock, MA 02020  
781-588-0502 JimOConnell28.com  
JimOConnell28@gmail.com

Truro Conservation Commission  
c/o Emily BeeBe, Assistant Health/Conservation Agent  
P.O. Box 2030  
Truro, MA 02666-0630

March 11, 2016

RE: Proposal to Review Resource Area Delineations and Opinion of Regulatory Compliance of the Notice of Intent submitted for 618 Shore Road, North Truro

Dear Commissioners:

In the response to the February 11, 2016 request, the following is my Proposal and cost estimate to review the resource area delineations, the Notice of Intent, Site Plans, and accompanying information submitted by IEC and W. N. Rogers, PE, on behalf of Lexvest Group – Lexvest East Harbor LLC at 618 Shore Road, North Truro, for compliance with the Truro and DEP Wetlands Protection Regulation performance standards.

Scope of Services:

- Up-front research relating to the coastal landform designation, e.g. DEP Wetlands Maps, USGS Surficial Geology map, and Barnstable County soil survey;
- Review of project site plans and additional information submitted with the NOI;
- Site visit and field investigation to confirm the resource area delineations, including borings, to analyze subsurface sediments, if necessary;
- Written report including figures and photographs of the results of the field investigation regarding the resource area delineation and the 'significance' of the identified resource areas based on the interests and Performance Standards outlined in the Truro Conservation By-law/Regulations and DEP Wetlands Protection Regulations; and,
- Attendance at two Conservation Commission Hearings, including travel.

Cost Estimate

The cost estimate to conduct the services cited above, including travel, is **\$1955**.

If any of the services described above are not necessary the cost estimate will be reduced accordingly. Conversely, if additional services are requested by the Commission, e.g. meeting on-site with the Commission and/or participation at additional Commission hearings, a revised or new scope of services will be provided for your approval.

I hope my Scope of Services and cost estimate meet with your approval, and I look forward to working with the Commission.

Thanks for contacting me,

*Jim O'Connell*

Jim O'Connell, Coastal Geologist  
Coastal Advisory Services

**JIM O'CONNELL**

P.O. Box 401, Brant Rock, MA 02020

(781) 588-0502

[JimOConnell28@gmail.com](mailto:JimOConnell28@gmail.com)

[jimoconnell28.com](http://jimoconnell28.com)

**Professional Experience**

October 2010 – Present

**Coastal Geologist/Coastal Processes Specialist**

**Coastal Advisory Services (dba), P.O. Box 401, Brant Rock, MA 02020**

- Provide technical and regulatory analyses to public and private sectors relating to a project's potential effects on coastal processes and coastal resources; regulatory compliance of coastal projects; effects of coastal erosion and coastal erosion control alternatives analyses; coastal resources delineation (e.g. coastal bank; coastal dune); coastal floodplain analyses for building and compliance.

January 2013 – January 2014

**Hazard Mitigation Coastal Geologist** (coastal storms related temporary appointment)

*Federal Emergency Management Agency (FEMA)*

Joint/Disaster Field Office

Warwick, RI

- Assisting FEMA in addressing coastal issues relating to coastal storm damage along the coasts of CT, Rhode Island and Massachusetts from *Hurricane Sandy* and *Blizzard/NE Storm NEMO*

April 2011 – November 2012

**Conservation Department Head - Conservation Agent**

**Natural Resources Officer/FEMA-CRS Coordinator**

**Town of Scituate, MA 02066**

- Manage the Conservation Department staff and budget;
- Advise the 7-member Conservation Commission on pros and cons of hundreds of proposed projects, including compliance with state and local Wetlands Protection Regulations and bylaws, and mitigation actions;
- Enforce local and state Wetlands Protection standards for coastal and inland resources;
- Implement the Town's participation in FEMA's Community Rating System (Class 8); and,
- Initiate and carry out grant projects for natural resources and conservation land management and planning initiatives.

