Select Board Meeting Minutes

January 9, 2024, Meeting (Hybrid)

Via Zoom Platform

Select Board Members Present: Kristen Reed-Chair, Susan Areson-Vice Chair, John Dundas-Clerk, Robert Weinstein-Member, Stephanie Rein-Member (joined remotely)

Select Board Members Absent:

Others Present: Darrin Tangeman-Town Manager; Kelly Clark-Assistant Town Manager; Elisabeth Verde-Town Clerk; Jarrod Cabral-DPW Director; Tim Hickey (Truro Voter and Local Republican Town Committee Chair); Bob Higgins-Steele (Truro Voter); Lisa King (Provincetown Voter); Edward G. Medeiros (Applicant of Frankie's Hospitality dba Montano's); Bob Montano (Former Owner of Montano's); Steven Garvan (Truro Voter/Applicant for the Board of Registrars-Republican Seat); James Goshen (Truro Voter/Applicant for the Boards of Registrars-Republican Seat); Heather Harper (Truro Voter/Applicant for the Board of Registrars-Republican Seat); Fran Johnson (Truro Voter/Applicant for the Board of Registrars-Republican Seat); Dennis O'Brien (Truro Voter/Applicant for the Board of Registrars-Republican Seat); Steve Sollog (Truro Voter/Applicant for the Board of Registrars-Republican Seat); David Crocker (Truro Voter/Applicant for the Zoning Board of Appeals-Full Member Seat); Russell Braun (Truro Voter/Applicant for the Zoning Board of Appeals-Full Member Seat); Linda Brady (Applicant for the Truro Part Time Resident Advisory Committee); Ken Field (Applicant for the Truro Part Time Resident Advisory Committee); Ann D'Ercole (Applicant for the Truro Part Time Resident Advisory Committee); Robert Elwood (Applicant for the Truro Part Time Resident Advisory Committee); David Gavelek (Applicant for the Truro Part Time Resident Advisory Committee); Susan Leff (Applicant for the Truro Part Time Resident Advisory Committee); Nancy Medoff (Charter Review Committee Chair); David Bannard (Truro Voter/Applicant for the Charter Review Committee-Full Member); Clinton Kershaw (Truro Voter/Applicant for the Charter Review Committee-Full Member)

Chair Reed called the meeting to order at 5:00 pm and read the information for the public to access the meeting on Channel 8 and participate. Chair Reed introduced the Members and Town staff present.

PUBLIC COMMENT

Prior to recognizing any individual for public comment, Chair Reed read aloud the ground rules regarding public comment.

Chair Reed recognized the following individuals who made public comments: DPW Director Cabral, Mr. Hickey, Mr. Higgins-Steele, and Ms. King.

PUBLIC HEARINGS

A. Public Hearing on Annual and Seasonal Alcohol License Fees for Pouring, Retail, and Farmer Services

Chair Reed announced that she would recuse herself from the vote on this matter. Chair Reed then opened the public hearing at 5:13 pm and read aloud the public notice.

Town Manager Tangeman presented this topic to the Members and noted that the last time the fees were changed was in 2004. A comparison of other Cape Cod towns' fees was included in the presentation along with an analysis of those fees and Town staff recommendations.

A discussion ensued among the Members and Town staff on the following highlighted topics: a club license and general premises pouring.

Chair Reed invited members of the public to comment and there were none.

Member Dundas made a motion to close the public hearing.
Vice Chair Areson seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

Member Rein made a motion to set 2024 Alcohol License Fees as proposed by staff and identified in agenda item 2A2.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Abstained
So voted, 4-0-1, motion carries.

B. Public Hearing on Transfer of Alcohol License: Applicant Frankie's Hospitality, Inc. dba Montano's, Jacob O'Donnell Manager, from Baddocs Inc., dba Montano's, Robert Montano

Chair Reed opened the hearing at 5:19 pm and read aloud the public hearing notice.

