

Select Board Meeting Minutes
June 8, 2021 at 5:00pm
Via GoToMeeting platform

Select Board Members Present: Chair-Robert Weinstein, Vice Chair-Kristen Reed, Clerk-Susan Areson, Member-Janet Worthington, Member-Stephanie Rein

Others Present: Town Manager-Darrin Tangeman, Assistant Town Manager-Kelly Clark, DPW Director-Jarrold Cabral, Health and Conservation Agent-Emily Beebe, Recreation and Beach Director-Damion Clements, Francie Randolph, Brian Cowing, Matthew McCue, Chair of Conservation Commission-Jack McMahon, Alice Boyd of Bailey Boyd Associates, Leedara Zola-Housing Consultant to the Truro Housing Authority, Chair of the Housing Authority-Kevin Grunwald

Chair Weinstein read instructions for the public to view or provide comment during the meeting.

Public Comment

Francie Randolph wanted to thank the Select Board for all they do in supporting the Farmers' Market each year. Sustainable Cape has held a number of meetings with the Town Manager and Department Heads to discuss resuming the Market. They have a new emergency plan and a parking plan.

Board/Committee/Commission Appointments

Brian Cowing has been performing Constable work for the Town of Provincetown for six years. He also presently works under various attorneys. He was raised and educated in Provincetown.

Member Reed made a motion to appoint Brian Cowing as Truro's Constable for a term not to exceed three years, expiring June 7, 2024.

Member Rein seconded.

Roll call vote:

Member Worthington-Aye

Member Rein-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Matthew McCue is an attorney who lives full-time in the Natick area. He purchased a home in Truro three years ago and is interested in getting involved in the Town. He has been involved with Natick politics. He has gone clamming since he was a child and is interested in learning about the aquaculture industry. Member Areson noted that this was an unexpired term which would end in three weeks, upon which time Mr. McCue would have to reapply for a full one-year term. Mr. McCue was aware.

Member Areson made a motion to appoint Matthew McCue to fill the unexpired one-year alternate member term to the Shellfish Advisory Committee expiring June 30, 2021.

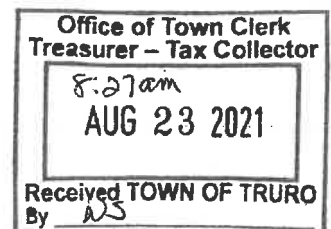
Member Reed seconded.

Roll call vote:

Member Worthington-Aye

Member Rein-Aye

Member Areson-Aye



Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Staff/Committee Updates

Staff Update on Threatened Species and Associated Pet Closures

Recreation/Beach Director Clements stated that per Truro's Beach Rules and Regulations, all animals are prohibited on Truro beaches between the hours of 9am and 6pm from the third Saturday in June through Labor Day. In addition, beach restrictions for pets (including dogs) may be increased due to the presence of shore birds. His department is notified of nests by the Audubon's Wellfleet Bay Sanctuary, which is contracted by the Town to monitor the nesting birds. The department is also notified by the National Park Service. He is notified weekly indicating the need for full or limited pet closures. Once notified, these are the actions taken:

- Update department website.
- Coordinate with the DPW to install signs. Signage includes QR codes which direct people to the department webpage that gives more detail about the closure.
- Notifications are relayed to beach attendants, and the attendants in turn notify beachgoers of the pet closures.

Recreation/Beach Director Clements then gave a quick rundown of the beach pet closures currently in place. Chair Weinstein added that the ponds in Truro fall under the National Seashore jurisdiction and dogs are prohibited from May 15 through October 15.

Health/Conservation Agent Beebe wanted to inform people about respecting these birds, which can only nest in certain places. The Town is required to do this under the Massachusetts Endangered Species Act. The Massachusetts Audubon is contracted to keep the Town in compliance with those rules. The plover and the least tern are endangered species and are at risk for their continued existence. Once the Town is notified of the hatching, there is a very specific amount of time for fledging and the Town will be able to provide the public with a good estimate as to when things should open up.

Staff Update on Truro Center Traffic Safety

DPW Director Cabral said that on January 19th of this year the Town contracted with GHD Inc. (an engineering company specializing in pavement management). The scope of work or the Truro Center Traffic Study will include field investigation and research of all public roadways. This will include a condition assessment, visual survey and base map which will include highlighted problem areas of concern, including Truro Center Road. A final report will be produced by GHD, including recommendations for a long-term paving plan, drainage upgrades, operation and maintenance recommendations and traffic safety concerns. Truro Center Road is considered a safety priority for a number of reasons which DPW Director Cabral listed. He then noted some recommendations along with funding sources. Member Areson asked if the Town's Complete Streets program encompasses the entire Town or just the Truro Center Road area. DPW Director Cabral stated that once we have an approved local policy we can submit to DOT, wait for their approval, and then we're deemed a Complete Streets Community.