July 2008 – April 2010

**Coastal Processes & Hazards/Coastal Land-use Specialist**

**University of Hawaii, Sea Grant Program, Honolulu, HI 96822**

- Stationed on the Island of Kauai assisting Kauai County Government and residents on coastal and shoreline issues, including updating shoreline set-back

policies based on coastal erosion and preparing regulations; Co-Leader Kauai Tsunami Observation Team; University of Hawaii Sea Level Rise Hui participant; bring UH coastal research to the Island for practical use.

Feb 1999 – July 2008

**Coastal Processes & Coastal Hazards Specialist**

*Woods Hole Oceanographic Institution, Sea Grant Program*  
193 Oyster Pond Road, MS #2, Woods Hole, MA 02543-1525  
and

**Coastal Processes Specialist**

*Cape Cod Cooperative Extension, Barnstable County*  
P.O. Box 367, Barnstable, MA 02630

- Provided results of applied coastal research from the Woods Hole Oceanographic Institution and elsewhere to Barnstable County, state and local officials and residents; initiated conferences, workshops, bulletins and publications relating to coastal processes, coastal landforms, sea level rise, coastal floodplains, beaches, dunes and barrier beaches; co-authored a *coastal floodplain model bylaw*, produced *DVD on coastal processes & erosion control alternatives*, *Dune Restoration booklet*, as well as other publications and presentations.

May 1998 - Feb 1999 **Marine Resources Specialist**

*Cape Cod Commission*  
3225 Main Street, Barnstable, MA 02643

- Advised County planners and officials on all aspects of coastal resources and coastal floodplain management.

1988 - 1998 **Coastal Geologist and Coastal Hazards Coordinator**

1985 - 1988 **Project Review Coordinator**

*Massachusetts Coastal Zone Management*  
100 Cambridge Street, Boston, MA 02202

- Initiated and Chaired the MA state Coastal Floodplain Task Force;
- Initiated and Chaired the State Coastal Bank Delineation Task Force;
- Chaired the MA Coastal Hazards Commission's Coastal Protection Sub-Committee;
- Initiated & coordinated the MA State Coastal Storm Damage Assessment Team over 9 years through 3 Presidential Declarations of Disasters;
- Revised and implemented policies and regulations relating to coastal floodplains, coastal banks, sea level rise, coastal erosion, and beaches, dunes and barrier beaches to preserve their beneficial functions;
- Provided technical assistance and coordinated initiatives with federal, state, county, and local officials, non-profit organizations, and coastal and floodplain residents.

Sept 83 - May 1985 **Electronics Technician**

Consumers Electronic Service Co., Canton, MA

Sept 1980 - June 1983 **Research Assistant:** *The Bureau of Economic Geology, Texas*  
**Teaching Assistant:** Geography Department, University of Texas  
 Austin, TX

June 1978 - Sept 1980 **Physical and Biological Research Assistant**  
*NOAA, National Marine Fisheries Service, Woods Hole, MA*

### **Professional Expertise**

- *Independent Technical and Regulatory Review of Coastal Projects (Coastal Landform specialty);*
- *Coastal Erosion Control Alternatives Analyses;*
- *Coastal Landform Delineations (e.g. Coastal Banks and Coastal Dunes);*
- *Coastal Landform Beneficial Function Descriptions (including human impacts);*
- *Coastal Regulations / State & Local Coastal Wetlands Protection;*
- *Presentations on Shoreline Processes & Human-interactions, Coastal Erosion & Coastal Erosion Control Alternatives, and Sea Level Rise;*
- *Coastal Landforms & Coastal Floodplain By-law/Ordinance Review & Support;*
- *Expert Testimony on Coastal Landform & Coastal Erosion Issues.*

### **Professional Affiliations** (current)

*Duxbury Beach Reservation, Inc, Board of Directors & Technical Committee, (owners in-trust of a 4.5 mile long barrier beach) (former VP)*