Chair Reed recognized Mr. Medeiros who briefly presented the application.

Members and Mr. Medeiros discussed the following highlighted topics: the support of the application, the great contributions to the Town by Bob Montano, and Mr. and Mrs. Medieros' generous contributions and support to Walter Reed Army Medical Center.

Chair Reed invited members of the public to comment and there were none.

Member Dundas made a motion to close the public hearing.

Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

Vice Chair Areson made a motion to approve the application to transfer the Annual All-Alcohol Liquor License, from licensee Baddocs Inc., dba Montano's Robert Montano, Owner, Manager to proposed transferee Frankie's Hospitality, Inc. dba Montano's, Jacob O'Donnell, Manager.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

SELECT BOARD ACTION (Part 1)

A. Change of Manager-Common Victualer License – Montano's Restaurant
Presenter: Darrin Tangeman, Town Manager, Edward and Elisa Medeiros, Owners and Jacob O'Donnell, Proposed Manager

Chair Reed noted that this action was related to the above-mentioned action that was just approved by the Members.

Chair Reed motioned to approve the Change of Manager for the 2024 Annual Common Victualer License for Montano's Restaurant, from Robert Montano to Jacob O'Donnell upon compliance with all regulations, documentation, and receipt of the necessary fees.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

INTRODUCTION TO NEW EMPLOYEES

None

BOARD/COMMITTEE/COMMISSION APPOINTMENTS

A. Interview and Possible Appointment to Board of Registrars: (2) Republican Seats

Chair Reed provided background information on this matter and Chair Reed announced the candidates to be interviewed (in alphabetical order): Mr. Garvan (joined remotely), Mr. Goshen, Ms. Harper, Mr. Johnson, Mr. O'Brien, and Mr. Sollog (joined remotely).

Chair Reed recognized Mr. Hickey who provided background information on this matter and commented on established questions by the Members to the candidates.

Chair Reed and the Members interviewed the candidates utilizing the Select Board's established questions.

After the interviews were completed, Chair Reed and the Members deliberated on their top two candidates. Before the vote, Chair Reed invited Mr. Hickey for any comment, and he made none.

Chair Reed made a motion to appoint Heather Harper to the Board of Registrars for an unexpired three-year term ending on March 30, 2025.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

Chair Reed made a motion to appoint Fran Johnson to the Board of Registrars for an unexpired three-year term ending on March 30, 2025.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

B. Interview and Possible Appointment to the Zoning Board of Appeals: Full Member Seat and Possible Alternate Member Seat: David Crocker; Russell Braun

Chair Reed announced that Vice Chair Areson had disclosed that she had a connection to Mr. Crocker and she could still vote on this matter without any conflict of interest. There were no objections.

Chair Reed and the Members interviewed Mr. Crocker and Mr. Braun (who joined remotely). Chair Reed noted that the Select Board had a long tradition of elevating alternate members of boards to full

member status when the opportunity arose and she was in favor of elevating Mr. Crocker to the full member position. Chair Reed then asked Mr. Braun if he would agree to be appointed as the alternate to the ZBA and he agreed without objection.

Chair Reed made a motion to appoint David Crocker to the unexpired, full-member position, which ends June 30, 2024.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

Chair Reed made a motion to appoint Russell Braun as an Alternate, with an expiration date of June 30, 2024.
Member Dundas seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

C. Interview and Possible Appointment to the Part-Time Resident Advisory Committee: Ken Field (joined remotely), Phineas Baxandall (absent); Linda Brady (joined remotely); Ann D'Ercole (joined remotely), Stephen Duncombe; Robert Elwood; David Gavelek; Kathleen Higgins; Susan Leff

Chair Reed announced that there were 9 candidates for 7 positions. The Members agreed to interview those candidates present this evening and those not present at the next Select Board meeting. Chair Reed also noted that there were two candidates from the same address and that the Board was uncomfortable with appointing couples to a board.