Board/Committee Report: Conservation Commission

Chair of the Conservation Commission McMahon introduced himself. There are seven members, and they have one vacancy. He explained the dynamics between the Commission and the Conservation Agent. He wished to thank Deborah McCutcheon for her years of service. He went on to list some accomplishments from the past twelve months.

- They have maintained a busy year of permitting despite a brief slowdown in their meeting schedule. The number matches the number of permits from 2019.
- The Commission made the remote platform work for all members and found that interactions with consultants, engineers and property owners worked very well.

Goals for the next six months:

- Working with the Conservation Trust to implement the High Head Management Plan.
- Continuing to increase public awareness about good stewardship of the environment.
- They look forward to having a new member filling Deborah McCutcheon's vacancy.
- They wish to work with the Climate Action Committee to develop climate-related conditions for projects to support sustainable building practices.
- They need to address carbon sequestration and continue to emphasize mitigation projects with drought resistant plantings.

Member Areson asked if anyone has expressed interest in joining the Conservation Commission. Conservation Commission Chair McMahon stated that they have had a couple of people who are interested.

Review and Approve Revised Policy 64: Masks and Social Distancing

Town Manager Tangeman stated that before the Board is the revision of Policy 64. He and Health Agent Beebe believe this is a temporary measure to ensure they maximize participation at the Annual Town Meeting and Annual Town Election. Member Rein asked if the protocol for entering and exiting beaches was included in this policy. The Board of Health will be looking at this at their next meeting for a sunset date. Member Areson is onboard with people wearing masks in Town buildings and for the election, but she believes any local policy concerning masking should take into consideration the many people who are fully vaccinated. She thinks fifty feet outside of Town buildings is a little excessive, and she thinks six feet separation is excessive as well, seeing that the CDC is suggesting three feet. Member Reed asked Health Agent Beebe to speak to the importance of masking for populations that are not fully vaccinated and for protections for the people who can't get vaccinated but are still vulnerable. Health Agent Beebe stated there are people who are vaccinated but won't have the same protection and are vulnerable. Masking in close quarters is effective in minimizing transmission. The three-foot vs six-foot distancing is relative to schools and not the general population and that is why they are more comfortable holding onto the six-foot distance. Chair Weinstein says he's been asked by various Town employees, both at the Transfer Station and the Harbor, about masking there. Town Manager Tangeman believes both were addressed in the Board of Health Order. A meeting was held with staff where these pending changes were discussed.

Member Reed made a motion to approve revised Policy 64: Masks and Social Distancing for the Town of Truro.

Member Rein seconded.

Roll call vote:

Member Rein-Aye

Member Worthington-Abstained

Member Areson-Abstained

Member Reed-Aye

Chair Weinstein-Aye

So voted; 3-0-2, motion carries.

Authorize the Town Manager to Approve and Sign Housing Rehab Subordination Loan Requests

Town Manager Tangeman stated this is a requirement of the local banks under Covid. Authorizing the Town Manager to sign is a way to get these requests approved more efficiently. Alice Boyd, of Bailey Boyd Associates, stated that they've come to the Town so many times and this method will eliminate the requirement to schedule a meeting, and have the Select Board sign. Instead, the Town Manager would be allowed to sign subordinations which would save time for the homeowners and facilitate the issue. Assistant Town Manager Clark added that as part of this agenda request, they've included DHCD refinance consent letters. Leedara Zola is present at the meeting and can speak to that if there are questions.

Housing Authority Chair Grunwald explained that when they have deed restricted properties (restricted by affordability) the Town has a monitoring role to make sure these properties stay within program guidelines. They have a family in a home that has requested refinancing of the property.

Member Areson made a motion that the Select Board execute a limited power of attorney to authorize Town Manager Tangeman to sign Community Development Block Grant loan subordinations on behalf of the Select Board until such time that the CDP Executive Director can resume signatory responsibilities.

Member Reed seconded.

Roll call vote:

Member Rein-Aye

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Member Areson made a motion that the Select Board execute a limited power of attorney to authorize Town Manager Tangeman to sign DHCD Refinance Consent letters.

