



Truro Select Board Hybrid Meeting

Wednesday, March 19, 2025

Special Meeting-10:00AM

Truro Town Hall, 24 Town Hall Road

REGULAR MEETING

<https://us02web.zoom.us/j/84720782445>

1-646-931-3860 Meeting ID: 847 2078 2445

This will be a hybrid (in-person *and* remote) meeting. Citizens can view the meeting on **Channel 8** in Truro and on the web on the "Truro TV Channel 8" button under "Helpful Links" on the homepage of the Town of Truro website. Click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting please call-in at 1-646-931-3860 and enter the following access code when prompted: 847 2078 2445 or you may join the meeting from a computer, tablet or smartphone by entering the follow URL into your web browser; <https://us02web.zoom.us/j/84720782445>**

Please note that there may be a slight delay (15-30 seconds) between the meeting and the live-stream (and television broadcast). If you are watching the meeting and calling in, please lower the volume on your computer or television during public comments so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively.

Estimated Start Time

**All start times are approximate. Items may be taken out of order at the discretion of the Board and agenda items may require more or less time than allocated, resulting in changes to the approximate schedule.*

- 10:00am 1. PUBLIC COMMENT
- 10:15am 2. PUBLIC HEARINGS - NONE
- 10:15am 3. INTRODUCTION TO NEW EMPLOYEES - NONE
- 10:15am 4. BOARD/COMMITTEE/COMMISSION APPOINTMENTS - NONE
- 10:15am 5. STAFF/COMMITTEE UPDATES - NONE
- 10:15am 6. TABLED ITEMS - NONE
- 7. SELECT BOARD ACTION
 - 10:15am A. Presentation and Possible Vote to Recommend Petitioned Articles
Presenter: Lead Petitioner Dennis O'Brien and Lead Petitioner Clinton Kershaw
 - 10:45am B. Direction for Preparation of the 2025 Annual Town Meeting Warrant
Presenter: Kelly Clark, Assistant Town Manager
 - 10:55am C. Discussion and Possible Votes on Town Meeting Articles
Presenter: Kelly Clark, Assistant Town Manager
 - 11:20am D. Discussion and Possible Approval of Revised Policy 63: Select Board's Powers of Appointment
Presenter: Susan Areson, Chair

Office of Town Clerk

1:03 PM
MAR 14 2025

Received TOWN OF TRURO
By: *JS*

11:35am **8. REPORTS**

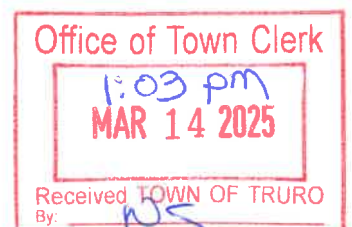
- A. Select Board Reports
- B. Town Manager Report

11:50am **9. CONSENT AGENDA**

- A. Review/Approve and Authorize Signature: NONE
- B. Review and Approve Appointment Renewals: NONE
- C. Review and Approve 2025 Annual Business Licenses: NONE
- D. Review and Approve Select Board Meeting Minutes: Select Board Meeting-10.22.24

11:55am **10. NEXT MEETING AGENDA**

Regular Meeting: March 25, 2025





TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

PRESENTERS: Lead Petitioners, Dennis O'Brien and Clinton Kershaw

REQUESTED MEETING DATE: March 19, 2025

ITEM: Presentation and Possible Vote to Recommend Petitioned Articles

EXPLANATION: Attached for presentation and discussion are four petitioned articles that will be included in the 2025 Annual Town Meeting Warrant.

Lead Petitioners, Dennis O'Brien and Clinton Kershaw will present their respective petitioned articles. The articles are under review by Town Counsel to ensure that they are in proper legal form and for guidance on adoption/implementation. Staff requests that the Board discuss the articles, ask questions, and provide guidance on any Select Board comments that should be included in the article. Staff proposes that at the next meeting, once the Select Board comments are prepared and included, the Board take votes on the articles.

The petitioned articles are:

- Article XX: Starting with the 2026/2027 Fiscal Year 100% of Free Cash will be Applied to Reduce and Stabilize the Tax Rate—Petitioned Article (Lead Petitioner: Clinton Kershaw)
- Article XX: Accept a Massachusetts General Law that will Allow the Town to Plow Private Roads—Petitioned Article (Lead Petitioner: Clinton Kershaw)
- Article XX: Charter Amendment to Section 6-4-3—Petitioned Article (Lead Petitioner: Dennis O'Brien)
- Article XX: Non-Binding Resolution to Establish Project Cost Cap and Schematic Design Requirements for a New DPW—Petitioned Article (Lead Petitioner: Dennis O'Brien)

Article numbers will be assigned as the Warrant is finalized.

SUGGESTED ACTION: *Provide guidance to staff on Select Board Comments for the four articles.*

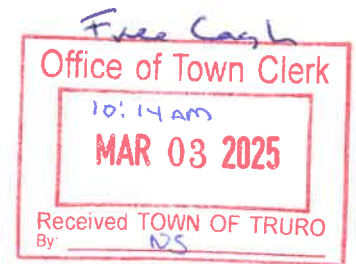
ATTACHMENTS:

1. Article XX: Starting with the 2026/2027 Fiscal Year 100% of Free Cash will be Applied to Reduce and Stabilize the Tax Rate—Petitioned Article (Lead Petitioner: Clinton Kershaw)
2. Article XX: Accept a Massachusetts General Law that will Allow the Town to Plow Private Roads—Petitioned Article (Lead Petitioner: Clinton Kershaw)
3. Article XX: Charter Amendment to Section 6-4-3—Petitioned Article (Lead Petitioner: Dennis O'Brien)
4. Article XX: Non-Binding Resolution to Establish Project Cost Cap and Schematic Design Requirements for a New DPW—Petitioned Article (Lead Petitioner: Dennis O'Brien)

The Town of Truro CITIZEN PETITION Annual Town Meeting Article

In accordance with M.G.L. c. 39 § 10

TOWN MEETING – MAY 3, 2025



DATE AND TIME RECEIVED BY TOWN
CLERK/REGISTRAR

INSTRUCTION TO PETITIONER

1. The Petitioner will be the contact name listed in the Warrant and should be the first registered voter to sign this petition form.
2. Return this citizen petition to the Town Clerk's Office when complete. A minimum of 10 signatures is required for an Annual Town Meeting article. It is suggested you obtain more than that for verification.
3. Before gathering signatures, please be sure that the language of your article is actionable. It will be voted at Town Meeting exactly as worded in your typed submission.
4. In addition to the actual warrant language, the petitioner must include any petitioner explanation/comment to be included in the warrant before getting any signatures.
5. Explanations/comments must be part of the petition that is signed by the required number of registered voters. No explanations/comments will be accepted for inclusion in the warrant by any single signer or proponent of the petition.
6. Petitioners with the draft language of their article may elect to coordinate with the Town Manager's Office to schedule an appointment for an informal staff consult with insight on operational impacts, financial impacts, and technical assistance to the extent possible.

DEADLINE: 4 PM, March 3, 2025

Name of Petitioner: Clinton Kershaw

Address: 9 Highland Ave North Truro MA 02652

Mailing Address:

<i>Street & number</i>	<i>apartment/unit</i>	<i>Truro</i>	<i>zip code</i>
PO Box 909 North Truro MA 02652			

Phone: **Work/Cell:** 617-275-6283 cell

Email: clintonkershaw@gmail.com

May 3, 2025 ATM Proposed Warrant Article Title and Body:

Article: starting with the 2026/2027 Fiscal Year 100% of Free Cash will be applied to Reduce and Stabilize the Tax Rate.

Petitioner's Comment: Free Cash is neither Free nor Cash. What we all refer to as Free Cash is actually taxes that were collected the previous tax year and not used. Taxes you have already paid.

Having all of the Free Cash go to Reducing and Stabilizing the Tax Rate stops all of this nonsense with free cash and brings all of the articles onto a level playing field.

INSTRUCTIONS TO SIGNERS

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SIGNERS' STATEMENT

We, the undersigned registered voters of Truro, do hereby petition the Select Board to include the Article printed on the reverse side of this form in the Warrant of the 2025 Town Meeting.

CHECK	SIGNATURE To be made in person with name as registered	PRINT NAME LEGIBLY	ADDRESS As registered to vote in Truro street, number, unit, and zip code	PRECINCT
1		Clinton Kershaw	9 Highland Ave. PO Box 909	
2		RAIFE MENOLD	7 HIGHLAND AVE. P.O. BOX 783	
3		JAMES McNULTY	71 HIGHLAND AVE	
4		PADRIC M. MENIGIER	4 ARROWHEAD RD	
5		Michael Guy	4 Arrowhead Rd.	
6		CHRISTINE RODERICK	113 SHORE RD.	
7		JOAN C MORIARTY	10 HIGHLAND AVE	
8		AUDREY CERRA	372 SHORE RD	
9		Catherine Staff	24 Windigo Ln.	
10		JAMES RECHT	55 NORTH PAMEL	
11		James Bisceglia	11 Kyle Way	
12		Ben Colman	12 Whale Watch Drive	
13		NANCY PEASE	5 Hatch	
14		Wanda Colman	12 Whale Watch Drive	
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Month and day

We certify that:

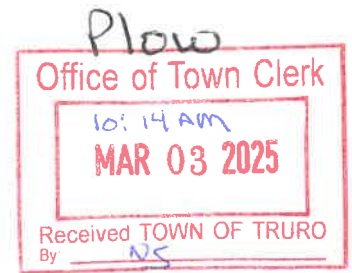
Number of names certified (use numbers and words)

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The Town of Truro CITIZEN PETITION Annual Town Meeting Article

In accordance with M.G.L. c. 39 § 10

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6. Starting on Monday, February 5th, Petitioners with the draft language of their article may elect to coordinate with the Town Manager's Office to schedule an appointment for an informal staff consult with insight on operational impacts, financial impacts, and technical assistance to the extent possible.

DEADLINE: 4 PM, March 3, 2025

Name of Petitioner: Clinton Kershaw

Address: 9 Highland Ave. North Truro MA 02652

Mailing Address:

Street & number	apartment/unit	Truro	zip code
PO Box 909	North Truro	MA	02652

Phone: **Work/Cell:** 617-275-6283

Email: clintonkershaw@gmail.com

May 3, 2025 ATM Proposed Warrant Article Title and Body:

Article: Accept a Massachusetts General Law that will allow the Town to plow private roads.

Shall the Town of Truro vote to accept the provisions of Section Six C of Chapter Forty of the General Laws,
which authorize cities and towns to appropriate money for the removal of snow and ice from private ways.
Therein open to public use.

Petitioner's comment: The State of Massachussets requires this General Law to be passed at the Town Election
before the Town may plow any private roads, the passage of this article does not require the Town to plow private
Roads.