*American and Northeast Shore & Beach Preservation Association*

*Massachusetts Association of Conservation Commissions*

*Society of State Floodplain Managers*

*North & South Rivers Watershed Association*

*International Erosion Control Association*

### **Professional Affiliations** (former)

*MA DEP 'Land Subject to Coastal Storm Flowage Task Force' (2014 -2015)*

*Marshfield (MA) Conservation Commission*

*Massachusetts Association of Wetlands Scientists*

*Massachusetts Coastal Hazards Commission (Chair of Protection Working Group - 2007)*

*Massachusetts Barrier Beach Task Force (Technical advisor)*

*Massachusetts Coastal Floodplain Task Force (Initiator & former Chair)*

*Massachusetts Coastal Bank Delineation Task Force (Initiator & former Chair)*

*North and South Rivers Watershed Association (Board of Directors)*

*New England Floodplain and Stormwater Managers Association (Board of Directors (2-terms))*

*Massachusetts Rapid Response Storm Damage Assessment Team (Initiator & Team Leader '91-'98)*

*Tsunamis Observation Team (Co-Leader, Kauai, HI - 2008-2010)*

*The Coastal Society Board of Directors*

### **Educational History**

M.A. Geography/Physical Geography awarded 6/1983, University of Texas, Austin, TX

Thesis Title: *The Shoreline Variability Measurement Technique: A Synthesis of Short- and Long-term Shoreline Changes*

**Award: The Outstanding Graduate Research Award**

B.S. Regional Physical Studies (geology concentration)/Contract Minor: Coastal Studies, 1980  
Boston State College (Boston State College merged with the University of Massachusetts in 1982)

**Award: Bookstore Scholarship**

MA State Electronics License, 1973, GTE Sylvania Technical School, Waltham, MA

**Military Service**

3/70 - 10/71

**Army Commendation Medal**

U.S. Army (Airborne/Paratrooper)

Sp5: Honorable Discharge

Viet Nam Services (in country): Aug 1970 - Oct 1971

**Publications & Abstracts**

O'Connell, J.F., 2010, *Shoreline Armoring Impacts and Management along the Shores of Massachusetts and Kauai, Hawaii*, in Shipman, H., Dethier, M.N., Gelfenbaum, G., Fresh, K.L., and Dinicola, R.s., eds., 2010, *Puget Sound Shorelines and the Impacts of Armoring - Proceedings of a State of the Science Workshop, May 2009*; U.S. Geological Survey Scientific Investigations Report 2010-5254, p. 65-76.

O'Connell, J.F., Aiu, I., Milnes, L., and Smith, L.E., 2010, *The Island of Kauai, Hawaii's Progressive Shoreline Setback and Coastal Protection Ordinance*, Proceedings of The Coastal Society's 22<sup>nd</sup> Annual Conference, *Shifting Shorelines: Adapting to the Future*, Wilmington, N.C., June.

Titus, J., Hudgens, D.E., Trescot, D.L., Craghan, M., Nuckols, W.H., Hershner, C.H., Kassakian, J.M., Linn, C.J., Merritt, P.G., McCue, T.M., O'Connell, J.F., Tanski, J., Wang, J., 2009, *State and Local Governments Plan for Development of Most Land Vulnerable to Rising Sea Level along the U.S. Atlantic Coast*, *Environmental Research Letters*, V. 4.

O'Connell, J.F., and Justus, S., 2009, *Effectively Managing Coastal Floodplain Development: A Model By-law*, published jointly by Woods Hole Sea Grant, Hawaii Sea Grant, Cape Cod Commission (MA) and Cape Cod Cooperative Extension (MA): available from Cape Cod Commission, Barnstable, MA, or web site <http://www.capecodcommission.org/bylaws/home.htm>

O'Connell, J.F., Eversole, D., and Norcross-Nu'u, Z., 2009, *A Progressive, Balanced Coastal Construction Setback Ordinance for the Island of Kauai, Hawaii: Implementation and Lessons Learned*, Coastal Zone '09, Boston, MA, July, Abstract with program.

