

Truro Select Board Meeting
Tuesday, July 9, 2019
Truro Town Hall Selectmen's Chambers

Select Board Members Present: Janet Worthington, Chair; Susan Areson, Maureen Burgess, Kristen Reed, Robert Weinstein

Present: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Sullivan-Clark

Chair Janet Worthington called meeting to order at 5:00 p.m.

PUBLIC COMMENT

Six people came forward to give public comments. Eric Parker read a statement on the increases in real estate taxes with suggestions to have a two-year moratorium on overrides and provide additional information on full costs for financial warrant articles at Town Meeting. Debra Best-Parker asked about funding and goals for affordable housing. She stated that she is against creation of an Affordable Housing Trust. Bob Higgins-Steele asked about status of the Climate Action Committee, which Rae Ann Palmer assured him is being developed. Cheryl Best expressed her concerns about the impact of development in Truro and asked about goals for affordable housing. Chris Lucy said he was disappointed that there had not been more conversation with the Planning Board about possible change to an appointed board. He also suggested that the Town look for ways to get reimbursed for money spent on the lawsuits surrounding the Klein house. Susan Howe invited everyone in town to the Highland House Museum's free open house and reception on Friday, July 12, 2019 and announced their annual fund raiser on Sunday, July 21, 2019.

AGRICULTURAL COMMISSION APPOINTMENT

Katherine Winkler explained her interest in joining the Agricultural Commission. The Select Board members advised her that the commission had not been active for an entire year and had not met on a regular basis before that. The Board expressed their hopes that Ms. Winkler might infuse vitality into the Agricultural Commission.

Robert Weinstein moved to appoint Katherine Winkler as a full member to the Agricultural Commission filling an unexpired term that will expire on June 30, 2020. Susan Areson seconded, and the motion carried 5-0.

SELECT BOARD ACTION

Discussion of Planning Board Letter of Complaint

Chair Janet Worthington read into record a letter meant for the Public Comment period. In their letter, Erin Sullivan-Silva and Daniel J. Silva discussed the complaints against Robert Weinstein at the Planning Board meeting of May 1, 2019. They thanked Mr. Weinstein for supporting their project that was under consideration and was ultimately approved at that meeting.

Janet Worthington read the June 13, 2019 letter of complaint written by the Planning Board Chair Steve Sollog. He invoked Select Board Policy #54 regarding behavior of board members. The letter stated that Mr. Weinstein's behavior was disruptive to the proceedings, and that he had inappropriately approached the Planning Board table during the meeting.

Next, a video clip from the Planning Board meeting of May 1, 2019 was played. It showed Mr. Weinstein approach the microphone at the podium, thank the Chair, and state that he is Chair of the Truro Selectboard but is speaking before the Planning Board as an individual. He relates his history as a member of the Planning Board, relationship with the Silvas, Planning Board's absence from the Cape Cod Commission's hearing on the project, his position as representative to the MPO, and the Cape Cod Commission's findings on the particulars of the Silva project that had come before them as a Development of Regional Impact (DRI). He takes issue with the attorney for the motel's argument that this is not a permitted use in the zoning district, comments on the length of the Planning Board meetings, and references the January 10, 2019 letter on how the applicant has complied with Truro regulations. He concludes by relating the Select Board's 5-0 vote of approval for the project, thanks the Planning Board and exits. The Town Planner reports that the Interdepartmental Review Team agreed that the project was appropriate for its zoning district, and the video clip ends.

Select Board members expressed their opinions. Maureen Burgess outlined Select Board Policy #54 about high standards of civility, fairness, truthfulness for all volunteer boards with the Select Board as role model. She read the section on civility and said she was concerned that Mr. Weinstein had included the Select Board's vote in his presentation even though he said he was presenting his views as a citizen. She said he couldn't have it both ways. It is not the job of the Select Board to supervise the Planning Board or any other board, chastise them and tell them what they should do, she said. Ms. Burgess considered Robert Weinstein's actions a violation of Policy #54. Kristen Reed said she did not view Mr. Weinstein's statements as a violation of Policy #54. Instead, she viewed his honesty and truthfulness as supporting the policy. Susan Areson commended Mr. Weinstein for allowing the discussion to take place in an open meeting with public participation since he could have requested an executive session. However, she considered his behavior in violation of Policy #54. She characterized his comments as *chastising* or *berating* and said that a member of any board or any citizen should not do that. Ms. Areson said he might have addressed his complaints to the Planning Board by some other method. Janet Worthington said it was troubling that the Planning Board had referenced in their letter that this was not the first time they had felt insulted by Mr. Weinstein. She said it was not helpful for boards to raise their voice or make others feel that they were wrong. Ms. Worthington said she considered it a violation of Policy #54.