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1		<i>CEO Cella</i>	Clinton Mershaw	9 Highland Ave. PO Box 909	
2		<i>Ralph Menold</i>	RAIFE MENOLD	7 HIGHLAND AVE. PO BOX 783	
3		<i>James M. Luch</i>	JAMES LUCH JR	7 HIGHLAND AVE	
4		<i>Patrick Miller</i>	PAIDRIK M. MILLER	7 ARROWHEAD RD	
5		<i>Michael Guy</i>	Michael Guy	4 Arrowhead Rd.	
6		<i>Christine Roderick</i>	CHRISTINE RODERICK	113 SHORE RD	
7		<i>Joan C Moriarty</i>	JOAN C MORIARTY	10 HIGHLAND AVE	
8		<i>Audrey Cerra</i>	AUDREY CERRA	372 SHORE RD	
9		<i>Catherine Staff</i>	Catherine Staff	24 Windigo Ln	
10		<i>Jim</i>	JAMES RECHT	55 NORTH PAMET	
11		<i>James Biscaglia</i>	James Biscaglia	11 Kyle Way	
12		<i>Ben</i>	Ben Colman	12 Whale Watch Drive	
13		<i>Wanda H. Colman</i>	Wanda Colman	12 Whale Watch Drive	
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The Town of Truro
CITIZEN PETITION
Annual Town Meeting Article

In accordance with M.G.L. c. 39 § 10

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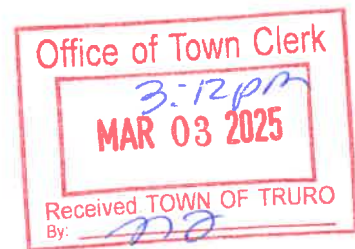
Name of Petitioner: Dennis P. O'Brien

Address: 24 Bayberry Road Truro, MA 02666

Mailing Address: PO Box 1047 North Truro, MA 02652

Phone: 857-263-0487

Email: dob9146187@aol.com



May 3, 2025

Article XX: Charter Amendment to Section 6-4-3 - Petitioned Article

SEE ATTACHED for Text and Explanation

Article XX: Charter Amendment to Section 6-4-3 - Petitioned Article Two-Thirds Vote

To see if the Town will vote to amend Section 6-4-3 of the Town Charter by adding new language as follows (new language shown **bold underline**):

6-4-3 The moderator shall in accordance with sections 2-2-4 and 6-2-6 of this Charter appoint a

Finance Committee of five members who shall be voters and shall not hold elected **or other appointed** office nor be a candidate for elected office in the Town of Truro; or take any other action relative thereto.

Requested by Citizen Petition

Petitioners' Explanation: The Finance Committee ("FinCom") is appointed by the Town Moderator, as required by law and Town Charter, to ensure the FinComm is not subject to control and influence of the Select Board. These "checks and balances" ensure that the FinCom has an arm's length relationship to the Select Board in performing its primary obligation "to advise the legislative branch" (Town Meeting) on matters of budget and finance and to ensure its decisions remain unbiased and free from potential conflicts of interest.

This amendment strengthens the independence of the Finance Committee by requiring that its members do not hold any positions appointed by the Select Board within the town government such as a committee or board member or committee liaison. This change establishes a clear and unambiguous separation between executive and legislative functions. It ensures that no individual member of the FinCom is subject to the Select Board where independence from the Select Board is the foundation of the FinCom's role and responsibilities. Without this separation between these bodies, FinCom Members who deliberate and/or vote on an appointed or elected committee with financial considerations would have a conflict of interest.

This amendment will ensure the FinCom does not intentionally or otherwise compromise the integrity of financial oversight, impede its ability to make impartial recommendations to the legislative branch, or experience undue influence from the executive branch. This revision aligns with best practices in municipal governance by reinforcing checks and balances, promoting transparency, and safeguarding the Finance Committee's role as an independent advisory body serving the best interests of Truro's voters only.

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1		Dennis P. O'Brien	24 Bayberry Rd 02652	
2		Kathleen Smythe O'Brien	24 Bayberry Rd 02652	
3		Andrew Lashley	26 Bayberry Rd 02652	
4		MARILYN D. LASHLEY	26 BAYBERRY RD. 02652	
5		Jerome A. Hollander	18 BAYBERRY RD NORTH TRURO, MA 02652	
6		Debra J. Hollander	18 Bayberry Rd, N Truro 02652	
7		Joe Anarella	14 Bayberry Rd Truro 02666	
8		Seth J. Swoboda	14 Bayberry Rd Truro 02666	
9		Karen Kinsella	1 Fishermans Road Truro 02666	
10		ROBERTA Kinsella	1 Fishermans Road Truro 02666	
11		Susan Rocca	29 Fishermans Road Truro 02666	
12		Chris Rocca	29 Fishermans Rd Truro 02666	
13		William Aikman	21 Bayberry Rd Truro 02666	
14		DONALD MORIN	21 Bayberry Rd. Truro 02666	
15		STEVEN T. PELOSI	23 FISHERMANS RD TRURO 02652	
16		JANICE M. PELOSI	23 FISHERMANS RD. NO. TRURO MA 02652	
17		Timothy J. Hickey	32 Hopkins Way 02652	
18		JULIANA MACALLER	32 HOPKINS WAY 02652	
19		E. WESLEY CHAPMAN	42 GREAT HOLLOW 02666	
20		SUSAN I. CHAPMAN	42 GREAT HOLLOW 02666	

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1		Laurie Lee	Laurie Lee	28 Fisherman	02666
2		Richard R. Lee	Richard R. Lee	28 Fisherman RD	02666
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1		<i>John Riemer</i>	John Riemer	7 Fisher Road 02666	
2		<i>John A. Power</i>	JOHN G. POWER	27 Fisher Rd 02666	
3		<i>Kathleen Power</i>	KATHLEEN Power	27 FISHER RD 02666	
4		<i>Daisy C. Boleyn</i>	Daisy C. Boleyn	13 FISHER RD 02666	
5		<i>Peter Moody</i>	PETER MOODY	4 WARREN PLACE 02666	
6		<i>Linda Aguilar</i>	LINDA AGUILAR	4 WARREN PLACE 02666	
7		<i>Stefanie O'Neill</i>	STEFANIE ONEILL	19 PRIEST ROAD 02652	
8		<i>Beverly Miller</i>	BEVERLY MILLER	19 PRIEST RD. 02652	
9		<i>Sharon Stahl</i>	Sharon Stahl	5 Priest Rd 02652	
10		<i>Steven Stahl</i>	Steven Stahl	5 Daniel Lane 02652	
11		<i>Elizabeth Adler</i>	Elizabeth Adler	10 Benson Rd. 02666	
12		<i>Paul Kiernan</i>	PAUL KIERNAN	10 Benson Rd. 02666	
13		<i>DSMULAN STEEL</i>	DSMULAN STEEL	19 Stephen's Way 02666	
14		<i>John Vankirk</i>	JOHN VANKIRK	19 Stephen's Way 02666	
15		<i>Marie-Danielle Tanguay</i>	Marie-Danielle Tanguay	7 Fisher Rd Truro MA 02666	
16		<i>Peter Herridge</i>	Peter Herridge	15 Overlook Dr Truro 02666	
17		<i>Bonnie Sells</i>	Bonnie Sells	13 Fisher Rd 02666	
18		<i>Connie L Mather</i>	Connie L Mather	1 Fisher Rd. 02666	
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	CHECK	SIGNATURE To be made in person with name as registered	PRINT NAME LEGIBLY	ADDRESS As registered to vote in Truro street, number, unit, and zip code	PRECINCT
1		<i>Kevin Kuechler</i>	Kevin Kuechler	36 Parker Dr 02666	
2		<i>Carol D'Amico</i>	CAROL D'AMICO	11 Parker Dr 02662	
3		<i>Wendy W. Janoplis</i>	WENDY W. JANOLIS	16 PARKER DR 02666	
4		<i>Michael Janoplis</i>	MICHAEL JANOLIS	16 PARKER DR. 02666	
5		<i>Roberta A. Leva</i>	Roberta A. Leva	2 Truro Center Rd 02666	
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1			PAMELA WOLFF	11 BLACKFISH ROAD 02466	
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SIGNERS' STATEMENT

We, the undersigned registered voters of Truro, do hereby petition the Select Board to include the Article printed on the reverse side of this form in the Warrant of the 2025 Annual Town Meeting

David Kirchner

	CHECK	SIGNATURE To be made in person with name as registered	PRINT NAME LEGIBLY	ADDRESS As registered to vote in Truro street, number, unit, and zip
1		<i>Karen M. Ryman</i>	Karen M. Ryman	2 Bay View Dr. 02652
2		<i>[Signature]</i>	1644	6 Twinfield 02652
3		<i>[Signature]</i>	FRED RYMAN	2 BAY View Dr. 02652
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The Town of Truro
CITIZEN PETITION
Annual Town Meeting Article

In accordance with M.G.L. c. 39 § 10

DATE AND TIME RECEIVED BY TOWN
CLERK/REGISTRAR

TOWN MEETING – MAY 3, 2025

INSTRUCTION TO PETITIONER

1. The Petitioner will be the contact name listed in the Warrant and should be the first registered voter to sign this petition form.
2. Return this citizen petition to the Town Clerk's Office when complete. A minimum of 10 signatures is required for an Annual Town Meeting article. It is suggested you obtain more than that for verification.
3. Before gathering signatures, please be sure that the language of your article is actionable. It will be voted at Town Meeting exactly as worded in your typed submission.
4. In addition to the actual warrant language, the petitioner must include any petitioner explanation/comment to be included in the warrant before getting any signatures.
5. Explanations/comments must be part of the petition that is signed by the required number of registered voters. No explanations/comments will be accepted for inclusion in the warrant by any single signer or proponent of the petition.
6. Petitioners with the draft language of their article may elect to coordinate with the Town Manager's Office to schedule an appointment for an informal staff consult with insight on operational impacts, financial impacts, and technical assistance to the extent possible.

DEADLINE: 4 PM, March 3, 2025

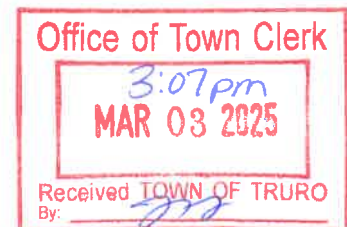
Name of Petitioner: Dennis P. O'Brien

Address: 24 Bayberry Road Truro, MA 02666

Mailing Address: PO Box 1047 North Truro, MA 02652

Phone: 857-263-0487

Email: dob9146187@aol.com



May 3, 2025

Article XX: Non-Binding Resolution to Establish Project Cost Cap and Schematic Design Requirements for a New DPW - Petitioned Article

SEE ATTACHED for Text and Explanation

Article XX: Non-Binding Resolution to Establish Cost Cap and Schematic Design Requirements for a New DPW - Petitioned Article

To see if the Town will, with respect Town Hall Hill (“THH”) as the designated site for the new Department of Public Works (“DPW”) Facility, establish a project cost cap not to exceed \$20,000,000 (Twenty Million Dollars) for the completion of the built DPW and site upgrades; and will prepare two schematic designs chosen for two of the four options preliminarily costed by Owner’s Project Manager (“OPM”), one option proposed by Weston and Sampson and the second prepared by the DPW Study Group. And further, to apply such funds as appropriated in Article 13, as amended, at Annual Town Meeting (“ATM”) 2024, to deliver two schematic engineering plans upon completion of this task.

