

**Truro Board of Selectmen Meeting
Selectmen's Chambers Town Hall
Tuesday, December 13, 2016**

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

Present: Town Manager Rae Ann Palmer

PUBLIC COMMENT

Helen McNeil-Ashton suggested that using a formula like the Community Preservation Act division of funding for Open Space, Community Housing and Historic Preservation would be appropriate for the settlement money from 27 Stephen's Way. Possibly even the money could be administrated through the CPC, she said. Janet Worthington mentioned that a newspaper editorial had indicated that money from the settlement would be going to Affordable Housing, but the Board of Selectmen has not yet decided upon a process for handling the money. Town Manager Rae Ann Palmer said that the Town Accountant is working with the Department of Revenue on regulated procedures for settlement money.

Jay Coburn said that there is an e-mail in circulation alleging that he is undermining the zoning bylaw proposal to limit house size in the National Seashore. He strongly objected to the unconstructive nature of the e-mail and reminded everyone that he has consistently disclosed that he resides within the boundaries of the Seashore. If Town Counsel determines that he needs to recuse himself from further discussion of the bylaw proposal as a Selectman, he stated that he still will participate as an individual citizen.

Paul Wisotzky commented on the aspersions cast in the e-mail that, he said, has caused further divisiveness in the Town. Robert Weinstein, who had also been named in the e-mail, denounced the lies, misstatements and a demeaning attitude it contained. Mr. Weinstein said he had checked with Town Counsel and the State Ethics Commission regarding the Section 19 exemption that applies if there is a 10% threshold of residents affected by a proposed bylaw. He believes that the exemption applies. Mr. Weinstein said that he too would still participate in discussion as a private citizen and property owner if he has to recuse himself. He said the Board of Selectmen is open in its dealings, adheres to high standards and moves forward with well-thought out policies after listening to all citizens.

Janet Worthington suggested that the authors of the e-mail should be invited to a Selectmen's meeting to discuss their message. She also wanted to hear Town Counsel's opinion on the conflict of interest issue. Paul Wisotzky said it will be included in the discussion of the size bylaw.

BEACH COMMISSION APPOINTMENT

Shari Stahl, who had applied for a vacancy on Beach Commission, explained her interest in becoming a member.

Janet Worthington moved to approve the appointment of Shari Stahl to the Beach Commission. Jay Coburn seconded, and the motion carried 5-0.

JOINT MEETING WITH SCHOOL COMMITTEE

Chair Terri Humes, Michelle Jarusiewicz, Tim Dickey, Drew Locke, Special Needs Director Stephanie Costigan, Principal Bob Beaudet and Superintendent Michael Gradone joined the Selectmen at the table.

Chair Terri Humes, called to order the meeting of the School Committee at 5:20 p.m.

Paul Wisotzky explained that the purpose of the joint meeting was for discussion of shared concerns. Superintendent Gradone highlighted the School's interest in attaining high academic achievement, nurturing students, providing a welcoming supportive atmosphere, and challenging themselves. He said Truro has improved its state ratings from Level 2 to Level 1. Principal Beaudet explained this year's academic goals and personal goals for the students. He said they have also worked on technology curriculum with students partnering with scientists on real world projects. Stephanie Costigan commended the positive shift in the school's atmosphere.

The two Boards looked at the diversity of Truro families, services provided, offering an After-School programs and more Pre-School, and budgeting. Superintendent Gradone indicated that statistics for 2015 showed Truro as having the lowest per pupil cost of the Lower Cape towns. This year, he said, the School was coming in at level funding. Jay Coburn commended the School Committee on their efforts to offer an After School program and more Pre-School opportunities. He considers the education program as one of the main pillars of an attractive community. Janet Worthington expressed her interest in Pre-K and an After School program. Paul Wisotzky thanked the School Committee for their careful budgeting. Terri Humes wondered if there was an update on the land swap, but Town Manager Rae Ann Palmer said there was nothing yet.

The School Committee meeting was adjourned at 5:50 p.m., and the Selectmen's meeting continued.

BOARD OF SELECTMEN ACTION

Review of Draft Charge for Local Comprehensive Plan Committee

Jay Coburn said the draft charge was ready for approval, so that the next step of recruiting volunteers for the Committee could go forward. Rae Ann Palmer said she was waiting to hear if she would be able to secure additional funding for the effort.