Chair Reed announced Mr. Braxandall's name and he was not present.

Chair Reed announced Ms. Brady's and she was present. Members interviewed Ms. Brady.

Chair Reed announced that Mr. Field had communicated with her via chat from Australia who requested that he interview next and there were no objections. Members interviewed Mr. Field.

Chair Reed announced Ms. D'Ercole's name and she was present but had technical issues that she was attempting to resolve.

Chair Reed announced Mr. Duncombe's name and he was not present.

Chair Reed announced Mr. Elwood's name and he was present. Members interviewed Mr. Elwood.

Chair Reed announced Ms. D'Ercole's name again and she was still attempting to resolve her technical issues.

Chair Reed announced Mr. Gavelek's name and he was not present.

Chair Reed announced Ms. Higgins' name and she was not present.

Chair Reed announced Ms. Leff's name and she was present. Members interviewed Ms. Leff.

Chair Reed announced Ms. D'Ercole name and she was present. Ms. D'Ercole announced that she withdrew her application as there were many qualified candidates. Chair Reed thanked her for her willingness to serve.

Chair Reed announced Mr. Gavelek's name again and he was present. Members interviewed Mr. Gavelek.

Chair Reed announced that since three candidates were not present (Mr. Braxandall, Mr. Duncombe, and Ms. Higgins) there would be no vote this evening. Chair Reed added that the Board would conduct the final three interviews at the next meeting.

D. Interview and Possible Appointment to the Charter Review Committee: David Bannard; Clinton Kershaw

Chair Reed announced that Charter Review Committee Chair Medoff was present.

Chair Reed announced Mr. Bannard's name and he came forward to be interviewed. Members interviewed Mr. Bannard. Charter Review Committee Chair Medoff thanked Mr. Bannard for his interest in serving.

Chair Reed announced Mr. Kershaw's name and he came forward to be interviewed. Mr. Kershaw withdrew his application and noted Mr. Bannard's exceptional qualifications.

Chair Reed made a motion to appoint David Bannard to the Charter Review Committee, filing an unexpired, full member term which expires June 30, 2025.
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

STAFF COMMITTEE UPDATES

None

TABLED ITEMS

None

SELECT BOARD ACTION (Part 2)

B. Discussion of 2023 Annual Town Report Dedication and Theme Ideas
Presenter: Darrin Tangeman, Town Manager

Chair Reed provided background information on this topic and a discussion ensued among the Members.

Chair Reed made a motion to approve the cover and theme for the 2023 Annual Town Report and dedicate the 2023 Annual Town Report to Truro caregivers and recognition of the three long-standing Truro restaurants (with the addition of the Stefani and Tasha families).
Member Weinstein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

After the vote, Assistant Town Manager Clark requested that the public submit photographs of Truro caregivers to Nicole Tudor and Noelle Scoullar for inclusion in the 2023 Annual Town Report.

Chair Reed also offered her condolences to the Tasha family following the recent passing of Paul Tasha.

C. Review and Possible Approval of Curb Cut Application for 423 Shore Road
Presenter: Jarrod Cabral, DPW Director

DPW Director Cabral presented the application for 423 Shore Road and noted that the application had been approved by the ZBA and the Conservation Commission. The next step is for the approval of a building permit and the Applicant's representatives are present this evening.

Member Weinstein disclosed that he had a previous business relationship with the Applicant thirty years ago and he stated that he was able to decide on this matter without a conflict of interest.

DPW Director Cabral said it was a good application and noted that during the ZBA's review, the shrubs that are to the far south of the property will have to be addressed during construction with the adjacent property owner.

Chair Reed made a motion to approve the curb cut application for 423 Shore Road and to authorize the Chair to sign electronically.
Member Rein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

D. Vote to Set 2024 Annual Town Meeting Date and Opening of the 2024 Annual Town Meeting Warrant
Presenter: Darrin Tangeman, Town Manager

Chair Reed provided background information regarding this topic and a discussion among the Members ensued with input from Town Manager Tangeman and Assistant Town Manager Clark. Assistant Town Manager Clark noted that she had an amended motion for the Members to consider rather than what was included in the Members' packets.