It will be the responsibility of the Ad Hoc Building Committee for the Future Public Works Facility (“AHBC” or “the Committee”) to oversee this work and to report within four months or less to the Select Board for approval to continue schematic design and development of the most cost-effective of the two proposals under consideration at that time. And further, to identify and allocate such sums as may be required to complete this task from the funds appropriated and adopted for the completion of a schematic design for Town Hall Hill in Article 13, as amended, at ATM 2024. These sums may be applied to the hiring of an independent architect(s), engineer(s), or other professional(s) to assist the Committee, which the Committee is authorized to retain under existing agreements. This work is to be completed within four months or less following voter approval, consistent with and within the timeline approved by the Select Board for completion of a single, final schematic design, that is, by ATM 2026; or take any other action in relation thereto.

Requested by Citizen Petition

Petitioners’ Explanation: At STM and ATM 2024, voters approved and supported development and construction of a new DPW on Town Hall Hill and denied and/or excluded 340-344 Route 6 for this purpose as a site; and denied funds to develop plans for that site. On February 25, 2025, the Select Board identified THH as the site for a new DPW and thereby also made funds appropriated at ATM 2024 available for a process to deliver a schematic design. At STM, voters affirmatively supported a resolution to consider at least two concepts, a “monolith” or uni-structure concept as conceived by Weston & Sampson and a multi-building “campus plan” as conceived by the DPW Study Group. Voters also rejected costs for proposed DPW at \$28M and supported costs of around \$16.5M, a key gauge of acceptable cost for this project. At this time, four cost comparisons of concepts for THH have been developed by the OPM, with the most expensive being the “monolith” design projected at \$35.1M and the lowest being the Campus Plan designs at \$26M and \$27M, all respectively projections excluding debt service. Yet no consideration is being given to these lower cost options. This article is meant to send a clear message to the Select Board as a basis for directing and instructing the AHBC to produce a schematic plan that will cost under \$20M on Town Hall Hill, with one or more design deliverables that meet the DPW’s essential needs. The costs of advancing a second schematic design for comparisons of two options to a point where an informed choice can be made has been projected by the Project Designer to be approximately \$100,000 added cost for the second schematic and does not present a drain on the more-than-ample appropriation of \$2.8M (maximum) approved at ATM 2024.

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1		Dennis P. O'Brien	24 Bayberry Rd 02652	
2		Kathleen Smythe O'Brien	24 Bayberry Rd. 02652	
3		Andrew Lashley	26 Bayberry Rd. 02652	
4		MARILYN J. LASHLEY	26 Bayberry Rd. N.T. 02652	
5		JEROME A. HOLLANDER	18 BAYBERRY ROAD NORTH TRURO, MA 02652	
6		Debra Hollander	18 Bayberry Rd, N.Truro 02652	
7		Joe Anarella	14 Bayberry Rd Truro 02666	
8		Seth J Swoboda	14 Bayberry Rd. Truro, 02666	
9		Karen M. Kinsella	1 Fishermans Rd Truro 02666	
10		KINSSELLA, ROBERTA	1 Fishermans Rd. Truro 02666	
11		Susan Rocca	29 Fishermans Rd Truro 02666	
12		Chris Rocca	29 Fishermans Rd Truro 02666	
13		William Aikman	21 Bayberry Rd Truro 02666	
14		DONALD MORIN	21 Bayberry Rd Truro 02666	
15		STEVEN T. PELOSI	23 FISHERMANS, TRURO, 02652	
16		JANICE M. PELOSI	23 FISHERMANS RD, North Truro, MA 02652	
17		JULIANA MACALLER	32 HOPKINS WAY 02652	
18		Timothy J. Hickey	32 Hopkins Way 02652	
19		WESLEY CHAPMAN	42 GREAT HOLLOW 02666	
20		Susan Chapman	42 Great Hollow 02666	

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1		John Riemer	John Riemer	7 Fisher Road 02666	
2		Kathleen Power	KATHLEEN POWER	27 FISHER RD 02666	
3		John Power	JOHN G. POWER	27 FISHER RD 02666	
4		Billy C. Boleyn	BILLY C BOLEYA	13 FISHER RD 02666	
5		Linda Aguilar	LINDA AGUILAR	4 WARREN PLACE 02666	
6		Peter Moody	PETER MOODY	4 WARREN PLACE 02666	
7		Beverly Miller	BEVERLY MILLER	19 PRIEST RD. 02652	
8		Stefanie O'Neill	STEFANIE O'NEILL	11 PRIEST RD 02652	
9		Steven Stahl	Steven Stahl	5 Daniel Lane 02652	
10		Sharon Stahl	Sharon Stahl	5 Daniel Lane 02652	
11		Paul Kiernan	PAUL KIERNAN	10 BENSON Rd. 02666	
12		Elizabeth Adker	Elizabeth Adker	10 Benson Rd. 02666	
13		John A. Van Kirk	John A. VAN KIRK	17 STEPHEN'S WAY 02666	
14		D. Smulian-Siegel	D. SMULIAN-SIEGEL	19 Stephen's Way 02666	
15		Marie-Danielle Tanguay	MARIE-DANIELLE TANGUAY	7 Fisher rd Truro MA 02666	
16		Peter Herridge	Peter Herridge	15 overlook Dr Truro MA 02666	
17		Bonnie Selig	Bonnie Selig	13 Fishermans Rd 02666	
18		Scott A. Mather	SCOTT A. MATHER	1 Fisher Rd 02666	
19		Connie L Mather	Connie L Mather	1 Fisher Rd. 02666	
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1	<i>[Signature]</i>	Karen M. Rymann	2 Bay View Dr. 02652
2	<i>[Signature]</i>	David Kirchner	6 Twinefield 02652
3	<i>[Signature]</i>	Karen M. Rymann	2 Bay View Dr. 02652
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David Kirchner

02652
Twinefield
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02652

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1	<i>Laurie Lee</i>	Laurie Lee	28 Fishermans 02666	
2	<i>Richard R. Lee</i>	Richard R. Lee	28 Fishermans RD 02666	
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1			PAMELA WOLFF	11 BLACKFISH ROAD 02666	
2			CAROL D'AMICO	11 PARKER DR 02652	
3			WENDY W JANOLIS	16 PARKER DR 02666	
4			MICHAEL JANOLIS	16 PARKER DR. 02666	
5			Roberto A. LEMIR	27 Truro Center Rd 02666	
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TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: March 19, 2025

ITEM: Direction for Preparation of the 2025 Annual Town Meeting Warrant

EXPLANATION: Staff requests Select Board direction for the preparation of the 2025 Annual Town Meeting Warrant, specifically direction on article order and grouping of articles. The last Annual Town Meeting was held on the same weekend as the Special Town Meeting and due to the number of articles, more items were grouped than is typical, in order to expedite the proceedings. This year, with less articles, the Board may wish to have the Free Cash articles be standalone sections, with each section requiring its own vote (unless otherwise bundled on town meeting floor).

Staff still recommends grouping the customary/ housekeeping articles in a “consent agenda” and grouping the Community Preservation Act articles. Any of the articles in a grouping may be removed from the grouping by a vote of town meeting so that it can be considered separately.

The Charter requires that financial articles be included at the top of warrant. In recent years, the articles have been ordered by type (General Bylaw amendments, Zoning Bylaw amendments, Charter amendments, MGL acceptance, etc.). A proposed order is attached for consideration and a starting point for discussion.

SUGGESTED ACTION: *Motion to accept the order of the Warrant as proposed with customary/ housekeeping articles bundled as a consent agenda and with Community Preservation Act articles bundled as a consent agenda.*

ATTACHMENTS:

1. Draft Town Meeting Warrant Articles List

OPERATING BUDGET ARTICLES

Article XX: FY2026 Omnibus Budget Appropriation

Article XX: Amendments to the FY2025 Operating Budget Funded by Free Cash

Section 1: FY2025 Snow & Ice Deficit (65,000.00)

Article XX: Transfer of Funds from Free Cash

Section 1: Free Cash to OPEB Trust Fund (400,000.00)

Section 2: Free Cash to Capital Expense Stabilization Fund (100,000.00)

Section 3: Free Cash to General Stabilization Fund (100,000.00)

Section 4: Free Cash to Reserve Fund (125,000.00)

Section 5: CIP Projects (845,000.00)

Section 6: Bonus Payments and salary reserve (100,000.00)

Section 7: RAO (40,000.00)

Section 8: Climate Action Coordinator (40,000.00)

Section 9: Town Seal (10,000.00)

Section 10: Overlay district and overhaul of zoning bylaw (45,000.00)

Section 11: Senior Perks (60,400.00)

Section 12: Police and Fire Call Analysis (50,000.00)

Section 13: FEMA and CARES deficits (62,857.00)

CONSENT AGENDA: CUSTOMARY & HOUSEKEEPING ARTICLES

Article XX: Authorization to Hear the Report of Multi-member Bodies

Article XX: Authorization to Set the Salary of the Select Board

Article XX: Authorization to Set the Salary of the Moderator

Article XX: Revolving Fund Expenditure Limits (Note: Increasing expenditure limit of Shellfish Revolving Fund)

Article XX: Authorization to Expend Funds in Anticipation of Reimbursement for State Highway Assistance Aid

Article XX: Transfer of Funds from Affordable Housing Stabilization Fund to Affordable Housing Trust Fund

FINANCIAL ARTICLES

Article XX: Borrowing Authorization for Environmental Remediation Plan for Town Hall Hill Site

Article XX: Borrowing Authorization for Solar Panels

Article XX: Debt Exclusion for Pond Road Stormwater Infrastructure

Article XX: Establish a Revolving Fund for Town Rental Housing

Article XX: Cemetery Plot Refund

CONSENT AGENDA: COMMUNITY PRESERVATION ACT ARTICLES

Article XX: Community Preservation Act: Administrative Support

Article XX: Community Preservation Act: Pamet Harbor History Outdoor Display (Historical Preservation & Recreation)

Article XX: Community Preservation Act: Contribution to the Affordable Housing Trust Fund (Community Housing)

Article XX: Community Preservation Act: Media and Digitization Outreach (Historical Preservation)

Article XX: Community Preservation Act: FORWARD at the Rock Phase II, Regional Housing for Cape Cod residents with Disabilities (Community Housing)

Article XX: South Facade Restoration for the Truro Meeting House (Historic Preservation)

Article XX: Create the Old County Natural Burial Cemetery (Open Space & Recreation)

Article XX: Community Preservation Act: Corn Hill Beach handicap boardwalk and expanded accessible recreation improvements (Outdoor Recreation)

CHARTER ARTICLES

Article XX: Amendment to Section 4-5-2

Article XX: Amendment to Section 6-2-12

Article XX: Amendment to Section 2-1-2

ACCEPTANCE OF MASSACHUSETTS GENERAL LAW

Article XX: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Community Designation

Article XX: Acceptance of M.G.L. Chapter 41, §110A Office hours on Saturday

Article XX: Acceptance of M.G.L. Chapter 53, §9A Nomination papers for cities or towns; applicable provisions

CONVEYANCE OF LAND

Article XX: Land Lease for Solar Panels

Article XX: Herring River Easements

GENERAL BYLAW ARTICLES

Article XX: Amend General Bylaws Appendix A (Fines)

Article XX: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts

ZONING BYLAW ARTICLES

Article XX: Zoning Bylaw Amendment - Walsh Overlay District

Article XX: Amend Zoning Bylaw §40.5.B.3 Requirements Communication Structures, Buildings and Appurtenances

Article XX: Amend Zoning Bylaw §10.4 Definitions, Add New Zoning Bylaw §40.10 Lot Coverage and Naturalized Green Space, and Amend §50.1.A Table

HOME RULE PETITIONS

Article XX: Home Rule Petition to Prohibit the Application of Fertilizer

Article XX: Home Rule Petition for a Pesticide Reduction Bylaw

Article XX: Home Rule Petition to Impose a 0.5% Real Estate Transfer Fee

Article XX: Home Rule Petition to Amend the Terms of the Truro Housing Authority

ADVISORY ARTICLE

Article XX: Advisory Vote to Establish Electronic Voting at Town Meeting

PETITIONED ARTICLES

Article XX: Starting with the 2026/2027 Fiscal Year 100% of Free Cash will be Applied to Reduce and Stabilize the Tax Rate—Petitioned Article

Article XX: Accept a Massachusetts General Law that will Allow the Town to Plow Private Roads—Petitioned Article

Article XX: Charter Amendment to Section 6-4-3—Petitioned Article

Article XX: Non-Binding Resolution to Establish Project Cost Cap and Schematic Design Requirements for a New DPW—Petitioned Article

Presented for a vote to recommend at past/ present meeting



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: March 19, 2025

ITEM: Discussion and Possible Vote on Town Meeting Warrant Articles

EXPLANATION: Attached for review, discussion, and vote to recommend are articles from the Annual Town Meeting Warrant.

