

**Truro Select Board Meeting
Tuesday, May 28, 2020
Remote Meeting**

Select Board Members Attending: Janet Worthington, Chair; Susan Areson, Kristen Reed, Stephanie Rein, Robert Weinstein

Attending: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark; Health Agent Emily Beebe; Town Accountant Trudi Brazil; Police Chief Jamie Calise; Fire Chief Timothy Collins, DPW Director Jarrod Cabral; Recreation/Beach Director Damion Clements; Harbor Master Tony Jackett; Steve Roderick; Bob Montano

Chair Janet Worthington opened the virtual meeting at 2:00 p.m. and explained how members of the public could participate in the meeting.

PUBLIC COMMENT

Janet Worthington read into record an e-mail from Cathy Haynes, stating her support for a 14-day minimum stay for short-term rentals.

COVID-19 UPDATE

Town Manager Rae Ann Palmer reported that new signs are ready to be placed. Health Agent Emily Beebe said she wanted to capture the most consistent messages for the public. Robert Weinstein reported on the signs at Pamet Harbor. He said a small sign had a May 18, 2020 date that does not indicate the extension of time for social distancing. Harbor Master Tony Jackett said he had blacked out the date. Stephanie Rein said Ballston Beach also had a sign with a date that needs to be changed. Ms. Palmer said new replacement signs will be up in a few days.

Sally Filler called into the meeting and asked about obtaining a non-resident beach sticker for family members living with a homeowner for the summer. Rae Ann Palmer said the Town is awaiting the governor's guidance, but someone staying for more than 31 days could bring a note from the owner. To get a sticker, Ms. Filler was advised to go to the Town website or call Beach Director Damion Clements. The Town Manager said that beach stickers would go into effect on June 20, 2020.

Kristen Reed thanked Emily Beebe for a mask sign for her business, but she asked if one with the Truro emblem could give it more authority. Rae Ann Palmer said the Town seal is not on signs for private businesses because the choice of serving someone not wearing a mask is up to the owner.

Kristen Reed asked about current COVID-19 case numbers in Truro. Assistant Town Manager Kelly Clark said that all ten cases had been resolved, and Health Agent Emily Beebe confirmed that there are no active cases.

SELECT BOARD ACTION***Postponement of Annual Town Meeting & Approval of July 2020 Budget***

Janet Worthington read the Town Manager's statement recommending postponement of Annual Town Meeting to mid-September and the need to implement an alternative budget process that requires the development of a minimum one-twelfth budget to be approved by the Select Board and submitted to the Department of Revenue for approval. The one-twelfth budget includes adjustments for contract agreements such as increased trash disposal fees and contractual employee agreements beginning on July 1, 2020.

Rae Ann Palmer said that an Annual Town Meeting held on September 15, 2020 would allow time to set the annual tax rate. Town Accountant Trudi Brazil had prepared a July 2020 Budget that was included in the meeting packet. The budget allows the Town to spend money as of July 1, 2020 without approval of a Fiscal Year 2021 Budget.

Ms. Palmer responded to several questions from Susan Areson. She said that Cost of Living Allowances (COLAs) and not been approved for non-union staff. They are not in the budget, but they could be approved retroactively. She explained procedures for transfers of money like snow removal. They are usually done only in the last quarter of a fiscal year. That is why snow removal, at the one-twelfth reduction appears, on the July budget. Ms. Palmer said she did not yet know the effect of the one-twelfth budget on taxes, but she expects to have a better idea in September since the Town is facing potential revenue loss. She said that the Town Meeting Warrant will have to be reopened in September to change figures. Ms. Palmer has been in discussion with KP Law on Free Cash and ways to request deficit spending. It might be possible handle at a September Annual Town Meeting, but it is still not clear, she said.

Robert Weinstein asked an overview question about the FY2020 Budget numbers from which the one-twelfth budget is derived. Rae Ann Palmer said that one twelfth is a minimum amount, and adjustments were made to it. Mr. Weinstein questioned the line item for the Planning Department. Ms. Palmer explained that the Planner position had been moved from the Town Manager's budget. It is now a stand-alone line which covers salary, advertising, and a recording secretary for meetings.

Robert Weinstein moved to postpone the Annual town Meeting to September 15, 2020 and to approve the July 2020 one-twelfth budget and authorize the Town Manager to forward the budget to the Department of Revenue for approval. Stephanie Rein seconded, and the motion carried 5-0.

Public Comment

Joan Holt had requested that her message on Finance Committee appointments be read into record. Ms. Holt recommended that any appointments to Finance Committee by the Town Moderator be limited to 6-month terms when they could be reconsidered and conducted in a public process. The topic will be an agenda item for a future meeting.