Member Reed seconded.

Roll call vote:

Member Worthington-Aye

Member Rein-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Review and Approve Eagle Neck Creek Construction Engineering Services and Extension with the USDA/NRCS

DPW Director Cabral explained that the Town has partnered with the USDA on the Eagle Neck Creek culvert replacement project. USDA will cover seventy-five percent of the construction cost. To date, the Division of Ecological Restoration has funded all of the preliminary engineering fees. Since restarting this project in 2017, they've reevaluated the area and there has been an increase in overall construction costs. The Fuss & O'Neil proposal is part of the estimate for construction. Seventy-five percent of their proposal would be reimbursed.

DPW Director Cabral then went over some slides to explain the project. Chair Weinstein would like all the mapping information to be available to the public. DPW Director Cabral stated that all the information is on the DPW webpage.

Member Reed made a motion to approve the amendment with the USDA/NRCS to the application for Federal Assistance SF-424 and to authorize the Town Manager to sign.

Member Areson seconded.

Member Rein is an abutter to abutters and has recused herself from this vote.

Roll call vote:

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 4-0-1 (Member Rein abstained), motion carries.

Member Reed made a motion to accept the proposal from Fuss & O'Neill for final design, bidding services, and construction administration services for the Eagle Neck Creek culvert replacement and to authorize the Town Manager to sign.

Member Areson seconded.

Member Rein is an abutter to abutters and has recused herself from this vote.

Roll call vote:

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 4-0-1 (Member Rein abstained), motion carries.

Discussion of Article 21: Charter Amendment to Section 2-2-4-Petitioned Article

Chair Weinstein will recuse himself and will turn the meeting over to Vice-Chair Reed. He reserves his right to comment although he will not be voting.

Member Areson's point in bringing up this agenda item is that at the last regular Select Board meeting the Board voted against recommending this article because they had questions about the article as it was written and about the proposed language that had been emailed to them multiple times. She'd like to work with Town Counsel to determine what language might be appropriate so that they may advise the petitioners.

Member Worthington would like to see if they could do that.

Chair Weinstein (now speaking as a resident of Truro) stated that Town Counsel has reviewed this and the language he's looking at in their packet is exactly the language which Town Counsel objected to. An individual cannot behave as a board or committee. He's also disturbed that no one has stepped forward as the lead petitioner, nor that this was first brought to the Charter Review Committee. Member Areson stated that this language was originally submitted over a year ago. The reason the language Chair Weinstein referenced is underlined is because that's the language identified as problematic. The Board was emailed several times with language that did not include what's underlined, and the Board had issues with that as well. She continued that while she agrees it's important that people go to the Charter Review Committee to seek changes, or to come to the Select Board if they have problems, every voter and resident in this Town has a right to submit a petition. Member Areson is looking for something that might help the petitioners with an amendment that they could make on the floor. Member Reed agreed with Chair Weinstein in that the process for a Charter change should include Charter Review Committee's process. As for the other petitioned articles, there was a lead petitioner that spoke to it which helped when amending the language. Member Reed cannot support a petitioned article of a Charter change without it going through the Charter Review process. Member Areson stated

that it did not have to go through the Charter Review Committee. The Board needs amended language on this which they can then pass by Town Counsel. Member Rein stated that the Board did receive an email in which the entire sentence questioned was stricken, however that email was not included in their packet. Member Areson read the language from the email.

Town Manager Tangeman stated that there is a need for some multi-member body to be a part of this because it doesn't apply to a single member such as the Moderator. If this language goes to Town Counsel, Town Manager Tangeman believes Counsel would recommend that whatever process was proposed would include the Finance Committee and/or the Select Board.

After polling the Board, three members were in favor of having Town Counsel review the language, one member against, and one member abstained. Town Manager Tangeman received his directive to bring this petition to Town Counsel for review.