The Board may opt to consider some or all of these articles at a subsequent meeting, but it is important to be aware of the limited number of meetings available to take the votes for Town Meeting articles.

The Warrant closed for the submission of articles on March 3, 2025 at 4 pm. The following articles are included for consideration to vote to recommend at this evening's meeting:

- Article X: Amendments to the FY2025 Operating Budget Funded by Free Cash
- Article X: Transfer of Funds from Free Cash
 - SECTION X: TO REDUCE OR STABILIZE THE FY2026 TAX RATE
 - SECTION X: TO THE OPEB TRUST FUND
 - SECTION X: TO THE CAPITAL EXPENSE STABILIZATION FUND
 - SECTION X: TO STABILIZATION FUND
 - SECTION X: TO GENERAL FUND RESERVE FUND
 - SECTION X: TO EMPLOYEE BENEFIT ACCOUNT
 - SECTION X: TO PAY THE COSTS OF RECORDS ACCESS CONSULTING/ GENERAL TOWN CLERK SUPPORT
 - SECTION X: TO FUND THE CLIMATE ACTION COORDINATOR POSITION
- Acquisition of Road Widening Easements for Herring River Restoration Project from Cape Cod National Seashore
- Article X: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts
- Article XX: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities
- Article XX: Home Rule Petition for Pesticide Reduction Bylaw

The Board may also wish to discuss any other articles that may appear on the warrant. Please note that a representative of Senator Cyr's Office will be present at the Board's meeting on March 25, 2025 to answer questions about Article X: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities. Town Planner & Land Use Counsel Barbara Carboni also prepared a staff memo on the acceptance of the designation. Staff encourages the Board to discuss this article so that concerns or questions may be relayed to Senator Cyr's Office so that the discussion on March 25th can be efficient.

The articles are under review by Town Counsel and if Town Counsel provides any feedback, it will be relayed to the Board.

The form of vote is positive, motion to recommend, and will be recorded in the warrant as # of yes votes - # of no votes - # of abstentions in favor, e.g. 5-0-0 in favor. Once the votes are completed, they will be added to the draft Warrant. Article numbers will be assigned as the Warrant is finalized.

SUGGESTED ACTION:

Motion to recommend {insert article title here} as printed.

ATTACHMENTS:

1. Draft Town Meeting Warrant Articles
2. Staff Memo: Considerations for accepting Seasonal Communities designation
3. Seasonal Communities MGL

Article X: Amendments to the FY2025 Operating Budget Funded by Free Cash

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 2024-2025 (FY2025)

FROM	TO	AMOUNT
Free Cash	Snow Removal	\$65,000.00
To balance the FY2025 budget for emergency snow and ice removal operations.		
TOTAL		\$65,000.00

or to take any other action relative thereto.

Requested by the Finance Director

Explanation: This is a customary article included in each Annual Town Meeting Warrant to address any legal overdrafts (Snow Removal) and supplemental adjustments to current year appropriations. This year’s request includes a transfer for the purpose of balancing the snow removal overdraft that occurred during the winter of 2024/2025.

Finance Committee Recommendation			
Select Board Recommendation			

Article X: Transfer of Funds from Free Cash

SECTION X: TO REDUCE OR STABILIZE THE FY2026 TAX RATE

To see if the Town will vote to transfer Six Hundred Thousand Dollars and no cents (\$600,000.00) from Free Cash to reduce or stabilize the FY2026 Tax Rate, or to take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article that transfers funds to offset the tax rate for the upcoming fiscal year. Annually, the Select Board uses certified Free Cash (unexpended funds) as a revenue source to reduce the impact on the tax rate. Last year, \$700,000.00 of Free Cash was used to offset the tax rate. Staff recommends gradually reducing the amount of Free Cash used in this manner in an effort to prepare for years that less Free Cash is available. For this reason, staff recommends transferring \$600,000.00 of Free Cash to stabilize the FY2026 tax rate.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO THE OPEB TRUST FUND

To see if the Town will vote to transfer the sum of Four Hundred Thousand Dollars and no cents (\$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 Select Board

Explanation: 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 further liability in accordance with government accounting standards. This year's proposal is to transfer four hundred thousand dollars (\$400,000.00). The balance as of {{DATE}} in the fund is \${{X.XX}}.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO THE CAPITAL EXPENSE STABILIZATION FUND

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Capital Expense Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article that began at the 2016 ATM to transfer funds into the Capital Expense Stabilization Fund to plan for significant capital purchases that will occur several years in the future. 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 time. When the project or purchase is ready to be funded, a Town Meeting vote will be required to appropriate the funds. This year's recommended transfer from Free Cash is \$100,000. The balance as of {{DATE}} in the fund is \${{X.XX}}.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO STABILIZATION FUND

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

Explanation: This transfer will add funds to the Town’s Stabilization Fund, which helps the Town maintain its strong bond rating and provides a ‘rainy day fund.’ The balance as of {{DATE}} in the Stabilization Fund is \${{X.XX}} or {{X.X}}% of the proposed FY2024 Operating Budget. This transfer will bring the Town closer to the Government Finance Officers Association’s recommended 6-10% of operating expenditure budget for the Stabilization Fund.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO GENERAL FUND RESERVE FUND

To see if the Town will vote to transfer the sum of One Hundred Twenty-five Thousand Dollars and no cents (\$125,000.00) from Free Cash to the Reserve Fund (01013257) to be available for extraordinary or unforeseen expenditures in Fiscal Year 2026, or take any other action relative thereto.

Requested by the Select Board

Explanation: In accordance with MGL Chapter 40, Section 6, the Reserve Fund is a sum of money appropriated at Town Meeting to be used for “extraordinary or unforeseen expenditures.” The Finance Committee approves or denies Reserve Fund Transfer requests in accordance with Massachusetts General Law and Truro Select Board Policy #42. In recent years, Town Meeting has appropriated \$100,000.00 in the Omnibus Budget to the Reserve Fund. This year, similar to last year, \$100,000.00 is included in the FY2026 Omnibus Budget and \$125,000.00 of Free Cash is requested to bring the FY2026 Reserve Fund total to \$225,000.00. This request brings the reserves of the Town more in line with Government Finance Officers Association recommendations.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO EMPLOYEE BENEFIT ACCOUNT

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Employee Benefits and Reserve Account (01015351); or take any other action relative thereto.

Requested by Town Administration

Explanation: This article will provide the funding to honor employment contracts (\$50,000.00) for long-time employees that retire or separate from the Town and will also continue the \$50,000.00 "signing bonus" program to assist in the recruitment of personnel for vacant non-School positions, particularly vacant positions in public safety.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO PAY THE COSTS OF RECORDS ACCESS CONSULTING/ GENERAL TOWN CLERK SUPPORT

To see if the Town will vote to transfer the sum of Forty Thousand Dollars and no cents (\$40,000.00) from Free Cash to the Town Clerk Services Budget (0101615200); or take any other action relative thereto.

Requested by Town Administration

Explanation: This transfer will fund consulting services as a temporary measure or the year to support the Town Clerk and Administrative staff to mitigate the increasing volume of public records requests and to support the Town Clerk functions while a more thorough assessment of workload trends is assessed.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION X: TO FUND THE CLIMATE ACTION COORDINATOR POSITION

To see if the Town will vote to transfer the sum of Forty Thousand Dollars and no cents (\$40,000.00) from Free Cash to the Health/ Conservation Department Salary and Wages Budget (0105115100) to fund the Climate Action Coordinator position; or take any other action relative thereto.

Requested by Town Administration

Explanation: These funds will supplement projected solar revenues to pay the costs associated with the Climate Action Coordinator until revenues are realized. The position is currently filled and the Climate Action Coordinator is moving a number of projects of the Climate Action and Energy Committees forward.

Finance Committee Recommendation			
Select Board Recommendation			

Article X: Acquisition of Road Widening Easements for Herring River Restoration Project from Cape Cod National Seashore

To see if the Town will vote to authorize the Select Board to acquire, by purchase, donation, eminent domain or otherwise, easements in noncontiguous parcels of land from the Cape Cod National Seashore, in locations to be negotiated between the Town and the Cape Cod National Seashore, and as approximately shown on plans on file with the Town Clerk, for the purpose of reconstruction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, roadways, drainage, culverts and associated infrastructure, utilities, driveways, slopes, and grading, and any work required by the Herring River Restoration Project; provided that such acquisition shall be on terms and conditions as the Select Board deems appropriate, and, further, to authorize the Select Board to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing purposes, or take any other action relative thereto.

Requested by the Select Board

Explanation: As part of the Herring River Restoration Project, easements on parcels of Cape Cod National Seashore lands will be required to allow the Town to facilitate raising Town roads. By obtaining these easements, the Town will avoid needing to initiate a land exchange with the National Park Service.

Select Board Recommendation			
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Article X: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts

To see if the Town will vote to amend the General Bylaws of the Town of Truro Chapter IV Public Safety, by adding a new Section 8, Curb Cuts by adding new language as follows (new language shown **bold underline**):

SECTION 8: CURB CUTS

SECTION 1: Purpose

4-8-1 The purpose of this Bylaw is to protect public safety, including but not limited to safe passage for emergency vehicles and personnel, and to protect Town roads and infrastructure, as they are impacted by the location and use of Curb Cuts on Town- and State-owned roads.

SECTION 2: Curb Cut Requirement

4-8-2-1 Applicability

All new Curb Cuts off of a Town or State-owned roads, and all alterations of existing curb cuts off such roads, shall require a Curb Cut Permit. This includes Curb Cuts associated with new construction; Curb Cuts absent new construction; new Curb Cuts on lots with existing Curb Cuts; and temporary construction access for septic system installation, well installation, building moving permit, clearing and grubbing of lots, excavation for foundations, and retaining walls.

All modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application, as described below in s. 4-8-5.

4-8-2-2 Prerequisite to issuance of building permit and certificate of occupancy

Where a Curb Cut is proposed on a Town or State road, a Curb Cut Permit must be obtained prior to application for a building permit for construction on the subject lot. No certificate of occupancy shall issue unless all conditions of the Curb Cut Permit have been met as certified by the Director of Public Works to the Building Commissioner.