Jay Coburn moved to approve the draft charge for the Local Comprehensive Plan Committee. Robert Weinstein seconded, and the motion carried 5-0.

OPEB Trust Fund Discussion

Town Accountant Trudi Brazil reviewed the authorization of Other Post Employment Benefits (OPEB) Trust Fund in which the Town would deposit money to offset its long-term, unfunded liability for non-retirement spending. Barnstable County Retirement funds the retirement portion of OPEB, so this is for the health insurance for the retirees. An irrevocable trust is required for

the funds that have been put aside. Ms. Brazil explained the four documents before the Board to consider. She will bring back the final document for approval when the best approach is determined. She said there is no mandated time frame, but she would like to have it in place by June 30, 2017, the end of the fiscal year. Rae Ann Palmer discussed the importance of setting up an OPEB Trust Fund. She said the documents are on the Town website. The matter will be placed on a future meeting agenda.

Discussion of Town-wide House Size Bylaw

Ms. Palmer reported Town Counsel's opinion on applying the Ethics exemption decided by 10% of the population. Because of the difficulty determining population within the Seashore, Town Counsel recommended caution and having the two Selectmen recuse themselves from discussion of house size bylaws for the National Seashore. However, because a Town-wide house size bylaw falls within the 10% exemption regulation, they could participate in that discussion if they so choose.

Robert Weinstein clarified that he and Jay Coburn, as private citizens, were not barred from discussion of the Seashore bylaw after recusing themselves from the Selectmen's deliberations. Paul Wisotzky asked if Town Counsel had provided advice about recusal from a discussion that compares the two bylaws. Ray Ann Palmer said that they should recuse themselves for that. She noted that this meeting's agenda did not include house size bylaws for the Seashore.

Janet Worthington asked that the discussion of a Town-wide house size bylaw be tabled at this time. She said there wasn't enough time to prepare two bylaws for Town Meeting and that discussion of one proposal would be difficult without mentioning the other one. Maureen Burgess agreed that there is not time to pursue a second bylaw on house size. She would rather spend more time on a Town-wide size bylaw in order to see it pass at a future Town Meeting.

Jay Coburn revisited the summer meeting where people indicated they were interested in a Town-wide house size bylaw. He said he would no longer be discussing a National Seashore house size bylaw as a Selectmen because of potential conflict of interest. He said the Board did not have consensus, so he does not think that bringing a second size bylaw to the 2017 Annual Town Meeting would be possible. However, he mentioned that citizens are allowed to bring forward petitioned Articles if they are concerned about an issue.

Paul Wisotzky thanked Mr. Weinstein and Mr. Coburn for following the advice of Town Counsel. Chair Wisotzky said he does not consider it the right time to bring forward a Town-wide size bylaw. William Golden came forward asking for a point of clarification on the recusals. Jim Summers asked about procedure of developing zoning bylaws through the Planning Board. Paul Wisotzky said there were three avenues of bringing zoning bylaw Articles to Town Meeting – The Selectmen, the Planning Board or through a petitioned Article. A public hearing is necessary in each case.

Discussion of Annual Town Report

Janet Worthington discussed the dedication and cover idea for the Annual Town Report of the past year. She suggested limiting the size of each report to one page. She said the theme of the

book would be "Elders." She asked for submission of cover photos that feature elders and for written tributes about elders that could be included in the book.

2017 Annual Common Victualler - Farm Maid Foods

Jay Coburn recused himself from deliberations and left the table.

Maureen Burgess moved to approve the 2017 Annual Common Victualler license for Farm Maid Foods upon compliance to all regulations and receipt of the necessary fees. Robert Weinstein seconded, and the motion carried 4-0.

Jay Coburn returned to the table.