Meeting Length Policy

Member Areson submitted this policy a long time ago and hopes people have had a chance to review and make comments. Her impetus is that the Board starts their meetings at 5:00pm and there are many times that the meetings continue past 9:00pm or 9:30pm. She does not think that's a good way to conduct business. People lose brain power and it's not fair to the people who are coming before the Board to do business. She wants to propose a time limit for their meetings that could be waived per a vote by the Board. It's important to allot fifteen minutes for reports from the Select Board and Town Manager. Member Areson went through her proposal. Member Worthington would like to keep in mind that they often have executive sessions before a regular meeting and asked if that changed the numbers for Member Areson. Member Areson didn't factor those executive sessions into the policy. Perhaps if they are having an executive session the Town Manager and Assistant Town Manager could trim the topics on the regular session just a bit. While Member Reed appreciates the work put into this policy, she has some concerns she'd like to raise:

- It's difficult for her to be in support of a permanent solution for a temporary issue. She thinks a lot of their meetings were impacted by the pandemic.
- Member Areson had made a comment about the public sitting through a long meeting, however if someone waits for a particular agenda item and it's decided to end the meeting early, then the person will have to come back for a future meeting. Some may not be able to come back.
- Delaying items, even if they are not time sensitive, causes delays and could still have implications.

Member Reed went over a few more concerns.

Member Rein appreciates and understands where this policy is coming from, but she concurs with Member Reed in that she doesn't necessarily believe the long meetings will continue. She's comfortable with four of Member Areson's bullet points. Looking over the agenda with an eye for time and thinking about items which may be hot topics or require a lengthy discussion should help. She's uncomfortable setting a time and cutting off a meeting when they have items on their agenda. She enjoys the committee/board reports but suggested perhaps not holding those when the Select Board is in the thick of budget or Town Meeting preparations. Member Rein cannot support Policy Memorandum #65 as it stands.

One item Chair Weinstein agrees on is that people's attention and ability to think clearly wanes after a while. He'd like to focus on the following:

- The Board has been meeting for the past year in a virtual environment which puts certain pressures on the members and changes the nature of the meetings when not held in person. The length of the meetings never deterred him from running for another term.

- Postponing items to a future agenda just snowballs into longer future agendas. Citing the Town Meeting Warrant, the Board put things onto this Warrant that were put off from last year and now are burdened with a 40+ item Warrant for Town Meeting.
- It's hard to anticipate how much time someone from the public, or someone representing a Board or Committee, will spend on an issue.

Chair Weinstein is not comfortable supporting this. He thinks that as they move forward, the meetings may be shortened. He appreciates Member Areson wrestling with this. Member Areson withdrew the proposed policy. Town Manager Tangeman stated that he'll work hard to prepare an agenda that only includes what is necessary.

Proclamation for Juneteenth

Member Reed read the proclamation.

Member Reed made a motion to approve and sign the proclamation declaring June 19, 2021 as Juneteenth in the Town of Truro.

Member Rein seconded.

Roll call vote:

Member Rein-Aye

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Proclamation for Pride Month

Member Reed read the proclamation.

Member Rein made a motion to approve and sign the proclamation declaring June 2021 as Pride Month in the Town of Truro.

Member Reed seconded.

Roll call vote:

Member Rein-Aye

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Consent Agenda

Member Worthington would like to have more details about the plan for the Farmers' Market, so the public knows what went into the planning for how it'll work for everyone this summer. She also believes it's a policy and stated it should be treated as such so the Select Board weighs in on what happens at the proposed location. She would like it pulled for discussion. Chair Weinstein stated they could pull the item and place on an upcoming agenda. Member Worthington stated that the plan and decisions that have been made could be posted on the website. Town Manager Tangeman can send the Use of Town Owned Property Application to the Select Board. He also summarized the discussions between the Health Agent, DPW and Police Department.

Member Areson thinks they need to have a discussion about the Walsh Property Community Planning Committee appointment. She is concerned because she thinks there is a process by which they interview applicants when they go on new committees. She has communicated her concerns with Town Manager Tangeman about this. Member Reed pointed out that the process was different for this specific Committee. Town Manager Tangeman gave a summary of the timeline of the receipt of a resignation from one WPCPC member and the receipt of an application to serve by Betty Gallo. Member Worthington asked if other people were aware of the vacancy and had an equal opportunity to apply. Member Reed suggested moving this appointment to the 22nd of the month to allow members of the community to come forward. All members of the Board were agreeable to that suggestion.

Member Rein wished to recuse herself from the Entertainment License approval for the Farmers' Market.

Member Rein made a motion to approve the consent agenda as written, minus the appointment of Betty Gallo.

Member Worthington seconded.

Roll call vote:

Member Worthington-Aye

Member Areson-Aye

Member Reed-Aye

Member Rein-Aye (except for the Entertainment License, which she recused herself)

Member Weinstein-Aye

So voted; 5-0-0 (the vote for item 7A1 would be 4-0-1, Member Rein recused), motion carries.