SECTION 3: Definition

4-8-3 For purposes of this Bylaw, a Curb Cut is any portion of the frontage of a lot, on a public way, used for vehicular access to and egress from such lot.

SECTION 4: Approving Authorities

4-8-4 Permits for Curb Cuts on Town roads are issued by the Select Board following Town Department review. Permits for Curb Cuts on State-owned roads are referred to the Massachusetts Department of Transportation for review and approval.

SECTION 5: Procedures

4-8-5-1 Curb Cut Application. Prior to performing commencing any work on a Curb Cut onto a Town- or State-owned road, the property owner or representative shall submit a completed Curb Cut Application to the Building Department. Such Application shall be available at the Building Department, and may be amended from time to time.

4-8-5-2 Required Information. The following materials shall be submitted with a completed Curb Cut Application:

- **Complete plans of subject property (engineered; stamped; scale no less than 1" = 40'), showing property lines; topography; existing and proposed driveway(s); and grade of driveway to be served by Curb Cut.**
- **List of materials**
- **Explanation/illustration of means and methods for construction, stormwater management and erosion control**

4-8-5-3 Town Department Review. The completed Curb Cut Application with supporting materials shall be reviewed for compliance with the Curb Cut Standards by the Director of Public Works and other Town Departments as deemed necessary, including but not limited to the Police and Fire Departments. The Director of Public Works shall submit to the Select Board with a recommendation of approval; approval with conditions; or disapproval.

4-8-5-4 Select Board Review. The Select Board shall, following review of the Curb Cut Application and Town Department comment, approve or disapprove the Curb Cut, imposing on an approval any conditions deemed necessary for public safety and/or the protection of Town property.

4-8-5-5 Construction of Curb Cut. All approved Curb Cuts must be completed within one year of approval. Upon written request, an extension may be granted by the Director of Public Works.

4-8-5-6 Inspection and Certification. The Director of Public Works shall inspect the completed Curb Cut and certify its compliance with applicable standards and any conditions of approval.

4-8-5-7 Violation or Noncompliance with Curb Cut Standards. The Director of Public Works may inspect a Curb Cut under construction, and may direct the issuance of a stop work (cease and desist) order for noncompliance with the Curb Cut Standards and/or violation of the approval granted, including any conditions of approval.

4-8-5-8 Modifications to Existing Curb Cuts. All modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application. The Director of Public Works is authorized to approve alterations to existing Curb Cuts (i.e., without approval of Select Board) following a modified review process.

SECTION 6: Curb Cut Standards

4-8-6-1 General

- A. One (1) Curb Cut is permitted on each lot. The Select Board may grant a variance from this limit upon demonstration of site-specific need.
- B. Curb Cuts and driveways shall be located to maximize safety for entrance to and exit from the property, considering factors of grade, road alignment, profile, and sight distance conditions.

4-8-6-2 Grade; Radius; Sight Distances

- A. Driveways served by Curb Cuts shall have a maximum grade of 15%.
- B. The radius of a private driveway may not extend beyond the private owner's property line without the written consent of the abutting property owner.
- C. All Curb Cuts shall be constructed such that the sight distance in each direction is not less than three hundred (300) feet; however, when intersecting Route 6, the sight distance in each direction shall be no less than four hundred seventy-five (475) feet.

4-8-6-3 Public Safety Clearing (Vegetation). Consistent with General Bylaw 1-9-13, for driveways in excess of fifty (50) feet in length, the following standards shall be met:

- A. The traveled way of any driveway shall be no less than eight (8) feet wide
- B. The combined traveled way and clearance of any obstacles including vegetation shall be no less than (14) feet. (8' wide driveway 3' clearing on either side of driveway).
- C. Height clearance shall be no less than fourteen (14) feet from the road surface.

4-8-6-4 Erosion Control; Damage. All Curb Cuts and related driveways shall be located and constructed so as to preclude, during and after construction:

- Erosion of sand, soils, and other materials onto any Town or State Road
- Stormwater runoff onto any Town or State road
- Damage to any Town or State road.
- Any other potential hazard to public safety or Town property as may be identified by the Director of the Department of Public Works, Building Commissioner, Chief of Police, and/or Fire Chief.

Temporary vegetation and/or mulching shall be used to protect exposed areas during construction. Permanent (final) vegetation and any mechanical measures required to stabilize the land surface and control erosion shall be installed as soon as practicable after construction ends.

SECTION 7: Costs to be borne by property owner

4-8-7-1 All costs relating to construction of a Curb Cut shall be borne by the property owner(s) and any successors in interest.

4-8-7-1 The cost of any repairs to Town property caused during or after construction of the Curb Cut, and/or caused by failure to comply with this Bylaw or any condition(s) of Curb Cut approval, shall be borne by the property owner(s) and/or any successors in interest.

SECTION 8: Enforcement; Penalties

4-8-8-1 Denial of Building Permit/Certificate of Occupancy. Violation of this Bylaw, and/or failure to comply with the conditions of a Curb Cut approval shall result in a denial by the Building Department of any application for a building permit and/or for issuance of a certificate of occupancy for any construction on the property.

4-8-8-2 Request to MassDOT for Disapproval of Requested Permit. Violation of this Bylaw shall result, where applicable, in a request by the Town to the Massachusetts Department of Transportation for the Department's disapproval of an owner/applicant's request for a permit to enter a State road.

4-8-8-3 Penalties. Violation of this Bylaw, and/or failure to comply with the conditions of a Curb Cut approval shall be punishable by a fine as established in Appendix A. Each day a violation exists shall be deemed a separate offense, unless substantial progress or unforeseen delays are demonstrated by the owner/applicant. Pursuant to General Bylaw Chapter 1, s. 1.1.4, such fines may be enforced either through a criminal complaint or non-criminal disposition in accordance with G.L. c. 40, s. 21D.

and further to amend the General Bylaws by inserting, in Appendix A, the following terms in a new row corresponding to the above Section 8, Curb Cut Bylaw:

<u>Chapter & Section</u>	<u>Subject</u>	<u>Fine \$</u>	<u>Enforcing Authority</u>
<u>4-8-8</u>	<u>Curb Cut</u>	<u>\$300</u>	<u>Building Commissioner</u>

or take any other action relative thereto.

Requested by the Select Board

Explanation: Presently, Select Board Policy 28 Curb Cut Policy provides the purpose, applicability, process, standards, and enforcement for curb cuts in Truro. The Select Board has discussed at various meetings over the years the need for better enforcement mechanisms related to Curb Cut violations, which can best be achieved by the adoption of a Section of General Bylaw and accompanying fine schedule in Appendix A of the General Bylaws.

Select Board Recommendation			
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Article XX: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities

To see if the town will vote to accept on behalf of the Town of Truro the Seasonal Community Designation as provided for in General Laws Chapter 23B, Section 32(b); or to take any other action relative thereto.

Requested by the Select Board

Explanation: This article accepts the seasonal communities designation provided to all Barnstable County municipalities with over 35 percent seasonal housing units in Chapter 23B, §32(b) of General Law. Under this section of law, a seasonal community may (i) acquire year-round housing occupancy restrictions for rental or other housing; (ii) acquire and develop housing units with preference for housing seasonal community public employees that are necessary to the health and safety of maintaining a year-round community, including teachers, public works employees, public safety employees, first responders, town administrators and other employees essential for municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii) expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv) establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to provide for the creation and preservation of affordable and attainable housing in seasonal communities for the benefit of year-round residents; and (v) expend funds designated for the creation and preservation of year-round affordable and attainable housing for individuals who, by vocation, produce or support artistic and literary activities.

Acceptance of this designation, requires that the town adopt by-laws or zoning ordinances to permit undersized lots to be used for the creation of attainable year-round housing; adopt by-laws to permit the construction of tiny houses. Upon acceptance, a seasonal community may also increase the residential exemption to 50 percent, up from the current 35 percent.

Select Board Recommendation			
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Article XX: Home Rule Petition for Pesticide Reduction Bylaw

To see if the Town will vote to authorize and direct the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation authorizing the Town to adopt a pesticide reduction Bylaw (the Bylaw), the text of which is set forth below and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation to secure passage; and to vote to adopt the bylaw as follows:

CHAPTER 3, Section 6: PESTICIDE REDUCTION BYLAW

§1. Purpose.

The purpose of this bylaw is to reduce toxic pesticide use in and on public and private property in the Town of Truro to promote a healthy environment and to protect the public from the hazards of pesticides, and for implementation of sustainable land and building management practices on all public and private property.

§2. Findings.

- a. Environmental and occupational risk assessments and scientific studies associate exposure to pesticides with adverse health effects such as asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects, and disruption of the endocrine system.
- b. Infants, children, pregnant women, the elderly, and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure.
- c. Exposure to pesticides is harmful to pets and wildlife, including threatened and endangered species, soil microbiology, plants, and natural ecosystems.
- d. Toxic runoff from chemical fertilizers and pesticides pollute streams, lakes, estuaries, and drinking water sources.
- e. The use of pesticides is not necessary to create and maintain green lawns and landscapes given the availability of viable alternatives practices and products.
- f. People have a right not to be involuntarily exposed to pesticides in the air, water or soil that inevitably result from chemical drift and contaminated runoff.
- g. Sustainable land and building management practices that emphasize non-chemical methods of pest prevention and management, and least-toxic pesticide use as a last resort, will eliminate the use of and exposure to pesticides while controlling pest populations.

- h. Sustainable land and building management practices complement other important goals of Truro maintenance and administration, such as energy conservation and security.
- i. Truro embraces a precautionary approach to the use of pesticides in order to adequately protect people and the environment from the harmful effects of pesticides.
- j. Application of chemicals simply for aesthetic/cosmetic purposes has harmful consequences for our ecosystem, children and pets. Pollinators may be directly harmed by applications particularly the indiscriminate (and long-term ineffective) spraying of pesticides.

§3. Authority.

This bylaw is adopted under authority granted by the Home Rule amendment to the Massachusetts Constitution and the provisions of any Special Legislation passed by the Legislature.

§4. Definitions.

For the purposes of this bylaw, the following definitions shall apply:

Allowed Materials List - The list of acceptable pesticides is limited to the following:

- 1) All non-synthetic (natural) materials, with the exception of prohibited non-synthetic materials under 7 CFR 205.602;
- 2) Any synthetic material listed at 7 CFR 205.601 that is labeled for turf uses, subject to discretionary authority to require disclosure of inert ingredients; and
- 3) 25b listed pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Inert ingredient - Any substance (or group of substances with similar chemical structures if designated by the Environmental Protection Agency) (EPA) other than an active ingredient that is intentionally included in any pesticide product (40 CFR 152.3(m)) [7 CFR 205.2 Terms defined.] and are not classified by the EPA Administrator as inserts of toxicological concern. [7 U.S.C. 6502(21) Definitions]

Non-synthetic (natural) materials - A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Organic Foods Production Act. For the purposes of this part, "non-synthetic" is used as a synonym for natural as the term is used in the regulations. [7 CFR 205.2 Terms defined.]