Members of the audience weighed in on Mr. Weinstein character and the alleged violation. Chris Townsend said Mr. Weinstein had been very supportive of his efforts, has an outstanding knowledge of the history of Truro, represents the Town fairly, and shows a passion for wanting good things for Truro. He expressed the hope that differences between the Planning Board and the Select Board can be settled. Sheryl Best said she was extremely uncomfortable with the discussion, considering it very awkward and inappropriate. Chris Lucy said he had attended the

May 1, 2019 Planning Board meeting and didn't think Mr. Weinstein had done anything wrong. Mr. Lucy asked what the Select Board intended to do at this meeting.

Monica Kraft said Policy #54 applies to boards, but not to private citizens. She said Robert Weinstein had made it very clear that he was speaking as a private citizen. His comment on the Select Board vote could have been made by anyone, she said. Mr. Sollog had attributed motivation that he could not possibly know, she said. Ms. Kraft reviewed the process the applicant had gone through and the Cape Cod Commission's approval. She did not consider Mr. Weinstein's comments as rude and dismissive, but as truthful.

Maureen Burgess asked for a replay of a section of the video where the behavior that the Planning Board considered disruptive occurs. Monica Kraft objected that the discussion had been going on too long. Maureen Burgess made a point of order that it was up to the Select Board to determine that. Ms. Kraft said they were spending too much time on what should have been a private matter. She cited a previous meeting where the Select Board had another prolonged discussion of a member's personal opinion, and members had agreed that it shouldn't have been dragged out. Janet Worthington said that it was another big waste of time, but the matter had come before the Select Board through the letter from the Planning Board, and they needed to address it.

Maureen Burgess moved to have the Select Board acknowledge that Select Board member Robert Weinstein had violated Policy #54 at the May 1, 2019 Planning Board meeting. There was no second.

Robert Weinstein characterized the Planning Board Chair's letter as *excoriating*, and he repeated that Policy #54 does not apply to private citizens. He said that in the portion of the video that was not shown he is invited to speak at a microphone that is in front of someone else. There was no assault as alleged in the Planning Board letter. He said he would like to have a good working relationship between the two boards and had welcomed the public discussion of the Planning Board letter. He said he is a stickler for adherence to regulatory procedure. He has a 40-year record of service to the Town and does not consider his behavior at any time to have been disruptive or disrespectful to the Planning Board. That was not his goal, as mentioned in their letter. He said he was there to impart information since he believes that it is the responsibility of all Town board members to keep informed. He was not there to insult anyone, he said. He was happy that the outcome of the meeting was the approval of the project. He related some of his past comments regarding using the microphone. He said he took offense at being called *offensive*. He said that at other board meetings, he has always presented his ideas as a private citizen and will continue to do so. He concluded that he had not violated Policy #54.

Chair Worthington asked again if there was a second to Maureen Burgess' motion. Kristen Reed and Susan Areson said *no*. Susan Areson commented further on Mr. Weinstein's forceful comments, which she found somewhat disrespectful and chastising. She added that she does not like to see that in any public official whether they are speaking as a private citizen or not. She said the Select Board should be working to repair the relationship with the Planning Board. She

said a workshop session might offer an opportunity for the boards to work together collaboratively and respectfully.

Kristen Reed commented on a double standard that she was witnessing at the meeting, saying there was a segment of the audience who would not be quiet and thus were being disrespectful. She explained that she had asked Mr. Weinstein to attend the Planning Board meeting on May 1, 2019, when he had planned to go shellfishing instead. He had gone as a community-minded member of the Select Board and also as a citizen because of his strong feelings about the project. She considered the two thank-you's Mr. Weinstein proffered to the Planning Board Chair as a sign of good manners. She said she was open to a work session to mend fences. Susan Areson said she believed everyone on the Select Board respected Robert Weinstein's dedication and years of service. Maureen Burgess expressed her appreciation for his service; however, she still believed his actions were in violation of Policy #54. Robert Weinstein said a joint sit-down with the Planning Board would be a positive way to move forward. Janet Worthington said she wanted both boards to move forward, but there was nothing specific for the Select Board to do at this meeting. She verified again that there was no second to the motion made by Maureen Burgess.