O'Connell, J.F., 2008, *Comprehensive Barrier Beach Management: Balancing Storm Restoration, Recreational Use, and Coastal Resource Protection using Progressive Practices, Duxbury Beach, Massachusetts*, Solutions to Coastal Disasters, Conference Proceedings, AM Society of Civil Engineers, COPRI, Oahu, HI.

O'Connell, James F., 2008, *Coastal Dune Protection and Restoration, Using Cape American Beach Grass and Fencing*, Marine Extension Bulletin, Woods Hole Sea Grant and Cape Cod Cooperative Extension, December, 16pgs, (<http://www.whoi.edu/seagrant/images/DunesRestoration-FINAL.pdf>)

O'Connell, J.F., 2007, DVD: *'Coastal Landforms, Coastal Processes, and Erosion Control Alternatives on Cape Cod & Southern Plymouth, MA'* (published by & available from Woods Hole Sea Grant, Woods Hole, MA).

O'Connell, J.F., 2007, *The Beginning: A Geologic View of Duxbury Beach, Massachusetts*, in The Duxbury Beach Book, Kearney, M.M. and Foster, K. eds. Duxbury Beach Reservation, Inc, Duxbury, MA

Brodeur, J., and DeRosa, S., (eds), 2007, *The Future of Massachusetts Beaches: Relocate, Nourish or Lose Them*, proceedings of a Workshop held at the Woods Hole Oceanographic Institution, May, 2007.

O'Connell, J.F., 2006, DVD: '*Coastal Hazards in Massachusetts: Discussions with Local Legislators*', published by Woods Hole Sea Grant, (permission from Scituate Community Television and Falmouth Community Television).

O'Connell, J.F., 2005, *Shoreline Change and the Effects of Human Activity along the Wellfleet Harbor Shore*, Third Annual State of Wellfleet Harbor Conference, Wellfleet, MA, abstracts w/program.

Smith, L.B., Vautrinot, A., Rosen, P., Fitzgerald, D., O'Connell, J.F., 2005, *Sacrificial Dune Role in Coastal Barrier Protection: Duxbury Beach*, in Solutions to Coastal Disasters Conference Proceedings, ASCE, Charleston, S.C., May 2005.

O'Connell, J.F., 2005, *Documenting Short-term Changes in Beaches and Dunes using a Regional Volunteer Beach Profiling Program on Cape Cod, the South Shore and Nantucket, MA*, Abstracts with Program, 10<sup>th</sup> Annual Cape Cod Natural History Conference, Barnstable, MA.

O'Connell, J.F., 2004, *Beach and Dune Profiling: Training in the Use of the Emory and O'Emory Rod Methods*, (DVD), production of WHOI Sea Grant & Cape Cod Cooperative Extension produced by Blue Bear Productions (WHOI-V-04-005).

O'Connell, J.F., 2004, *Are We Protecting the Beneficial Functions of Coastal Landforms: An Analysis of Activities Permitted on Coastal Landforms in Cape Cod in 1999*, Proceedings of The Coastal Society 19<sup>th</sup> Biennial Conference, Newport, R.I., May 2004.

Buynevich, I., and O'Connell, J.F., 2004, *Beyond the Chart: The Geological Legacy of the Historic North River Inlet, Massachusetts*, NE-GSA, Abstracts w/Program, VA.

O'Connell, J.F., 2004, *Cape Cod Landforms and Coastal Processes* (large format, full-color poster), produced by Cape Cod Cooperative Extension and WHOI Sea Grant.

O'Connell, J.F., 2003, *The Art and Science of Mapping Shorelines and Interpreting Shoreline Change: The Massachusetts Experience*, Proceedings of the 13<sup>th</sup> International Symposium on Coastal and Ocean Management, CZ'03, Baltimore, MD.