Select Board Reports/Comments

Member Rein asked if porta-potties would be installed for the summer at Ballston Beach. She also informed the public that the Board of Health has been collecting data on box turtles for several years. She gave direction on how to move a turtle crossing a road, and how to photograph turtles that are seen. Photographs can be sent, with date, location, and time that they were spotted to Emily Beebe at the Health & Conservation Department; ebeebe@truro-ma.gov. She also cautioned drivers to be on the lookout for otters in downtown Truro, along Castle Road, and other roadways along fresh and saltwater. Member Worthington announced that Officer Roda would be coming home tomorrow. A meal train will be happening for the family. People interested in helping can get in touch with Michelle Thomas at the Truro Police Department.

Member Areson is eager to schedule the executive session on the topic they didn't finish more than a month ago.

Member Reed stated it was an honor to be present for the swearing in of Truro homeowner Lucas Miller, who was sworn in as Salem's Chief of Police.

Chair Weinstein said he's been asked to participate in a conversation that will include the Wellfleet Select Board and a representative from the division of Conservation and Recreation having to do with the extension and terminus point of the Rail Trail. He believes it will be very interesting to hear how this unfolds.

Town Manager Report

Town Manager Tangeman wished to clarify the intent for virtual meetings moving forward. He previously believed that the Governor issued an Executive Order to extend virtual meetings however that was not the case. A bill, which needs legislative approval, to extend virtual meetings into September, is presently under consideration. He reached out to our Representative and Senator to seek

some clarification. They believe the bill will be approved. He will review any meetings scheduled for around the June 15th timeframe and if needed, will move those meetings to a few days out so they are not impacted by the decision on the bill. Town Manager Tangeman said they are looking at ways to hold hybrid meetings in the future.

Next Meeting Agenda: June 15, 2021 Work Session; June 22, 2021 Executive Session & Regular Meeting

Town Manager Tangeman received results from a Doodle poll and the two timeframes they have right now with the greatest level of participation for a June 15 work session would be 10-11:30am or 3-4:30pm. After discussion, the work session was scheduled for June 15 at 10am. They will invite members of the Beach Commission and will publicize it so anyone who's interested can tune in and comment on the proposal to combine the Beach Commission and the Recreation Committee. Discussion at the work session will also include how to structure the one committee, should they be combined.

Further discussion was held regarding a date for upcoming executive sessions.

Topics for the June 22nd regular session meeting were reviewed.

Member Reed made a motion to adjourn at 7:53pm.

Member Worthington seconded.

Roll call vote:

Member Rein-Aye

Member Reed-Aye

Member Worthington-Aye

Member Areson-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Respectfully submitted,


Noelle L. Scoullar



Darrin K. Tangeman-Town Manager

Under the Authority of the Truro Select Board

Public Records material of 06.08.2021

1. Resignation letter-John Thomas; Application to Serve-Brian Cowing; MGL Chapter 41, §91A; MGL Chapter 41, §91B
2. Application to Serve-Matthew McCue
3. Draft Policy Memorandum #64
4. Limited Power of Attorney; Letter to Mara Glatzel and Laura Hebert
5. Contract amendment from USDA/NRCS
6. Contract Proposal for Fuss & O'Neill

7. Article 21: Charter Amendment to Section 2-2-4-Petitioned Article
8. Draft Policy Memorandum #65
9. Town of Truro Proclamation on the Occasion of Juneteenth
10. Town of Truro Proclamation on the Occasion of LGBTQ Pride Month 2021
11. One Day Entertainment Application-Sustainable Cape
12. Business Application for 2021: American Youth Hostels Inc.
13. Application to Serve-Arthur Hultin-ZBA
14. Application to Serve-R. Bruce Boleyn-BOA
15. Application to Serve-Jill Mays-Truro Cultural Council
16. Application to Serve-Fred Gaechter-Climate Action Committee
17. Application to Serve-Janice Parky-Open Space Committee
18. Application to Serve-Helen Grimm-Board of Health
19. Application to Serve-Steve Wisbauer-Shellfish Advisory Committee
20. Application to Serve-Christopher Clark-Shellfish Advisory Committee
21. Application to Serve-Jim Summers-Truro Historical Commission
22. Application to Serve-Brian Koll-Board of Health
23. Application to Serve-Barbara Wood-Tax Assistance Committee
24. Application to Serve-Robert Panessiti-Charter Review Committee
25. Application to Serve-Matthew Kiefer-Historical Commission
26. Application to Serve-Hannah King-Commission on Disabilities