Discovery Channel Film Agreement

Janet Worthington read the request to enter an agreement with the Discovery Channel for a film that will feature Dr. Greg Skomal's study of the great white sharks in Cape Cod waters. Dr. Skomal of the Division of Marine Fisheries described the project. He said the Atlantic White Shark Conservancy's focus is on the relationship between sharks and seals. Their goal is to be able to forecast where shark attacks are most likely to occur. Dr. Skomal considers the Discovery Channel's approach to be objective and level-headed. He has done nine previous films with them. They focus on research and conduct interviews with beach goers, public safety staff and other interested parties. Members of the Select Board offered their support.

Dr. Skomal outlined some of the new technology available to collect data on sharks. Accelerometry data from cameras attached to sharks helps determine their feeding habits, locations, and patterns of behavior in shallow water. The Conservancy is working with the Provincetown Center for Coastal Studies, placing acoustic receivers in shallow water, preferably in Truro, to learn more about the sharks' behavior. They also have access to real time acoustic receivers that will transmit to onshore lifeguards, beach directors or safety officials, who will know immediately if a tagged shark has swum into an area. Dr. Skomal said he is interested in deploying an acoustic receiver in Truro. Ms. Palmer mentioned the Center for Coastal Studies request for funding. She said Truro has money available from the Reserve Fund and the Environmental Fund. Dr. Skomal said the film should be aired in 2020. He said the Conservancy has tagged six sharks so far this year. They have had at least 90 sightings. He predicts an active year for sharks.

Maureen Burgess moved to approve the film agreement for Big Wave Productions for filming in Truro between July 17-29, 2019 and August 18-30, 2019, for two to three days maximum on shore. Robert Weinstein seconded, and the motion carried 5-0.

Pan Mass Challenge Route through Truro

Town Manager Rae Ann Palmer said the Town has been working with the Pan Mass representatives on conditions for the Truro portion of the ride. Truro has requested eight additional police officers, staging of riders for their entrance onto Castle Road and making Castle Road one way from the split to Route 6 during the event. The eight police details would be available to clear Castle Rd. in case of an emergency. Police Chief Jamie Calise said Truro has also suggested messaging to alleviate spectator crowding on Castle Rd. He believes it will be a more manageable situation this year. Bicyclists have microchips that will provide more data on the number of riders passing through. Pan Mass acknowledges that the ride size has grown to its maximum. The organizers have committed to meet with the Town after the ride to analyze the event. The lieutenant governor had contacted Ms. Palmer and understands the need for additional officers and agrees volunteers in place of sworn officers will not work. Janet Worthington suggested placing an ALS ambulance at Castle Hill during the time the bicyclists are passing through. Chief Calise said there will be a state police detail that follows the race for the entire Cape Cod course. Ms. Palmer said that the Pan Mass representatives had been informed that the Select Board is not inclined to allow future use of Castle Rd.

Susan Areson moved to allow the use of Castle Rd. for this year with the mitigating conditions described: additional police officers, a one-way section, and staging of riders. Kristen Reed seconded, and the motion carried 5-0.

Fiscal Year 2020 Select Board Values, Goals & Objectives

Rae Ann Palmer said the values and goals have not changed. It is the objectives that have been discussed and presented in the new draft for Fiscal Year 2020 Select Board *Goals & Objectives*. The Town Manager said the suggested Charter change to make the Planning Board an appointed board had been withdrawn. Ms. Reed had edited her suggested additional objectives. Chair Worthington had added an objective to ban balloons and prepare the proposal as a warrant article for 2020 Annual Town Meeting. Ms. Palmer said the *Goals and Objectives* are usually voted upon at the second July meeting. Maureen Burgess reconsidered Objective CEG-4 by limiting manuals to appointed boards and committees. Ms. Palmer will give Maureen Burgess and Kristen Reed, who are developing the informational handbooks, a sample manual provided by Peter Herridge. Kristen Reed reported on funding possibilities to explore a cultural district for Truro, a new CS-5 objective. She said she has a representative from Mass Cultural Council willing to speak to the Board if they would be interested in a presentation.