O'Connell, J.F., 2003, *Beach and Dune Profile Monitoring: A Massachusetts Citizen Monitoring Effort to Document Short-term Changes to Dunes and Beaches*, 8<sup>th</sup> Annual Cape Cod Natural History Conference, Abstract with Program, hosted by Massachusetts Audubon Society, Cape Cod Community College, Barnstable, MA.

O'Connell, J.F., 2002, *New Shoreline Change Data and Analysis for the Massachusetts Shore with Emphasis on Cape Cod and the Islands: Mid-1800s to 1994*, Environment Cape Cod (published by Barnstable County), V. 5, No. 1, September 2002.

- O'Connell, J.F., 2002, *The Challenge of Stabilizing Coastal Landforms with Bioengineering Techniques: Do They Really Work?*, in *Stabilizing Dunes and Coastal Banks using Vegetation and Bioengineering: Proceedings of a workshop held at the Woods Hole Oceanographic Institution, Woods Hole, MA.*
- O'Connell, J.F., ed, 2002, *Stabilizing Dunes and Coastal Banks using Vegetation and Bioengineering: Proceedings of a Workshop held at the Woods Hole Oceanographic Institution, Woods Hole, MA, WHOI Technical Report #WHOI-2002-12, Dec 2002.*
- O'Connell, J.F., 2002, *Updated Shoreline Change Data for Cape Cod: Where are We Losing and Gaining Shore?*, Abstracts with Program, Proceedings of the 7<sup>th</sup> Annual Cape Cod Natural History Conference, Barnstable, MA
- Thieler, E.R., O'Connell, J.F., and Schupp, C., 2001, *The Massachusetts Shoreline Change Project: 1800s to 1994 Technical Report*, USGS Administrative Report, September 2001 (project funded by MA CZM).
- Schupp, C., Thieler, E.R, and O'Connell, J.F, 2001, *Mapping and Analyzing Historical Shoreline Changes in Massachusetts*, in Proceedings of CoastGIS '01: Managing the Interfaces Conference, Halifax, Nova Scotia, June 18-20, 2001.
- O'Connell, J.F., 2001, ed, *Can Humans and Coastal Landforms Co-exist?*, Proceedings of a Workshop held at the Woods Hole Oceanographic Institution, Woods Hole, MA, WHOI Technical Report #WHOI-2001-14.
- O'Connell, J.F., 2000, *The Coastal Landform System Sustainability Project: An Analysis of Activities Permitted on Coastal Landforms on Cape Cod, Massachusetts in 1999*, Environment Cape Cod, V. 3, No. 2, December 2000.
- O'Connell, J.F., 2000. *Coastal Landform System Sustainability Project: An Analysis of Activities Permitted on Coastal Landforms on Cape Cod, Massachusetts in 1999*, Woods Hole Oceanographic Institution, Woods Hole, MA, Technical Report WHOI-2000-09.
- O'Connell, J.F. and Leatherman, S.P., 1999. *Coastal Erosion Hazards and Mapping along the Massachusetts Shore*, Journal of Coastal Research, Special Issue #28.
- O'Connell, J.F., 1998, *Shoreline Change: Coastal Landform Management Dilemma*, in *Coastal Landform Management in Massachusetts*, Woods Hole Oceanographic Institution, Sea Grant Program, , eds, Crago, T.I. and DeRosa, S.D., proceedings of a Workshop held at WHOI, Woods Hole, MA, Sea Grant Report WHOI-W-97-001.
- O'Connell, J.F., 1997, *Mapping of Coastal Erosion Hazard Areas*, Proceedings of the Sixth Annual Conference of the New England Floodplain and Stormwater Managers Association, Milford, MA.
- O'Connell, J.F., 1997, *Historic Shoreline Change Mapping and Analysis along the Massachusetts Shore*, Proceedings of the Tenth Symposium of Ocean and Coastal Management, Coastal Zone '97, Boston, MA.