Pesticide - Any substance or mixture of substances intended for: (i) preventing, destroying, repelling, or mitigating any pest; (ii) use as a plant regulator, defoliant, or desiccant; or (iii) use as a spray adjuvant such as a wetting agent or adhesive. The term 'pesticide' includes insecticides, herbicides, fungicides, and rodenticides, but does not include cleaning products other than those that contain pesticidal agents.

Synthetic materials - A substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes. [7 U.S.C. 6502(21) Definitions]

§5. Prohibitions.

The application of any Pesticide that is not on the Allowed Material List is prohibited, except as permitted in this bylaw.

§6. Exceptions.

- a. The application of the following Pesticides is allowed:
 1. Indoor pest sprays and insect baits (excluding rodent baits)
 2. Insect repellants for personal and household use
 3. Pet: Flea and tick sprays, powders, and pet collars
 4. Kitchen, laundry, and bath disinfectants and sanitizer
 5. Products labeled primarily to kill mold and mildew
 6. Usage for commercial farming and nurseries.
 7. The use of larvicide by the Cape Cod Mosquito Control Program (CCMCP)
- b. Pesticides for the treatment of invasive plants for ecological restoration (see Massachusetts Invasive Plant Advisory Group current lists of Invasive, Likely Invasive, and Potentially Invasive <https://www.massnrc.org/mipag/> may be used upon the grant of a waiver by the Town Manager or authorized designee.
- c. If an emergency public health situation warrants the use of Pesticides, which would otherwise not be permitted under this bylaw, the Town Manager or authorized designee shall have the authority to grant a temporary waiver on a case-by-case basis after an evaluation of all alternative methods and materials.

§7. Enforcement.

The enforcement authority shall be the Town Manager, or any town officials as designated by the Select Board to oversee and enforce the provisions of this bylaw.

§8. Penalties.

Any person who violates any provision of this bylaw shall be punished by a fine of one hundred dollars (\$100.00) for the first offense and three hundred dollars (\$300.00) for each offense thereafter. Each day or portion thereof during which a violation continues shall constitute a separate offense and a violation of each provision of the bylaw shall constitute a separate offense. If the offender is a commercial applicator, the right to do business in Truro may be revoked.

§9. Severability.

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

Provided, that this bylaw is subject to the Town obtaining special legislation from the Great and General Court of the Commonwealth of Massachusetts authorizing the Pesticide Reduction Bylaw as aforesaid; or to take any other action relative thereto.

Requested by the Board of Health

Explanation: This article authorizes the Select Board to file special legislation authorizing the adoption of the proposed bylaw as the application of pesticides in Truro is currently primarily regulated by state and federal law. This article also proposes the adoption of a bylaw that seeks to reduce toxic pesticide use in and on public and private property in order to promote a healthy environment and to protect the public from the hazards of pesticide use. It does not prohibit businesses from selling products containing pesticides to anyone.

Board of Health Recommendation			
Select Board Recommendation			

STAFF MEMORANDUM

To: Truro Select Board

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: March 16, 2025

Re: Considerations for accepting Seasonal Communities designation

The Select Board is considering inclusion of a warrant article accepting the Seasonal Communities designation contained in G.L. c. 23B, s. 32. Below is a summary of the statutory provisions and issues raised for the Board's consideration.

1. Powers. Sections G.L. c. 23B, s. 32(d) and (f) set out six powers that may be exercised by a seasonal community. Of these, four are already lawful, even if not specifically called out elsewhere:

- to acquire year-round housing occupancy restrictions for rental or other housing
- to acquire and develop housing units with preference for public employees essential for municipal operations
- to expend funds to develop a comprehensive housing needs assessment
- to expend funds for creation/preservation of year-round housing for individuals who produce or support artistic and literary activities

Two are new:

- to increase the Residential Tax Exemption (RTE) up to 50% (current maximum is 35%).
- to establish a Year-Round Housing Trust Fund to create/preserve affordable and attainable housing for benefit of year-round residents.

Any Year-Round Housing Trust Fund established under the statute will be subject to regulations "pertaining to the membership, powers and duties of the trust" promulgated by the Executive Office of Housing and Livable Communities. (OHLC) G.L. c. 23B, s. 32(d)(iv).

2. Undersize lots for attainable housing. Acceptance of seasonal communities designation will require the Town to adopt a zoning bylaw "to permit undersized lots to be used for the creation of attainable year-round housing." G.L. c. 23B, s. 32(e)(i).

- The term "undersized lot" is not defined. No minimum lot size is established. Possibly, regulations promulgated by OHLC will establish a minimum lot size, which may or may not be consistent with the analogous provision of Truro's Zoning Bylaw.¹

¹ The Town's Zoning Bylaw currently allows "Attainable Housing on Undersized Lots," defining an undersized lot as one "smaller than the minimum lot size for the zoning district" and requiring

- Lot frontage is not addressed. This may be interpreted as meaning that there is no minimum frontage requirement for an undersized lot.²
- The only dimensional requirement imposed is a municipality's Floor Area Ratio (FAR). Truro has none.³
- There is no requirement that the undersized lot be a lot in existence at the time of the passage of the legislation or adoption of the designation - that is, no requirement that the undersized lot be pre-existing.
- Because there are neither lot area/frontage minimums nor a requirement that an undersized lot be pre-existing, acceptance of the seasonal communities designation may mean that the owner of a lot exceeding 33,750 square feet may create a new lot of any dimension, with or without frontage, for construction of an attainable housing unit. (The remaining lot must meet the Bylaw minimum under existing law)

3. Movable Tiny Houses. A seasonal community must adopt bylaws permitting the construction of tiny houses (note, these are not currently prohibited by Truro's Zoning Bylaw).

- The definition of "tiny house" in the statute is "a detached structure containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts." G.L. c. 23B, s. 32(e).
- The statute further provides that "[a] movable tiny house shall be registered with the registry of motor vehicles as applicable." G.L. c. 23B, s. 32(e)(ii).
- There is no separate definition of "movable tiny house."
- Based on the above language regarding registration with the RMV, it appears that a seasonal community must allow motor homes/trailer homes conforming to the statutory definition of "tiny house."

The Town's Zoning Bylaw currently prohibits occupation of trailer homes except for a limited period during reconstruction of a dwelling following catastrophe. Section 30.1(B).

10,000 sq.ft of contiguous upland area. See s. 40.8(C) and s. 40.8(F)(2). The Town's Bylaw would most likely need to conform to the dimensional requirements of any regulation promulgated by OHLC.

The income levels associated with "attainable housing" will be set by OHLC." G.L. c. 23B, s. 32(a). The Truro Bylaw definition of "attainable" is at or below 100% of Barnstable County Area Median Income. Section 40.8(B).

² By contrast, G.L. c. 40A, s. 6 protects *pre-existing* lots having a minimum lot size of 5,000 sq ft and minimum frontage of 50 feet. Truro's Attainable Housing on Undersized Lots Bylaw requires that the lot be pre-existing. See s. 40.8(D)

³ The statute does not require that attainable housing built on an undersized lot be a "tiny house." It's not clear how the Zoning Bylaw's Residential Gross Floor Area requirements, which are tied to a minimum lot size of 33,750 square feet, would interact with the seasonal communities statutory requirements.

4. Application for waiver. A seasonal community may apply to OHLC for a waiver of any statutory requirement. G.L. c. 23B, s. 32(g). There are no assurances that any such requests would be granted; the Town should assume that all statutory requirements will apply.

5. State regulations. A municipality that adopts the seasonal communities designation will be subject to any regulations promulgated by OHLC. Such regulations may or may not be consistent with Truro's vision. The agency issued a Guidance document in December 2024, but it does not contain any preview of regulations.

MGL Chapter 23B, Section 32

From the Acts 2024, c. 150

Section 32. (a) For the purposes of this section “year-round housing”, shall mean housing for occupancy by persons or families who occupy either rental or other housing as their principal residence for not less than 10 months a year and “attainable housing” shall mean housing that is affordable for year-round residents with incomes under a level set by the undersecretary in consultation with the seasonal communities advisory council.

(b) The secretary may designate a municipality as a seasonal community; provided, however, that all municipalities in the counties of Dukes and Nantucket and all municipalities with over 35 per cent seasonal housing units in the county of Barnstable, as determined by the executive office in consultation with the Cape Cod commission established in chapter 716 of the acts of 1989 and all municipalities with more than 40 per cent seasonal housing units in the county of Berkshire, as determined by the executive office in consultation with the Berkshire regional planning commission, shall receive such designation. The executive office may designate additional municipalities as seasonal communities based on consideration of the following factors: (i) a high rate of short-term rentals in relation to the overall housing inventory; (ii) a significant population increase in seasonal visitors; (iii) an excessive disparity between the area median income and the income required to purchase the municipality’s median home price; (iv) the percentage of housing stock that is used for seasonal, occasional or recreational use or is otherwise not used as a primary residence by the property’s owner; and (v) high variations in the average monthly variation of employment in the sector over the full year, in relation to the municipality’s minimum employment threshold. A municipality designated by the executive office as a seasonal community pursuant to this section shall accept or deny the designation by vote of its legislative body. The secretary shall consult with the advisory council established in subsection (c) to review additional municipalities under consideration to receive the seasonal community designation.

(c) The executive office shall convene an advisory council to offer expertise in issues pertaining to municipal government, the hospitality industry, the tourism industry, housing law and housing development and finance in seasonal communities. The council shall consist of: the secretary or a designee, who shall serve as chair; 1 member of the senate appointed by the senate president, who represents a district in which at least 1 municipality is designated as a seasonal community; 1 member of the house of representatives appointed by the speaker of the house of representatives, who represents a district in which at least 1 municipality is designated as a seasonal community; 1 person appointed by the Massachusetts Municipal Association, Inc.; and the following persons to be appointed by the secretary: 1 person who shall be a representative of the developer community and is a resident of a municipality designated as a seasonal community; 1 person who shall be a licensed real estate agent with

the board of registration of real estate brokers and salespersons and is a resident of a municipality designated as a seasonal community; 1 person to represent each regional planning agency whose jurisdiction encompasses at least 1 municipality designated as a seasonal community; 1 licensed attorney who practices in the area of land use and who is a resident of a municipality designated as a seasonal community; and 1 person who shall be a representative of the lending and banking community and who is a resident of a municipality designated as a seasonal community. The secretary may appoint additional members with knowledge and with expertise in land use law, fair housing law, municipal law and operations or the housing needs of seasonal communities. The council shall adopt by-laws to govern its affairs. The council shall provide advice and recommendations to the executive office regarding policies or programs necessary to serve the distinct needs of seasonal communities, including, but not limited to, accessing specialized or general application grant programs and best practices on incentivizing the production of attainable year-round housing in seasonal communities. Annually, not later than December 31, the council shall submit a report of any recommendations to the executive office, the clerks of the house of representatives and the senate and the joint committee on housing.

The executive office shall review, on an as-needed basis, the ongoing needs of municipalities designated as seasonal communities and may deny a municipality's continued seasonal community designation based on the municipality's ongoing needs and eligibility.