Chair Reed made a motion to set the date of the Annual Town Meeting for Saturday, May 4, 2024, and to open the Warrant for the 2024 Annual Town Meeting on February 2, 2024, at 8:00 am and to close the Warrant for petitioned and committee articles on March 5, 2024.
Vice Chair Areson seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

Vice Chair Areson noted that only voters who were eligible to vote on the original date of the Special Town Meeting on October 2, 2023, would be the only eligible voters to vote on May 4, 2024. Any voters who registered to vote between those dates will not be eligible to vote at the Special Town Meeting but they can vote at the Annual Town Meeting. Assistant Town Manager Clark said that there will be two check-ins to verify the voter's eligibility to vote at the Special Town Meeting and then the Annual Town Meeting.

E. Review and Approve Zoning Task Force Charge
Presenter: Darrin Tangeman, Town Manager

Vice Chair Areson provided background information and an update regarding Town Planner/Land Use Counsel Carboni's original draft charge for the Zoning Task Force. A brief discussion ensued among the Members regarding the Planning Board's lack of bandwidth to address this task.

Chair Reed asked the Members if they had any edits for the Charge and Member Weinstein recommended the removal of the word "inhibit" in the first sentence of the Zoning Task Force Charge and changed to "impact." Vice Chair Areson noted that she preferred the word "affect" instead of

"impact." After a brief discussion, the Members then agreed to use the word "affect" rather than "impact." Member Rein then recommended adding the "Walsh Property Plan" to the third sentence of the Charge.

Vice Chair Areson made a motion to adopt the draft ad hoc Zoning Task Force Charge with the changes recommended by Member Weinstein and Member Rein.
Member Rein seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

CONSENT AGENDA

A. Review/Approve and Authorize Signature:
    1. Alcohol License Change of Manager Application Truro Vineyards – Kristen Roberts
B. Review and Approve ABCC 2023 Annual Alcohol License Report
C. Review and Approve 2024 Annual Business Licenses: Salty Market Farmstand and Truro Box Lunch (Common Victualer License)
D. Review and Approve Appointment Renewals: Charlo Maurer – Concert Committee
E. Review and Approve Select Board Meeting Minutes: September 12, 2023; September 19, 2023; September 26, 2023; October 10, 2023; October 13, 2023; October 24, 2023; and November 14, 2023

Chair Reed made a motion to approve the Consent Agenda as printed in the packet.
Vice Chair Areson seconded the motion.
Roll Call Vote:
Vice Chair Areson - Aye
Member Dundas – Aye
Member Weinstein - Aye
Member Rein - Aye
Chair Reed – Aye
So voted, 5-0-0, motion carries.

SELECT BOARD REPORT/COMMENTS

Member Rein said that she wished everyone a Happy New Year filled with joy. Member Rein also noted that the recorded Town meetings did not have closed captioning and hoped that the Members could address this in 2024 to increase accessibility for the Truro constituents. Member Rein said that she had recently been approached by constituents regarding the Town of Truro's seal which includes an item in the background that may not be historically accurate. Member Rein suggested that the Members should discuss the Town of Truro's seal on a future agenda with input from the community. There were no objections.

Member Weinstein noted that people are still littering beer cans on the north side of Pamet Road and requested that these people stop this behavior as their actions adversely affect the environment. Town

Manager Tangeman asked Member Weinstein to meet with him afterward to further discuss this littering issue. Member Weinstein requested that an invitation be sent to the newly appointed Superintendent of the National Seashore and invite her to an upcoming Select Board meeting in February 2024 so she can be introduced to the public. Member Weinstein concluded that his application to serve on the Cape Cod National Seashore Advisory Committee has not generated a reply and he would like the Superintendent of the National Seashore to explain to the community when that committee will become active again.