Municipal Purpose Loan

Town Accountant Trudi Brazil explained that Hilltop Securities had sold the multi-purpose municipal loan to BNY Mellon Capital. The Town's financial advisors handled the sale which

took place on May 19, 2020 in order to get the best possible rate of 2.0% for one year with a \$112,947.62 premium from BNY Mellon. Town Manager Rae Ann Palmer said that the loan consists of \$350,000 for renewal of the fire tender, \$1,931,000 for East Harbor Culvert repair and \$4,700,000 for acquisition of the Walsh property. The total loan amount is \$8,750,000. Interest on the new multi-purpose General Obligation Bond Anticipation note will be due on June 11, 2021 from appropriated funds and approved deficit spending. Susan Areson stated that these were projects underway before the Covid pandemic.

Susan Areson moved to approve the multi-purpose municipal loan as printed in the packets (pages 6-7). Robert Weinstein seconded, and the motion carried 5-0.

The motion approved the sale of the \$8,750,000 General Obligation Bond Anticipation Notes (the "Notes") of the Town dated June 12, 2020, and payable June 11, 2021 to BNY Mellon Capital Markets, LLC at par and accrued interest, if any, plus a premium of \$112,947.62.

Further Moved: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 13, 2020 and a final Official Statement dated May 20, 2020, each in such form as may be approved by the Assistant Town Treasurer, be and hereby are ratified, confirmed, approved and adopted; and

Further moved: that the Assistant Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time; and

Further moved: that the Select Board and Assistant Town Treasurer have received and reviewed electronic copies of any and all certificates or documents relating to the Notes (collectively, the "Documents"). Such Documents may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a "pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures; and

Further moved: that we authorize and direct the Assistant Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Assistant Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws; and

Further moved: that each member of the Select Board, the Assistant Town Clerk and the Assistant Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Seasonal Rentals

Chair Janet Worthington explained an effort to build consensus among Lower and Outer Cape Select Boards regarding short-term rentals. The results are to be forwarded to Senator Julian Cyr and Representative Sarah Peake. The Chair of the Eastham Select Board had posed two questions: 1.) Does your Board, as a whole, feel that there should be minimum stay limits placed on short term rentals? (not including hotels, motels or B&Bs); 2.) If your Board feels that there should be minimum stay limits put in place, what is the consensus on the specific number of days? 7-, 14- or 28-day minimum.

Select Board members discussed the questions at length. Janet Worthington did not believe the number of days could be determined until the governor releases guidelines. Susan Areson said she was reluctant to get into something that can't be enforced since there are hundreds of Airbnb's and other short-term rentals in Truro. Kristen Reed had reports from other towns. Chatham and Brewster have no restrictions. Orleans has not made a decision yet. The Eastham Select Board is still in discussion with some in favor of 14-day minimums and some for 28-days. Wellfleet is also divided. Provincetown is meeting today and has not yet decided. Ms. Reed said she had also looked at how other seaside communities were dealing with short-term rentals. Some used a phased approach, and some were treating Airbnb, hotels and motels differently. She said Truro's minimum number of days match the state's number. She suggested that the numbers could be different for June and July, but she wanted to hear from her colleagues first. Stephanie Rein said some form of limits should be in place, but she could not commit to a number of days. A phased approach based upon Covid infection rates might be a good idea, she said. She too had looked at other towns. She said it was not clear why the first question was directed at homeowners who rent and did not include Airbnb, hotels and motels. Robert Weinstein agreed there should be a number of days for minimum stay, but if private homeowners are treated differently, it puts them at a disadvantage. He said it would be irresponsible to exclude any one group from the regulations. The idea is to control the visiting population, he said. On the second question, he tends toward the conservative 28-day stay, but he might consider 14 days. He does not want to see a patchwork of regulations in the various Cape towns. Citing the DOTs traffic figures for the Cape Cod bridges, he mentioned April's 50% drop in traffic from last year. He said that the rental days should control numbers the way parking lots do. Susan Areson said everyone needs to be treated equally. She questioned if Airbnb's count as homes or businesses. Kristen Reed said she could settle on a 14-day minimum stay. She mentioned how different Memorial Day Weekend looked compared to other years since short-term rentals were limited to essential workers only. Susan Areson said she could not figure out enforcement for a minimum stay. She noted that there were no crowds in Provincetown with no short-term rentals this Memorial Day.

Diane Messinger called into the meeting to discuss her summer plans for renting her house, a means of income. She had leases signed with tenants in January. Her cleaners are ready to disinfect between renters, most of whom cannot afford two-weeks. She is waiting for guidance from the governor. If Governor Baker says wait till August, she and others will lose income. People coming in are just as concerned for safety as residents, she said.

Joan Holt asked how the quarantine is factored if people are only here for 14 days.

Rae Ann Palmer reminded the Select Board that the request was for an opinion. Everyone still needs to wait for the governor before making decisions. She agreed with Susan Areson that it is not something that can be enforced. Economic health v. physical health is at issue.