CONSENT AGENDA

A. Review/Approve and Authorize Signature:

1. Review and Approve One Day Alcohol and Entertainment Truro Center for the Arts at Castle Hill December 16th, 10 Meeting House Rd.;

2. Review and Approve Event Notification Form for the National MS Society Bike Ride June 25th, 2017;

B. Review and Approve the 2017 Annual Licenses – Montano's Restaurant, Savory and the Sweet Escape, Salty Market, and Truro Vineyards (Lodging);

C. Review and Hold Executive Session Minutes;

D. Review and Approve Appointment of Gary Palmer for Vacancy on Board of Assessors,

E. Review and Approve Appointment of Gary Sharpless for Alternate Vacancy on Shellfish Advisory Committee; and

F. Review and Approve Regular Board of Selectmen Minutes – November 15, 2016, November 29, 2016.

Jay Coburn moved to approved the Consent Agenda. Maureen Burgess seconded, and the motion carried 5-0.

SELECTMEN AND LIAISON AND TOWN MANAGER REPORTS

Janet Worthington asked that a Work Session agenda item be planned on parking issues. She also asked about two new programs for the COA and requested that someone to come to a Selectmen's meeting to explain them to the Board.

Robert Weinstein said he attended the most recent meeting of the Housing Authority. He said there was discussion of the disputed 3-lot Habitat plan. He reported that the Housing Authority understood that any requests for the expected settlement money from 27 Stephen's Way would need to be put in writing for the Board of Selectmen to consider.

Town Manager Rae Ann Palmer reported that the Pamet River Restoration had been named a Priority Project. She announced that the Assistant Town Manager had resigned last week. Beach and Recreation Director Kelly Sullivan Clark, who had been a finalist for past consideration, was re-interviewed for the position and accepted it. She will begin working as Assistant Town Manager on Monday, December 19, 2016. Her assistant will become Acting Director of the Beach and Recreation Department. Paul Wisotzky thanked Maureen Thomas for her service as Assistant Town Manager to the Town. Jay Coburn congratulated Kelly Clark as the second employee move up in Town management.

Robert Weinstein said that he, along with Paul Wisotzky, had been appointed as a member of the Herring River Restoration Committee. Their next meeting will be held on January 9, 2017 at 3 p.m. at the Wellfleet Senior Center.

NEXT MEETING AGENDA


Rae Ann Palmer reviewed agenda items for the December 20, 2016 work session: Charter Review Committee, Local Comprehensive Plan Committee formation, and use of the settlement money. Jay Coburn shared information on other towns' policies on fulfilling immigration quotas and said he'd like to discuss this at a future meeting.

ADJOURNMENT

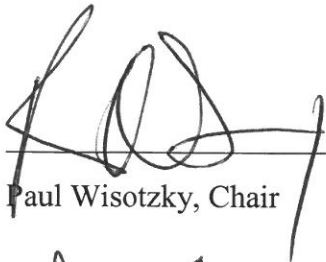
Robert Weinstein moved to adjourn. Jay Coburn seconded, and the motion carried 5-0.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,



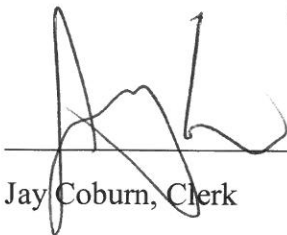
Mary Rogers, Secretary



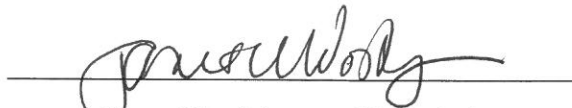
Paul Wisotzky, Chair



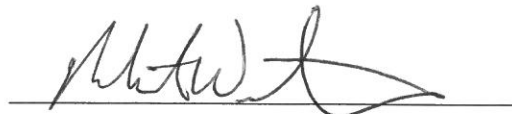
Maureen Burgess



Jay Coburn, Clerk



Janet Worthington, Vice-chair



Robert Weinstein

Public Records Materials of 12/13/16

1. One Day Alcohol and Entertainment Truro Center for the Arts at Castle Hill December 16th, 10 Meeting House Rd.
2. Event Notification Form for the National MS Society Bike Ride June 25th, 2017
3. 2017 Annual Licenses – Montano’s Restaurant, Savory and the Sweet Escape, Salty Market, and Truro Vineyards (Lodging)
4. Appointment papers of Gary Palmer for Vacancy on Board of Assessors
5. Appointment papers of Gary Sharpless for Alternate Vacancy on Shellfish Advisory Committee