(d) A seasonal community may: (i) acquire year-round housing occupancy restrictions for rental or other housing; provided, however, that any such year-round housing occupancy restriction held by a city or town shall be construed as a restriction held by a governmental body with the benefit of section 26 of chapter 184; (ii) acquire and develop housing units with preference for housing seasonal community public employees that are necessary to the health and safety of maintaining a year-round community, including teachers, public works employees, public safety employees, first responders, town administrators and other employees essential for municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii) expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv) establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to provide for the creation and preservation of affordable and attainable housing in seasonal communities for the benefit of year-round residents; provided, however, that the executive office of housing and livable communities, in consultation with the seasonal communities advisory council established in subsection (c), shall promulgate regulations pertaining to the membership, powers and duties of the trust; and (v) expend funds designated for the creation and preservation of year-round affordable and attainable housing for individuals who, by vocation, produce or support artistic and literary activities.

(e) For the purposes of this section, "tiny house" shall mean a detached structure containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts. A seasonal

community shall: (i) adopt by-laws or zoning ordinances to permit undersized lots to be used for the creation of attainable year-round housing; provided, however, that the lot, at the time of recording or endorsement, shall be located in a zoning district that allows for single-family residential use; provided further, that any single-family residential structure constructed on said lot shall adhere to the municipality's floor area ratio by-laws and shall comply with all laws governing wastewater and sewer systems; and provided further, that any residential housing built upon undersized lots shall not be used as a seasonal home or short-term rental of less than 6 months and shall be used as year-round housing; and (ii) adopt by-laws to permit the construction of tiny houses provided that such tiny houses are designated for use as year-round housing units and meet all requirements of the state building code and local building code. A movable tiny house shall be registered with the registry of motor vehicles, as applicable.

(f) A seasonal community may increase the exemption established in section 5C of chapter 59, at the option of the board of selectmen in a town or the mayor, with the approval of the city council, in a city 50 per cent of the average assessed value of all Class One, residential parcels within such city or town; provided, however, that the exemption shall be applied only to the principal residence of the taxpayer as used by the taxpayer for income tax purposes.

(g) A seasonal community designated pursuant to this section may apply to the executive office of housing and livable communities for a waiver from any of the requirements of this section. In deciding whether to grant the municipality's request for a waiver, the executive office may consider whether the requirements of this section can reasonably be carried out by existing town staff or a regional staff person performing equivalent duties.

(h) The executive office shall promulgate regulations or guidance to carry out this section.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Select Board

REQUESTOR: Susan Areson, Chair

REQUESTED MEETING DATE: March 19, 2025

ITEM: Discussion and Possible Approval of Revised Policy 63: Select Board's Powers of Appointment

EXPLANATION: The Select Board will hold the discussion regarding revisions to Policy 63: Select Board's Powers of Appointment that was originally included on the February 25, 2025 Select Board meeting.

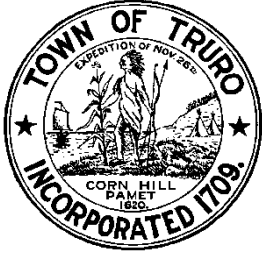
FINANCIAL SOURCE: Possible costs associated with hiring a search consultant. The chair is working with the Finance Director to determine potential sources for funding.

IMPACT IF NOT APPROVED: Policy 63 will remain unchanged.

SUGGESTED ACTION: MOTION TO accept revisions to Policy #63, Select Board's Powers of Appointment.

ATTACHMENTS:

1. Existing Policy #63
2. Proposed Policy #63 revisions—redlined
3. Proposed Policy #63 revisions—formatted



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

POLICY MEMORANDUM #63

Date: January 14, 2020; rev 9/13/2022

** This policy was revised at the September 13, 2022 Select Board meeting solely to reflect the titles used in the Town Charter for the Town Manager and Select Board and to modify language to be gender neutral. No changes were made to the content of the Policy at that meeting.*

Subject: **POLICY ON SELECT BOARD'S POWERS OF APPOINTMENT**

I. Introduction

This policy is created by the Select Board in accordance with Chapter 4, Section 2 of the Truro Charter and establishes the process by which the Select Board may exercise their powers of appointment in accordance with Chapter 4, Section 4-3-1 of the Truro Charter, the General Laws of Massachusetts, and the Truro Personnel Bylaws,

II. Procedures

Effective as of the date this Policy is adopted by the Truro Select Board, the Board shall adhere to the following procedures when appointing the Town Manager, Police Chief or Fire Chief for permanent positions within the Town of Truro:

A. Recruitment of Candidates

1. When a position becomes vacant or will be vacant shortly, or a new position is created, the Select Board shall review the existing job description for the position, with input from the Town Manager, and determine whether it needs to be modified or updated.
2. The Town Manager shall solicit the services of a search consultant on behalf of the Select Board in accordance with MGL c 30B procurement requirements. The Select Board shall interview and select the firm in accordance with MGL c 30B procurement requirements.
3. Working with the selected firm, the Select Board, with staff assistance from the Town Manager, shall prepare a position profile.
4. The Search Consultant shall advertise in appropriate professional publications and newspapers and conduct the recruitment.

5. The Search Consultant shall review all application materials submitted in response to the Position Profile and shall determine the candidates who qualify for further consideration based on merit and fitness.

B. Appointment of Employees

1. The Select Board will appoint a Search Committee comprised of seven to nine individuals including two members of the Select Board, the Town Manager and/or a Town employee, and 4-6 community members.
2. Working with the Search Consultant, the Search Committee shall review the qualified applicants and determine how many applicants to interview. The Search Committee shall interview the selected candidates and provide the Select Board with a short list of three to five candidates for their consideration.
3. The Select Board shall receive all recruitment materials and search committee comments on the selected candidates.
4. Each Select Board member shall interview each candidate individually while escorting the candidate to Town Buildings, beaches or points of interest.
5. After completion of the individual interviews, or prior to the interviews, the Select Board shall hold a public reception for the candidates to meet Town staff and community members.
6. The Select Board may elect to host a community meet and greet for the candidates on the evening prior to the Select Board interview to allow community members an opportunity to ask questions to and learn about the candidates.
7. Each candidate will then be interviewed separately at a duly posted and recorded meeting of the Select Board. Each candidate will be asked the same initial questions. To ensure that no advantage is provided to any candidate, the candidates will only be present in the meeting room for their individual interview.
8. The Select Board will reconvene the next day to deliberate on which candidate will be selected. The Board may meet in Executive Session to determine the terms of an initial offer in preparation for contract negotiations.
9. Employment offers will be conditional in nature and will require satisfactory physical exams, drug/ alcohol screens, background record checks and reference verification.
10. The Town Manager will prepare an offer letter on behalf of the Select Board and work with the Select Board and Town Counsel to prepare a contract of employment.



Kristen Reed, Chair



Robert Weinstein, Vice-Chair



John Dundas, Clerk



Susan Areson



Stephanie Rein
Truro Select Board

POLICY #63 ON SELECT BOARD'S POWERS OF APPOINTMENT

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2. **At the discretion of the Select Board**, the Town Manager ~~shall~~ **or designated staff may** solicit the services of a search consultant on behalf of the Select Board in accordance with MGL c 30B procurement requirements. **If a consultant is desired**, the Select Board shall interview and select the ~~firm~~ **consultant** in accordance with MGL c 30B procurement requirements.
3. Working with the selected ~~firm~~, **consultant**, the Select Board, with assistance from the Town Manager **and/or designated staff**, shall prepare a position profile.
4. The ~~Search-C~~ consultant shall advertise in appropriate professional publications and newspapers and conduct the recruitment.
5. The ~~Search-C~~ consultant shall review all application materials submitted in response to the Position Profile and ~~shall~~ determine the candidates who qualify ~~for~~ further consideration based on merit and fitness.

B. Appointment of Employees

1. The Select Board ~~will~~ **may** appoint a Search Committee ~~comprised~~ of seven to nine individuals, including two members of the Select Board, the Town Manager and/or a Town employee, and four to six community members. **In a search for a town manager, a town employee will be appointed to the committee rather than the outgoing town manager.**
2. Working with the ~~Search-C~~ consultant, the Search Committee shall review the qualified applicants and determine how many applicants to interview. The Search Committee shall interview the selected candidates and provide the Select Board with a ~~short~~ list of three to five candidates for their consideration.
3. The Select Board shall receive all recruitment materials and search committee comments on the selected candidates.

4. Each Select Board member shall interview each candidate individually while escorting the candidate to Town Buildings, beaches or points of interest.

5. After completion of the individual interviews, or prior to the interviews, the Select Board shall hold a public reception for the candidates to meet Town staff and community members.

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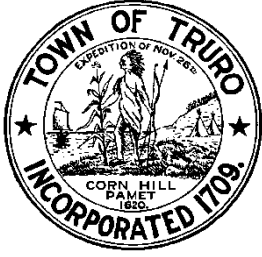
7. Each candidate will then be interviewed separately at a duly posted and recorded **public** meeting of the Select Board. Each candidate will be asked the same initial questions. To ensure that no advantage is provided to any candidate, the candidates will only be present in the meeting room for their individual interviews.

8. The Select Board will reconvene **the next day** to deliberate on which candidate will be selected. The Board may meet in Executive Session to determine the terms of an initial offer in preparation for contract negotiations.

9. Employment offers will be conditional in nature and will require satisfactory physical exams, drug/alcohol screens, background record checks and reference verification.

10. **When filling the positions of Fire Chief or Police Chief**, the Town Manager will prepare an offer letter on behalf of the Select Board and work with the Select Board and Town Counsel to prepare a contract of employment.

11. **When filling the positions of Town Manager, the Select Board will hire outside labor counsel to negotiate and prepare a contract of employment for the Town Manager – to avoid potential conflict with inside labor counsel. The Select Board chair will work with labor counsel to prepare an offer letter on behalf of the Select Board.**



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

POLICY MEMORANDUM #63

Date: January 14, 2020; rev 9/13/2022, 3/19/25

** This policy was revised at the September 13, 2022 Select Board meeting solely to reflect the titles used in the Town Charter for the Town Manager and Select Board and to modify language to be gender neutral. No changes were made to the content of the Policy at that meeting.*

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3. Working with the selected consultant, the Select Board, with staff assistance from the Town Manager and/or designated staff, shall prepare a position profile.
4. The consultant shall advertise in appropriate professional publications and newspapers and conduct the recruitment.

5. The consultant shall review all application materials submitted in response to the Position Profile and determine the candidates who qualify for further consideration based on merit and fitness.

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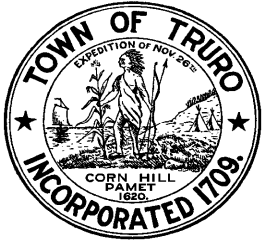
Susan Areson, Chair

Robert Weinstein, Vice-Chair

Nancy Medoff, Clerk

Stephanie Rein

Susan Girard-Irwin
Truro Select Board



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: March 19, 2025

ITEM: Consent Agenda: Minutes of Select Board Meeting- 10/22/25

EXPLANATION: The minutes provided were incomplete. Staff recommends tabling this consent agenda item to the next meeting so that staff can properly complete and review the minutes and the Board has adequate time for review.

SUGGESTED ACTION: MOTION TO table Consent Agenda Item 9D.

ATTACHMENTS:

1. Select Board Minutes of 10/22/2025 (incomplete)

CONSENT AGENDA ITEM: 9D1

TOWN OF TRURO
24 TOWN HALL ROAD, P.O. BOX 2030
TRURO TOWN HALL
TRURO, MASSACHUSETTS

MINUTES OF THE SELECT BOARD HYBRID MEETING IN PERSON / REMOTE OCTOBER 22, 2024, 5:00 P.M.