Select Board members decided that they agreed on the first question if hotels, motels and Airbnb's were included; however, they did not want to choose a timeframe until after the governor had announced state guidelines for short-term rentals.

Kristen Reed moved that the Select Board was in consensus that there be limitations on short-term rentals including hotels, motels and B&Bs with the caveat that the Board will continue to discuss the number of days before making a decision after the governor has set state guidelines on short-term rentals. Stephanie Rein seconded, and the motion carried 5-0.

Farmers' Market

Stephanie Rein recused herself from discussion and voting on the Farmers' Market.

Francie Randolph of Sustainable Cape had submitted the application for use of Town property for the Farmers' Market, set to reopen June 8, 2020 at Pamet Park/Veterans Memorial Park. She shared protocols for opening the market with safety precautions approved across the state. The Number One priority, she said, is the safety of farmers, vendors, staff, volunteers and customers. She had met with department heads, who liked what was going on inside of the Market. Ms. Randolph had submitted the layout plan with defined perimeter, exit and entrance routes. Provisions include: no touching of food, wearing masks, customer limits, markers and a cashless, touch-free, pre-ordering system. They are working with Good Neighbor, who will do pick-ups for people. There will be no educational activities this year, so people should move through quickly with no negative effects to the farmers.

There had been a suggestion from the department heads to move the location of the Farmers' Market. She said a study done several years ago showed that moving markets didn't work well because they are fragile. She didn't know if a move would work and didn't want it to be devastating to the income of some of the farmers. The participating farmers feel confident that the planned safety measures will work, but a change of venue would add to their anxiety, according to Ms. Randolph. She wanted to know how a change in location would work. With large food systems breaking down, keeping food access to all socio-economic levels is more important than ever, she said. The Farmers' Market offers programs to SNAP, WIC and Veterans. Fishermen have joined the Market in the effort to keep Truro healthy. The Sustainable Cape school gardening program also supports the environment, she said.

Chair Janet Worthington raised liability issues for curbside pick-ups. Ms. Randolph said that Good Neighbors picked up prepared orders, and able-bodied people in a pre-order line can move more quickly. Ms. Worthington asked about limiting the number of vendors, but Francie Randolph said the idea was not to limit the food but the number of shoppers by encouraging people to come by themselves. Large parties of six to eight will be discouraged. Some vendors are not returning this year, she said.

Ms. Worthington asked about changing the location. She said people would find the Farmers' Market even if it is moved. She encouraged Ms. Randolph to have the participating farmers

discuss relocating to the community center or school, where there is plenty of parking and more safety. Francie Randolph reviewed her plans for waiting lines with social distancing, gates and numbers allowed in at any one time, all in accordance to the governor's guidelines. She said that Wellfleet has reopened their Farmers' Market, starting off with small numbers. She said the market would not be a place to hang out this year. People would access the food and head home. Robert Weinstein supported a relocation because of the current dangers and parking problems in Truro Center. He favors the Truro Central School since the Recreation program will be curtailed, the property is highly visible, Town-owned, fenced in, away from traffic and easily accessed. It would not be the long-term location. He discussed the estimates for numbers of people, including the vendors, and asked about holding the market on the weekend. He saw Truro's responsibility to health first over economics.

Rae Ann Palmer said she had spoken to School Superintendent Gradone, who did not foresee a problem with the location, but it is the School Committee who has control of the property. Ms. Palmer agreed that the safety precautions were excellent and was comfortable with the arrangements for the field and for the vendors. Francie Randolph said she will canvas the farmers about moving to the school grounds. She had questions about driving onto the ball field with heavy trucks and issues with traffic on Rte. 6 and across the highway. In answer to Mr. Weinstein's question about holding the Farmers' Market on the weekend, she said that the farmers spread out the days for each market, so that they can make the most of them. Farmers' Markets are held in Provincetown and Orleans on Saturdays. Monday is actually a high volume day, she said. It works for new arrivals, and they open at 8 a.m. to serve people with 9 to 5 or night jobs.

Jarrold Cabral addressed her concerns about the ball field. He said DPW could flag the irrigation system on the ball field so the farmers could drive around it. Police Chief Calise commented on the proposed location. It solves parking problems. If the numbers over the course of a few hours are in the dozens, rather than hundreds, he does not see a major traffic issue. He had expressed his concern about safety for parking, access, crossing the street and the convergence of roads at Truro Center. Fire Chief Timothy Collins had also expressed concern about the ability to get to a medical emergency at the Veterans Park location.

Francie Randolph said she would explore moving the Farmers' Market. Even though she thinks the center of town is a better location, she would do so for Covid reasons. She said it would take tremendous effort, and they would need help. She was concerned about having a water station and porta-potty. Janet Worthington said that would be possible at the school location, which might be the right place for this year.

