

Truro Board of Selectmen Meeting
Tuesday, April 16, 2019
Truro Public Safety Facility

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

Present: Town Manager Rae Ann Palmer; Town Counsel - KP Law Attorneys Jonathan M. Silverstein and, via phone, Lee S. Smith

Chair Robert Weinstein reconvened the regular BOS meeting at 2:53 p.m. following an Executive Session.

REGULAR MEETING

Walsh Property Purchase & Sales Agreement

Town Manager Rae Ann Palmer, the Selectmen and Town Counsel attorneys, Jonathan Silverstein and Lee Smith, discussed the Purchase and Sales (P&S) agreement in its present form. Ms. Palmer said there were address corrections that had been made, and she asked about including a clause in the that allowed for a taking. Town Counsel Lee Smith said that provision was not necessary; the Town could obtain property through use of eminent domain. There is still a parcel with a title unknown, and the sellers need to provide proof that their title claims are in order. The probate records of the original three Walsh brothers still need to be produced.

There was further discussion on the July 1, 2019 closing date, taxes and any other non-substantive adjustments to the agreement. Attorney Lee Smith said he will check on adding a provision for an extension in case there was a delay. Taxes on the parcels must be paid before or at the closing. Attorney Smith said the Selectmen could delegate someone to make non-substantive adjustments. He will provide an extension provision in case it is needed.

Paul Wisotzky moved to approve the Purchase & Sale agreement form and delegate the Town Manager to negotiate non-substantive adjustments in the agreement with the seller. Janet Worthington seconded, and the motion carried 5-0.

Robert Weinstein discussed the time concerns for dealing with the multifold Walsh family. He invited members of the public to come to next regular Selectmen's meeting to give guidance on use of the property. He thanked all parties who have been working the purchase.

Paul Wisotzky moved to adjourn the regular meeting. Maureen Burgess seconded, and the motion carried 5-0.

The regular meeting adjourned at 3:07 p.m., and Robert Weinstein moved to open the work session. Paul Wisotzky seconded, and the motion carried 5-0.

WORK SESSION**Discussion of Walsh Property, Annual Town Meeting Warrant Article 11**

Janet Worthington said the Selectmen are looking at ways to get public input on uses for the Walsh property. She said she is confident that the community will come up with ideas for what should be done with it. She suggested holding a public forum in June and wanted to discuss ways of gaining community input. She considered the use of maps and photos of the property, using a facilitator for exchange of ideas, surveys, and small group meetings. Paul Wisotzky suggested preparing advance questions for an open forum. He said that research and rigorous planning would become more important after the community vision is established.

Ms. Palmer discussed the money aspects of the planning process. Ms. Palmer said the Warrant Article was written by Bond Counsel and Town Counsel. Janet Worthington predicted questions that might arise at Town Meeting about funding and about the method of creating the committee from the public. Maureen Burgess expressed a concern that citizens would not be involved enough in the process. She suggested inserting language about the committee, "who will be involved in the planning process from the beginning and throughout the process."

Ms. Palmer said the part of the Article that discusses the citizens' committee could be better defined, but it is the Town Meeting motion that is binding. Town Counsel Jonathan Silverstein said more language could be put into the motion. Paul Wisotzky said that Selectmen will be forming the committee as soon as possible. Committee members will be working on behalf of the Board of Selectmen, doing the preliminary research and planning.

More discussion ensued about the presentation of Article 11, the Walsh property, at Town Meeting. Janet Worthington suggested preparing a PowerPoint presentation with photos and maps. Paul Wisotzky said a first step was being prepared to answer questions from voters who might be opposed to the Town's purchase of the property. Questions could include how to pay for it and the implications on taxes. Chair Weinstein said that the purchase first has to pass at this Town Meeting. The planning piece comes second, and bond decisions come after planning what it will be used for. Rae Ann Palmer said that using the land for municipal purposes was the way to present the Article. Attorney Silverstein said that "general municipal purposes" just indicates Town is holding the land. A specific use and appropriation would be brought to another Town Meeting.

Rae Ann Palmer said the Conservation Trust will be presenting the information for Article 11 since they have been involved in negotiating the purchase. The Board identified Truro Conservation Trust Chair Fred Gaechter as the person with the most knowledge of the property since the Trust had worked with the family on a sale.

Ms. Palmer said that a Development of Regional Impact (DRI) would be required from the Cape Cod Commission. She will also check with the Commission to see if they could provide a facilitator for a public visioning session for use of the Walsh property, provided it gains public support at Town Meeting. She said there is money available for preliminary engineering plans.

The Town Manager spoke of future borrowing costs for the Walsh property, keeping in mind the Town will also be borrowing for East Harbor. Borrowing for the 5.1 million dollars for 20 years at an interest rate of 3.75% would be the best option for the Town, she said. Janet Worthington suggested including these figures in the PowerPoint presentation at Town Meeting.

Chair Weinstein welcomed the public to bring their ideas to the April 23, 2019 Board of Selectmen meeting, the last one before Annual Town Meeting. Pre-Town Meeting on April 17, 2019 will present another opportunity to discuss costs and planning for the Walsh property.

Kristen Reed moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 3:40 p.m.

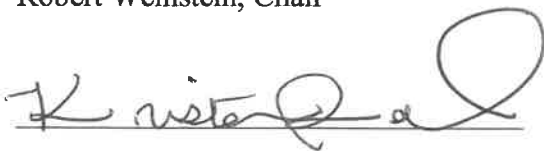
Respectfully submitted,


Mary Rogers, Secretary

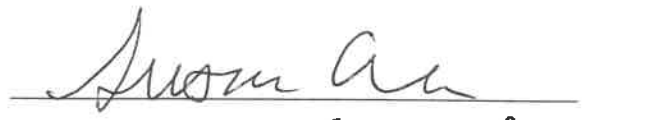


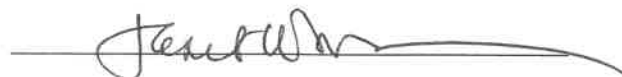
Robert Weinstein, ~~Chair~~

Maureen Burgess, Vice-chair



Kristen Reed


~~Paul Wisotzky~~ Susan Aresen


Janet Worthington, Clerk

Public Records material for 4/16/19

Purchase & Sales agreement for the Walsh property