O'Connell, J.F., 1997, *Technical Standards to Protect the Beneficial Functions of Land Subject to Coastal Storm Flowage*, Proceedings of the Tenth Symposium of Ocean and Coastal Management, Coastal Zone '97, Boston, MA.

Office of Technology Assessment, Environmental Division, U.S. Congress, 1995, *Technologies to Benefit Shoreline Property and Rare Species Habitat: An Atlantic Coast Example*, contributing author.

O'Connell, J.F., 1995, *Massachusetts Coastal Zone Management's High Hazard Area Mapping and Shoreline Change Project: The Value of NOS/FEMA/OCRM/State Data Exchange*, Proceedings of the Ninth Symposium of Coastal and Ocean Management, Coastal Zone '95, Tampa, FL, pgs 476-477

O'Connell, J.F. 1995, *Massachusetts Experience through Three Presidentially Declared Coastal Storm Disasters, Hazard Mitigation, and New Initiatives*, Proceedings of the 19<sup>th</sup> Annual Conference of the Association of State Floodplain Managers, Portland, ME.

#### **Published Bulletins**

*New Shoreline Change Data Reveal Massachusetts is Eroding*, 2003, Woods Hole Oceanographic Institution, Sea Grant Program, Marine Extension Bulletin.

*Evaluation of Coastal Erosion Hazards: Results of a National Study and Massachusetts Perspective*, 2001, Woods Hole Oceanographic Institution, Sea Grant Program, Focal Point, August 2001.

*Beach and Dune Profiling: An Educational Tool for Observing and Comparing Dynamic Coastal Environments*, 2001, Woods Hole Oceanographic Institution, Sea Grant Program, Marine Extension Bulletin, January 2001.

*Shoreline Change and the Importance of Coastal Erosion*, 2000, Woods Hole Oceanographic Institution, Sea Grant Program, Focal Point, April 2000.

#### **Certified Training & Specialty**

Wetland Delineation (3 courses); Erosion & Sedimentation Control; sponsored by MA Association Conservation Commissions 2011-2012

Tsunamis Observation Training, 2008, Kauai, HI

Coastal Construction (REC-105) Training Certificate, 2007, MEMA

Techniques of Supervision, 1997, Human Resources Division, Commonwealth of MA

Hazard Mitigation Training Course, 1992, Federal Emergency Management Agency

Basic Chart & Loran C Navigation, 1992, MA Maritime Academy

Outboard Engine Repair, 1993 & 1994 (2 Certificates), MA Maritime Academy

Certified Scuba Diver (sport & spear-fisherman)

CPR Certification, 2009

Basic First Aid, Certified, 2009

Outboard Motor Boat owner for 20+ years

Avid Sea & Surf Kayaker

Hawaiian Outrigger Canoe Paddler (Pu'uwai Racing Team, Kauai, HI)