Kristen Reed said that creating an Affordable Housing Trust, one of the new objectives, would have to be approved at Town Meeting. The Trust would be comprised of 5 to 9 members, selected from Planning Board, CPC, the Housing Authority and an Affordable Housing representative, all appointed by the Select Board. Maureen Burgess noted the full workload of staff and questioned how much staff time such a Trust would need. Susan Areson said the stated objective is exploring the creation of a Trust. She said the second objective to seek funding was way ahead of itself. Ms. Palmer couldn't give an estimate of staff time needed for a Trust. The revenue from room tax and percent for housing is yet unknown. She recommended that the

Housing Authority also look into the idea of establishing a Trust. Ms. Palmer suggested leaving out the second financial objective. The third new objective was for a tax rebate for people who rent their property affordably on a year-round basis, but Kristen Reed said she could wait a year before she proposed the objective again. Janet Worthington asked about clarifying what balloons were to be banned. New objectives #1 and #4 will be added to the FY20 *Goals and Objectives*.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: One Day Entertainment and Alcohol Licenses for Truro Center for the Arts at Castle Hill
- B. Review and Approve the Reappointments of Board/Committee/Commission Members: Dana Pazolt – Shellfish Advisory Committee; Peter Graham – Truro’s Representative to the Provincetown Water and Sewer Board; Angela Gaimari – Truro Cultural Council
- C. Review and Approve Select Board Minutes: Amended minutes from June 11, 2019; June 25, 2019

There is a change in time period requested in the application for Castle Hill’s fundraising auction, Ms. Palmer said.

Kristen Reed moved to approve the Consent Agenda as amended. Maureen Burgess seconded, and the motion carried 5-0.

SELECT BOARD REPORTS/COMMENTS

All Select Board members had attended the Walsh property community forum and praised the facilitator. Robert Weinstein commented on the average age of those attending the forum. The Town Manager has already received input from the sticky notes collected at the forum. She said that the opportunity for input continues on the Town website. Susan Areson and Maureen Burgess also had attended the Part-Time Resident Tax Payers Association meeting, where Janet Worthington spoke. Ms. Worthington said the part-time residents showed interest in the Walsh property, sharks, the culverts, and the Residential Tax Exemption. Robert Weinstein distributed copies of article in the Cape Cod *Times* about work by Rae Ann Palmer, Police Chief Calise and himself. Janet Worthington asked about maintenance of the wooden walkway to Corn Hill Beach. If sand is not swept off it, the walk becomes dangerous. Ms. Palmer said she will see that DPW and the Beach Director know about and remedy the situation.

TOWN MANAGER’S REPORT

Town Manager Rae Ann Palmer provided clarification for some questions and statements made earlier in the meeting. She said even with development of the Cloverleaf property, Truro will meet only 2 percent of the required 10 percent requirement for affordable housing. Truro’s goal is to diversify the housing stock. Ms. Palmer said there was only one override of Proposition 2 ½ at Town Meeting; the other financial warrant articles were for debt exclusions to support our fragile environment. The Town Manager announced that Council on Aging Director Susan Travers resigned for personal reasons on June 28th. The Town is now advertising for a new COA Director. Ms. Palmer said she will provide the Select Board negotiating committee with a draft

Public Records Material 7/09/19

1. Katherine Winkler's application for Agricultural Commission
2. Letter dated May 1, 2019, from Erin Sullivan-Silva and Daniel J. Silva
3. Letter of complaint, dated June 13, 2019, from Planning Board Chair Steve Sollog
4. Film agreement with Discovery Channel
5. Draft FY20 *Goals and Objectives* with four additional suggestions
6. One Day Entertainment and Alcohol Licenses for Truro Center for the Arts at Castle Hill
7. Reappointment papers for Dana Pazolt – Shellfish Advisory Committee; Peter Graham – Truro's Representative to the Provincetown Water and Sewer Board; Angela Gaimari – Truro Cultural Council

copy of the Host Community Agreement for High Dune Craft Cooperative with Town Counsel and the Cooperative's redlined comments and revisions.

NEXT MEETING AGENDA

The July 23, 2019 meeting will include: the tabled item for the Sousa tidal grant; a condo conversion for two units at Colonial Village; *Goals & Objectives*; and reappointments.

LAST COMMENTS


Janet Worthington asked for a total number of condominium units that have been converted to year-round use. Maureen Burgess asked about forming a policy on aquaculture off Town beaches in addition to the policy for the deep-water grants. There was mention of a sign at Cold Storage Beach regarding dogs on private beaches. Kristen Reed added a final comment that everyone stay mindful while driving.

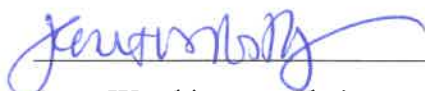
ADJOURNMENT


Maureen Burgess moved to adjourn. Kristen Reed seconded, and the motion carried 5-0.

The meeting was adjourned at 7:06 p.m.

Respectfully submitted,



Mary Rogers,
Secretary


Janet Worthington, Chair


Maureen Burgess, Vice-chair


Susan Areson


Kristen Reed, Clerk


Robert Weinstein