



TOWN OF TRURO

BOARD OF REGISTRARS

Meeting Minutes

November 17, 2023 – 4:00 pm

BOARD OF REGISTRARS MEETING



Members Present (Quorum): Elisabeth Verde (Chair); Elizabeth Sturdy (Vice Chair); Julie Cataldo (Member)

Members Absent: Heather Harper (Clerk)

Other Participants: Gregg Corbo (Town Counsel and Managing Attorney at KP Law); Raphael Richter (Complainant and Truro Voter); Donna Brewer - Attorney for Rose Bayani (Respondent) and Rosemary Boyle (Respondent); Andrew Bettinelli – Attorney and Associate of Donna Brewer; Rose Bayani (Respondent); Rosemary Boyle (Respondent)

The meeting convened at 4:00 pm, Friday, November 17, 2023, by Chair Verde who opened the meeting via the Zoom videoconference platform, at the Community Center.

Chair Verde read aloud the process for these hearings as well as housekeeping rules for those in attendance. Chair Verde noted that there would be no public comment this evening and this meeting was not being livestreamed.

Examination Into Potential Complaints of Voter Registration Status of Maya Krieger DeWitt and David DeWitt Submitted by Jon Slater:

Chair Verde stated Ms. DeWitt and Mr. DeWitt are no longer registered to vote in the Town of Truro so there will be no hearings in either matter.

Hearings:

Rose Bayani – Chair Verde announced the reopening of Ms. Bayani’s hearing as a challenged voter per her appeal. Ms. Bayani came forward and was accompanied by Attorney Brewer.

Chair Verde swore in Mr. Richter and then swore in Ms. Bayani.

Chair Verde invited Town Counsel Corbo to introduce himself and explain the process in this matter.

Town Counsel Corbo introduced himself and recommended that Chair Verde give Ms. Bayani the opportunity to explain her absence from the previous hearing for which she was scheduled but did not appear. Town Counsel Corbo added Members and Mr. Richter may ask additional questions and that the Board had to decide by voting if there was sufficient cause to move forward with this matter or not.

Town Counsel Corbo noted that if the Board voted to proceed, the hearing would be conducted in the same manner as all of the previous hearings regarding complaints of voter registration status. If the Board determined that there was not sufficient cause to move forward the previous decision by the Board would stand and there would be no more evidence or testimony in the matter.

Ms. Bayani provided a statement as to why she was not present for her previous hearing on November 6, 2023, and her attempt to see the Town Clerk on November 9, 2023 at the Town Hall prior to the hearing that evening. Ms. Bayani stated that she wanted to be scheduled for the hearing that evening and Chair Verde noted that her matter could not be heard that evening as it was not on the agenda and properly posted.

Chair Verde stated that she was comfortable moving forward and opening the hearing. Mr. Richter had no questions.

Chair Verde made a motion to reopen the hearing of Rose Bayani.

Vice Chair Sturdy seconded the motion.

By a vote of all in favor, 3-0-0, the motion carries.

Prior to Mr. Richter presenting his evidence, Ms. Bayani requested copies of his evidence as she had not yet received them and Attorney Brewer requested that the copies should include anything presented by Mr. Richter at the previous hearing.

Mr. Richter presented his evidence and reserved his right to ask additional questions later in the hearing.

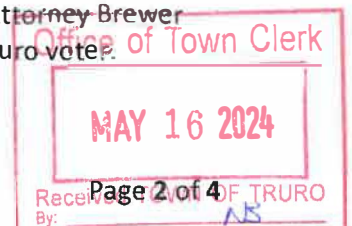
Chair Verde reviewed Ms. Bayani's voting history and it showed that Ms. Bayani had voted in Medford, Malden, and Boston until November 8, 2022.

Ms. Bayani read aloud a statement that she would respond to challenges raised by Mr. Richter and she would provide facts and supporting evidence that she has established Truro as her home. Ms. Bayani said that Truro was the center of her civic life and her intent to live in Truro is long-term. Ms. Bayani then submitted her documentation for consideration by the Board and copies were provided to Mr. Richter.

Ms. Bayani responded to the challenges in the complaint and provided background that she felt was pertinent to her case. Ms. Bayani concluded that she would be happy to answer any questions.

Mr. Richter asked Ms. Bayani what the address was on her driver's license and Attorney Brewer objected. Ms. Bayani answered it was the address in Boston. Mr. Richter asked if Ms. Bayani used the Boston address for filing her personal taxes and Attorney Brewer objected. Ms. Bayani did not answer the question. Mr. Richter asked Ms. Bayani if she was a member of the Truro Part-Time Resident Taxpayers' Association, to which Attorney Brewer objected and Ms. Bayani said that she did not know if she was. Mr. Richter concluded that Ms. Bayani was not legally domiciled in Truro.

Attorney Brewer responded and noted that Ms. Bayani resided in Truro at least seven months of the year and there is no minimum time that someone must spend in Truro to be a voter. Attorney Brewer also noted that Ms. Bayani cannot receive a Residential Tax Exemption until she is a Truro voter.