MEMBERS:

Susan Areson	Chair
Robert Weinstein	Vice Chair
Nancy Medoff	Clerk
Stephanie Rein	Member
Susan Girard-Irwin	Member

GUESTS:

Darrin Tangeman	Town Manager
Kelly Clark	Assistant Town Manager
Damion Clements	Director of Community Services
Emily Beebe	Health and Conservation Agent
Jarrold Cabral	DPW Director
Stephen Duncombe	Co-Chair of the Part-Time Advisory Committee (remote)
Naomi Rorro	Resident, North Truro
Chris Lucy	Chair of the Zoning Board of Appeals (remote)

Minutes taken from a recording by Jenny Beaudin of Minutes Solutions Inc.

1. **CALL TO ORDER**

There being a quorum present, and adequate and proper notice of the meeting having been given, the meeting was called to order at 5:00 p.m. by chairperson Susan Areson. The meeting was held in a hybrid format, with participants attending both in person and remotely. Susan Areson welcomed all attendees and provided instructions on how members of the public could access the meeting via phone or online. It was noted that the meeting was being live-streamed on Truro TV Channel 8. Susan Areson reiterated that per Select Board Policy 56, public comments would not be taken during the meeting and that no votes would occur.

2. **PUBLIC COMMENT**

Public comments were invited with a reminder that topics not on the agenda would not receive immediate responses due to Massachusetts Open Meeting Law (MGL Chapter 30A, Section 20). Speakers were allowed three minutes each.

2.1 **Naomi Rorro - Concerns About Walsh Cottage Project**

Naomi Rorro (resident of 23 South Highland Road, North Truro) raised concerns about the Walsh Cottage relocation project. She described it as a “disgusting mess,” stating that the structure did not conform to modern building specifications. She detailed the difficulties in

communication with workers on-site due to a language barrier and expressed frustration over delayed debris removal and alleged wasteful spending.

2.2 Chris Lucy - Zoning Board of Appeals Appointment Delays

Chris Lucy, Chair of the Zoning Board of Appeals (ZBA), reported that applicants had been waiting three months for committee interview responses. He highlighted potential quorum issues due to delays in filling vacant ZBA positions, stressing that contractors and property owners face project setbacks as a result. He also requested Select Board intervention in streamlining appointment processes.

2.3 Michael Forgione – Budget Concerns

Michael Forgione expressed support for town staff but raised concerns about staffing expansions and the town's budget. He requested greater transparency in presenting actual financial data from prior years for comparison. Lastly, he challenged the claim that certain FY25 position approvals were voted on at Town Meeting.

3. COMMITTEE INTERVIEWS – COMMUNITY PRESERVATION COMMITTEE

On a motion duly made and carried, it was resolved to appoint Ellen English for a three-year term, expiring June 30, 2027.

The Board interviewed Karen Ruymann for a position on the Community Preservation Committee (CPC). She detailed her 15-year residency in Truro, experience in grant writing, water conservation, and community projects, and advocacy for the Village Pond Preserve.

Board members noted the strong qualifications of both applicants, including previously interviewed Ellen English.

4. PART-TIME RESIDENT ADVISORY COMMITTEE REPORT

Co-Chair Stephen Duncombe summarized findings from the August 20, 2024, listening session, where 25 part-time and full-time residents shared concerns about:

- Communication barriers between residents and town officials.
- Affordable housing and healthcare access.
- Private property restrictions on public access.
- Clarifications on voting eligibility for part-time residents.

The committee aims to establish continuous input channels, including an online form.

5. SALTY MARKET POURING LICENSE PROPOSAL

Business owner Liam Roland presented a plan to expand Salty Market's winter operations by acquiring an all-alcohol pouring license.

The Board reviewed licensing restrictions, operational guidelines, and compliance with health regulations.

A public hearing was scheduled for November 12, 2024.

6. **LAND DEVELOPMENT AGREEMENT – CLOVERLEAF HOUSING PROJECT**

On a motion duly made and carried, it was resolved to approve an amendment to extend the Land Development Option Agreement for the Cloverleaf Project, ensuring continued compliance with funding requirements

7. **ACQUISITION OF 296 ROUTE 6 (TRURO MOTOR INN) VIA EMINENT DOMAIN**

On a motion duly made and carried, it was resolved to approve the acquisition of the Truro Motor Inn, in the amount of \$1.6 million.

The town's acquisition of the Truro Motor Inn was finalized for \$1.6 million.

Outstanding tax liabilities of \$400,000 were deducted from the purchase price.

The remaining funds were placed in escrow pending IRS resolution.

8. **ANCHORAGE ON THE BAY CONDOMINIUM CONVERSION**

On a motion duly made and carried, it was resolved to approve the conversion of the Anchorage on the Bay condominiums from seasonal to year-round.

This involved reviewing compliance with local regulations and signing off on documentation.

9. **BUDGET**

9.1 **Budget Review and Task Force Discussion**

On a motion duly made and carried, it was resolved to approve the Budget Guidance Letter with clarifications regarding funding sources for positions.

The Board reviewed the Fiscal Year 2026 Budget Guidance Letter and Budget Task Force meeting schedule and noted concerns over staffing increases, including whether the Town administration approved funding for new positions.

9.2 **Budget Guidance Letter and Task Force Schedule**

On a motion duly made and carried, it was resolved to approve the 2026 Fiscal Year budget preparation timeline, as amended.

Clarifications were made regarding staffing positions and funding sources.

10. RENTAL ASSISTANCE PROGRAM FUNDING

On a motion duly made and carried, it was resolved to approve the amount of \$55,000 for one year to continue the rental assistance program through the Homeless Prevention Council.

There was a discussion on whether future administration should transition to the Housing Coordinator.

Missing minutes regarding Review and Possible Approval of Contract for Rental Assistance.

11. TOWN MANAGER'S REMOTE WORK POLICY DEBATE

A lengthy discussion was held regarding the Town Manager's remote work policy.

The debate focused on whether the Town Manager should notify the Select Board when working remotely.

The Town Manager stated that no formal policy existed, leading to a heated exchange on transparency and accountability.

The Board planned to revisit this matter in a future meeting after further legal consultation.

12. DISCUSSION AND POSSIBLE VOTE TO HOLD A LISTENING SESSION ON WATER RESOURCES

On a motion duly made and carried, it was resolved to schedule a dedicated listening session, where residents could express concerns, share experiences, and ask questions regarding the town's water management strategy.

ACTION – The Town administration will coordinate scheduling and select a date for the listening session on water resources.

ACTION – The Town administration will notify relevant experts and agencies to attend the listening session on water resources and provide input.

ACTION – The Town administration will initiate public outreach efforts to ensure strong community participation in the listening session on water resources

Board members acknowledged that water resource management is a growing concern for residents, particularly with recent discussions around private well testing and municipal water expansion. Some members suggested that the town should invite experts from state or regional water commissions to provide data and guidance.

The conversation revolved around increasing community engagement and education on critical water-related issues, including:

- Groundwater safety and contamination concerns.
- Coastal resiliency and the impact of climate change on local water sources.
- The need for community input on potential water conservation policies.

13. REVIEW AND POSSIBLE APPROVAL/SUPPORT OF COMMUNITY PRESERVATION ACT GRANT APPLICATION FROM BEACH ADVISORY COMMITTEE AND COMMISSION ON DISABILITIES FOR ACCESSIBLE RECREATION IMPROVEMENTS AT CORN HILL BEACH

On a motion duly made and carried, it was resolved to approve and formally support the CPA grant application, affirming the town's commitment to accessibility and equitable space improvements.

ACTION – The Town administration will assist in the finalization of the grant application before submission.

ACTION – The Town administration will facilitate collaboration between the Beach Advisory Committee and the Commission on Disabilities to oversee implementation if funds are awarded.

ACTION – The Beach Advisory Committee and the Commission on Disabilities will provide regular progress updates to the Select Board to ensure transparency and community awareness.

The Select Board reviewed a grant application submitted under the Community Preservation Act (CPA) by the Beach Advisory Committee and Commission on Disabilities. The grant application sought funding for accessible recreation improvements at Corn Hill Beach, focusing on compliance with ADA (Americans with Disabilities Act) standards and enhancing beach access for all visitors.

Key elements of the proposed improvements included:

- Installation of accessible pathways to allow wheelchair users and those with mobility impairments easier access to the beach.
- Upgrading parking facilities with designated accessible spaces closer to the main entrance.
- Providing beach mobility mats and other supportive equipment to aid individuals with disabilities in reaching the water.
- Ensuring restroom facilities meet ADA requirements for usability and convenience.

During the discussion, Board members expressed strong support for improving inclusive beach access, recognizing that Corn Hill Beach is a well-visited location and should be welcoming to all residents and visitors.

14. OWNER'S PROJECT MANAGER (OPM) SELECTION FOR PUBLIC WORKS FACILITY

A motion duly made and carried, it was resolved to authorize the Town Manager to sign the contract with Environmental Partners.

The Board approved Environmental Partners (EP) as the Owner's Project Manager (OPM) for the Department of Public Works (DPW) facility.

Environmental Partners (EP) will:

- Review all existing data on the DPW project.
- Oversee the design process and cost assessments.
- Work with Cape Light Compact for energy evaluations.
- Conduct a community survey to understand public concerns about cost and location.

15. GRANT APPLICATIONS FOR ENERGY AND CLIMATE

On a motion duly made and carried, the Board resolved to approve pursuing the energy and climate grants and exploring partnerships with neighboring towns for larger funding opportunities.

The Board discussed applications for:

- National Electric Vehicle Infrastructure (NEVI) Formula Program
- Municipal Vulnerability Preparedness (MVP) Program

Missing Select Board Reports

16. CONSENT AGENDA APPROVAL

On a motion duly made and carried, it was resolved to approve the consent agenda with minor amendments.

17. COMMITTEE APPOINTMENTS DISCUSSION

A discussion emerged regarding whether to wait for additional applicants before making committee appointments, specifically for the ZBA (Zoning Board of Appeals) positions, where only one applicant had applied for two alternate positions. The Board debated whether to proceed with a single appointment or wait for another candidate.

18. UPCOMING MEETINGS AND AGENDA PLANNING

The Board confirmed that the next work session would take place on October 29, 2024, at 3:00 PM, where they would complete the Town Manager evaluation process. The next regular meeting is scheduled for November 12, 2024, a day after Veteran's Day.

Items for the upcoming agenda include:

- Public hearing for Salty Market.
- Potential appointment of the CCNS (Cape Cod National Seashore) Advisory Committee.
- Various committee appointments and interviews.
- Select Board discussions on appointment processes.

19. **HOUSING AUTHORITY MEETING RECORDINGS**

There was a discussion on the need to record Housing Authority meetings due to the critical nature of housing issues in the town. Board members deliberated on methods for ensuring public access without requiring full hybrid meeting setups. The Board also expressed that staff should explore minimal-resource options, such as training a Housing Authority member to record meetings independently.

20. **ADJOURNMENT**

On a motion duly made and carried, it was agreed that there was no further business to transact; the meeting closed at 8:33 p.m.

DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting. This document shall not be considered a verbatim copy of every word spoken at the meeting.

Director

Director

Date

Date

Board Meeting Materials: 24-10-22-select board-agn packet-1738087200pdf