Vice Chair Areson noted that she had received a welcome letter last October or November from the Department of the Interior welcoming her to the Cape Cod National Seashore Advisory Committee and the letter included information regarding an upcoming meeting.

Member Dundas said that he was grateful for the work that Lisa King is doing on the Outer Cape to commemorate the sacrifices of commercial fishermen over the years and that has now resulted in a Memorial for the Lost at Sea. Member Dundas said that the Cemetery Commission will meet on January 17, 2024. Member Dundas also commented on the hard work that the Provincetown Water & Sewer Board is undertaking and the importance of the work. Member Dundas thanked former Concert Committee Chair Pat Wheeler who recently stepped down after serving for many years on the committee.

Vice Chair Areson noted that the Community Preservation Committee will meet on February 1, 2024, at 4 pm at the Truro Public Library to discuss the 8 grant applications that were received. Vice Chair Areson also provided an update on the Board of Health's report on cesspools in Truro. The School Committee met last week and approved the new tuition agreement with Nauset. The School Committee will have a budget hearing on January 25, 2024. Vice Chair Areson encouraged the public to participate in the upcoming Budget Task Force meetings.

Chair Reed reiterated the importance of the public's participation in the Budget Task Force meetings. Chair Reed had no reports to update and said that there was a need to schedule a Select Board work session to address the misinformation about articles included in the Warrant.

TOWN MANAGER REPORT

Town Manager Tangeman reported on the recent and successful Town Manager's Coffee that had nine participants (including Tim Hickey and Jon Slater) attend. The next Town Manager's Coffee will be on January 11, 2024, at 8:30 am, at the Community Center.

Town Manager Tangeman noted that a High Wind Warning was posted on the Town website in effect from today until tomorrow at 1 pm as well as a Coastal Flood Advisory effective today until tomorrow at noon.

Town Manager Tangeman reviewed the agenda for the next Select Board meeting.

Member Dundas made a motion to adjourn at 8:08 pm.
Vice Chair Areson seconded the motion.
By unanimous consent, the meeting was adjourned.

Respectfully submitted,

Alexander O. Powers
Board/Committee/Commission Support Staff

Kristen Reed, Chair

Susan Areson, Vice Chair

John Dundas, Clerk

Stephanie Rein, Member

Robert Weinstein, Member

Public Records Material Attachments

Legal Notice
Proposed Alcohol License Fees
Public Hearing Notice
Police Chief Memorandum
ABCC Redacted Application
Montano's Restaurant Alcohol License
List of Republican Candidates for Board of Registrars as presented to the Select Board at the December 12, 2023 meeting. No revised list has been provided.
MGL Chapter 51, Sections 15, 17 and 18
Select Board Appointment Policy #13
Application to Serve – David Crocker
Application to Serve – Russell Braun
Application to Serve – Phineas Baxandall
Application to Serve – Linda Brady
Application to Serve – Ann D'Ercole
Application to Serve – Stephen Duncombe
Application to Serve – Robert Elwood
Application to Serve – Ken Field
Application to Serve – David Gavelek
Application to Serve – Kathleen Higgins
Application to Serve – Susan Leff

Application to Serve – David Bannard
Application to Serve – Clinton Kershaw
Business Application for 2024 (New Owners): Montano's Restaurant
List of 2023 Retirements
List of 2023 Deaths
2022 Annual Town Report Cover and Dedication
2022 Community Submissions for ATR Cover/Dedication
Curb Cut Application
Curb Cut Narrative from Contractor
Stamped Engineered Plan
Erosion Control Plan
Draft Charge
ABCC Change of Manager Application
2023 Annual ABCC Report from Truro
ABCC Annual Report Memorandum
Renewal Application for 2024: Salty Market Farmstand
Renewal Application for 2024: Truro Box Lunch
Application to Serve – Charlo Maurer