Chair Verde and the Members reviewed the exhibits (including Ms. Bayani's email to Chair Verde and a Truro building permit application that noted that there was no heat in the unit).

Attorney Brewer objected to exhibit of the building permit application from 2019 which was prior to Ms. Bayani's purchase of the unit and not relevant to this matter. Attorney Brewer also noted that zoning relief may be needed to winterize the unit.

The parties also discussed the difficulty of changing the deed restriction of the property to reflect that the unit is a year-round unit and not a seasonal unit. Town Counsel Corbo noted that this process would include the condominium association and Ms. Bayani.

Chair Verde and the Members determined what evidence were facts before considering a motion.

Chair Verde made a motion that the objector had provided sufficient evidence and to uphold the previous decision to strike Rose Bayani from the Truro Registry of Voters.

Vice Chair Sturdy seconded the motion.

By a vote of all in favor, 2-1-0, motion carries.

After the vote, Attorney Brewer announced her objection to the decision and reserved the right to appeal.

Rosemary Boyle - Chair Verde announced the reopening of Ms. Boyle's hearing as a challenged voter as per her appeal. Ms. Boyle approached and was accompanied by Attorney Brewer.

Chair Verde swore in Ms. Boyle.

Town Counsel Corbo reminded the Board that they must consider whether there was sufficient cause to move forward this matter or not just like the previous matter most recently heard.

Chair Verde asked Ms. Boyle why she was not present at her hearing last week and Ms. Boyle responded that she had a plasma injection scheduled for that day and was unable to attend. There were no additional questions from the Board.

Chair Verde made a motion to reopen the hearing of Rosemary Boyle.

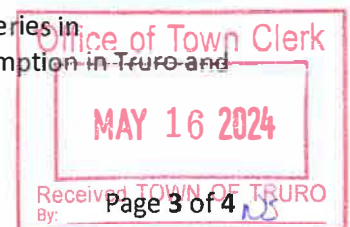
Vice Chair Sturdy seconded the motion.

By a vote of all in favor, 3-0-0, the motion carries.

Mr. Richter presented his evidence and Attorney Brewer requested copies of Mr. Richter's evidence as she and her client had copies. The copies were provided to the respondent.

Chair Verde noted that Ms. Boyle is listed on the Street Listing and it was incorrectly noted that Ms. Boyle was not on the Street Listing during the previous hearing in which she was not present.

Ms. Boyle made an opening statement and said that she bought her home forty years ago and spent 70% of her time in Truro. The home has been winterized and Ms. Boyle provided information as to her social and civic ties to Truro. Ms. Boyle noted that her artwork is displayed at art galleries in Provincetown and Truro. Ms. Boyle said that she intends to file a Residential Tax Exemption in Truro and submitted her documentation to the Board for their consideration.



Ms. Boyle then reviewed the documentation that she submitted to the Board to include a usage report from Eversource.

Chair Verde then read aloud the documentation that Ms. Boyle submitted tonight and the exhibits presented at the last hearing.

Mr. Richter asked several questions to which Attorney Brewer objected. The following questions were asked and were not answered by the respondent: What is the address on your personal tax filing? Are you a member of the Truro Part-Time Resident Taxpayers' Association?

Chair Verde and the Members determined what evidence were facts before considering a motion.

Chair Verde made a motion that the objector has failed to provide sufficient facts that Rosemary Boyle is improperly registered to vote in Truro and that this challenge be dismissed.

Vice Chair Sturdy seconded the motion.

By a vote of all in favor, 3-0-0, motion carries.

Chair Verde made a motion to adjourn at 5:42 pm.

Member Cataldo seconded the motion.

Voted all in favor, 3-0-0, motion carries.

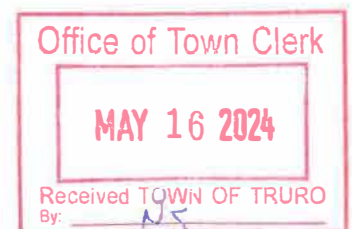
Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

Attachment:

Legal Notice





TOWN OF TRURO

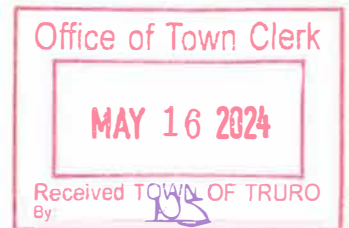
P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 110 or 124 Fax: 508-349-5505

PUBLIC MEETING NOTICE

**NAME OF BOARD/
COMMITTEE:**

Board of Registrars



DATE OF MEETING: Friday, November 17, 2023

TIME OF MEETING: 4:00 pm

LOCATION OF MEETING:

Truro Community Center, 7 Standish Way, North Truro, MA 02652

AGENDA TOPIC:

1. To examine into potential complaints of voter registration status of Maya Krieger DeWitt and David DeWitt submitted by Jon Slater. Since the complaints were submitted, these individuals are no longer registered to vote in the Town of Truro.
2. Public Hearing- Reopen the hearing of Rose Bayani as a challenged voter per her appeal.
3. Public Hearing- Reopen the hearing of Rosemary Boyle as a challenged voter per her appeal.