## Chapter 3

### A. Consultants

1. Purpose. As provided by G.L. Ch. 44 §53G, the Truro Conservation Commission may impose reasonable fees, payable by an applicant before the Commission, for the employment of outside consultants, engaged by the Conservation Commission, for specific expert services. Such services shall be deemed necessary by vote of the Commission to come to a final decision on an application submitted to the Conservation Commission pursuant to the requirements of: the Wetlands Protection Act (G.L. Ch. 131 §40), the Truro Local Conservation By-Law, Conservation Commission Act (G.L. Ch. 40 §8C), or any other state or municipal statute, bylaw or regulation, as they may be amended or enacted from time to time. The Conservation Commission may also impose fees, payable by an applicant before the Commission, for other consultant services, related to application review, or permit conditioning or monitoring, under any of the above-referenced laws or regulations. Fees imposed by the Commission shall be commercially reasonable.
2. Special Account. Funds received pursuant to these rules shall be deposited with the town treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Conservation Commission without further appropriation as provided in G.L. Ch. 44 §53G. Expenditures from this account shall be made only in connection with a specific project or projects for which a consultant fee has been collected from the applicant. Expenditures of accrued interest may also be made for these purposes.
3. Consultant Services. Specific consultant services may include but are not limited to resource area survey and delineation, analysis of resource area values, hydrogeologic and drainage analysis, impacts on municipal conservation lands, and environmental or land use law. Services may also include on-site monitoring during construction, or other services related to the project deemed necessary by the Commission. The consultant shall be chosen by, and report only to, the Commission and/or its administrator. The consultant chosen should have qualifications relevant to the tasks to be undertaken.
4. Notice. The Conservation Commission shall give written notice to the applicant of the selection of an outside consultant. Such notice shall state the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety. Such notice shall be deemed to have been given on the date it is mailed or delivered. No such costs or expenses shall be incurred by the applicant if the application or request is withdrawn within five days of the date notice is given.
5. Payment of Fee. The fee must be received prior to the initiation of consulting services. The Commission may request additional consultant fees if necessary review requires a larger expenditure than originally anticipated or new information requires additional consultant services. Failure by the applicant to pay the consultant fee specified by the Commission within ten (10) business days of the request for payment, or refusal of payment, shall be cause for the Commission to deny the application based on lack of sufficient information to evaluate whether the project meets applicable performance standards in 310 CMR 10.00 and the Truro Conservation By-law or its regulations. An appeal stops the clock on the above deadline; the countdown resumes on the first business day after the appeal is either denied or

upheld. A denial for lack of information may be based solely on the lack of the third party consultant review identified as necessary by the Commission. The Commission shall specify in its denial the nature of the information lacking which its chosen consultant would provide, e.g. the questions it needs answered.

6. Denial Under Local Conservation By-law. Failure by the applicant to pay the consultant fee specified by the Commission within ten (10) business days of the request for payment shall be cause for the Commission to deny the permit application.
7. Appeals. The applicant may appeal the selection of the outside consultant to the Truro Board of Selectmen, who may only disqualify the outside consultant selected on the grounds that the consultant has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue or a related field. Such an appeal must be in writing and received by the Truro Board of Selectmen and a copy received by the Conservation Commission, so as to be received within ten (10) days of the date consultant fees were requested by the Conservation Commission. The required time limits for action upon the application shall be extended by the duration of the administrative appeal.
8. Return of Unspent Fees. When the Commission's review of a project is completed and an Order of Conditions issued, any balance in the special account attributable to that project shall be returned within 30 days. The excess amount, including interest, shall be repaid to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Commission with appropriate documentation. A final report of said account shall be made available to the applicant or applicant's successor in interest.

## **B. Coastal Management - Erosion Control Projects**

Preamble: These regulations are enacted pursuant to the authority granted under the Truro Conservation By-Law and are expressly intended to provide greater protection than that provided under the state Wetlands Protection Act, and the DEP Regulations promulgated thereunder in order to protect Truro's beaches, a natural resource of great economic and environmental value to the Town.

The Truro Conservation Commission is of the opinion that coir tube installations, and similar structures, are "coastal engineering structures" within the meaning of the DEP Regulations 310 C.M.R 10.30 (3), and that, as such, installation of coir tubes and similar projects are prohibited for the protection of buildings constructed after 1978. However, by letter dated February 18, 2011, and incorporated herein by this reference, the Truro Conservation Commission was informed by DEP that the Department views this type of structure as a "soft solution" to stabilize eroding banks, which is a permitted structure under the cited regulation. In the event that DEP reconsiders its interpretation of 310 C.M.R. 10.30 (3) the Truro Conservation Commission reserves the right to rescind these regulations and to prohibit installation and maintenance of coir tube projects and similar structures within the Town of Truro.

Coastal banks along the bay side of Truro are experiencing accelerated rates of erosion, at times from a single storm event. It is the policy of the Commission to allow an "erosion control" project only as an *interim* measure, and in all cases to require the property owner to submit plans