Kristen Reed questioned Ms. Randolph on the plans for the Farmers' Market that she had presented to the Select Board. Although the inside layout and plans were clear, Ms. Reed wanted to know more about the waiting areas and exits to the outside. Francie Randolph said she had not been able to complete a traffic flow map, but she had indicated where people could park on South Pamet Rd., how to proceed with six-foot distancing and enter the gate into the waiting area with distancing space. Customers would exit through the gate closest to Jams, away from the people heading into the market area. There would have to be a crossing to get across Truro

Center Rd. From the other side, those who park at the triangle or further down the road from Blackfish would exit from a gate by the shed and porta-potty.

Robert Weinstein reviewed his many concerns about the location in Truro Center: parking along South Pamet Rd., traffic for the post office and Jams, people parking in the Jams lot despite being told not to do so and the intersection of Castle Rd. and Truro Center Rd., two major roads. He said there would be none of these problems at the school. The fencing there is a plus. Additional parking is available the upper lot used by staff. The school is also considered as the heart of the community, he said.

Francie Randolph said she would walk the field. It has potential for the Farmers' Market this year. She will see what the vendors say about moving. She needs to learn more about provisions for the shed, which is full of their equipment. She wanted to know more about policing, hand washing accommodations and porta-potties. Ms. Palmer said the DPW could drop off the hand washing stations and porta-potties. The fencing is already there. Chief Calise could provide help with traffic, but his department is down three officers. The shed can be temporarily moved if necessary.

Ms. Palmer said there were two e-mails from Daniel Holt and Jack Riemer in support of not moving the Farmers' Market from its present location. Ms. Randolph said if the Farmers' Market moved this year, she would want it to return to Truro Center in the future.

Kristen Reed asked if Ms. Randolph could present additional plans for the waiting area just in case the School Committee was not in favor of the move to the Truro Central School. Susan Areson said the waiting area details on the latest plan were not the same as the diagram included in the Select Board packet. She suggested smaller limits on the number of people shopping and waiting. Ms. Randolph said she had given upper limits. The limits can be adjusted up or down, depending upon self-distancing. Susan Areson said even two people for each vendor is still 46 people if there are 23 vendors participating. Emily Beebe said she had not suggested the number. She said that she had looked at the square footage of the area and asked the organizers to reevaluate capacity based on the maximum numbers. She said that the plan had addressed all her questions and followed state recommendations.

Chair Janet Worthington left it up to Francie Randolph to explore possibility of moving the Farmers' Market to the Truro Central School grounds. The Select Board will consider the Farmers' Market at a meeting next week after the School Committee has been consulted.

CONSENT AGENDA

There were no Consent Agenda items presented at this meeting.

SELECT BOARD REPORTS/COMMENTS

Select Board members gave reports on a variety of topics. Janet Worthington said that the Town Manager Selection Committee will be interviewing candidates on June 1st. She will report more after the interviews. Kristen Reed offered condolences to the family of Carol Madru, who was found on a North Truro beach after a kayak accident. Anyone able to provide more information should call investigators at 508-457-3211, she said. Susan Areson reported that she had found

the remains of a beach fire and drinking party at Longnook Beach over the weekend. There were fire embers, beer cans and broken bottles left on the beach. She found it very discouraging that people were not following rules but had no solutions even after notifying the Police Chief. Robert Weinstein said that he had attended a Municipal Planning Organization (MPO) virtual meeting. Two of their grants will have an impact on Truro – the intersection of Shankpainter Rd. and Rte. 6 in Provincetown, about to get underway, and the Rte. 6 and Main Street intersection in Wellfleet, scheduled for 2023. He commented on the disregard for social distancing and mask wearing on Seashore land. The paths do not have space for distancing, he said, and the Seashore has not posted any advisory signs on North Pamet Rd. He would like to know what the Seashore is going to do to project visitors and residents.

TOWN MANAGER'S REPORT

Rae Ann Palmer reported that two large shark signs were stolen with additional damage to a split rail fence to get one of them. It is very disheartening, she said, that these and Covid signs had already been taken because the signs are there for safety purposes and cost money every time they have to be replaced. A geologist will be coming to examine the condition of the banking at Longnook Beach. Ms. Palmer will invite National Seashore Superintendent Brian Carlstrom to a Select Board meeting and add a beach discussion to the agenda.

NEXT MEETING AGENDA

A meeting was moved to June 4th so the farmers can consider relocation and prepare arrangements. The regular meeting will take place after the governor's Phase 2 openings are announced on June 8th. Agenda for the meetings so far are:
Thursday June 4 at 9 a.m.: Farmers' Market approvals
Tuesday, June 9 at 5 p.m.: ballot questions for June 30th Elections.


Kristen Reed gave advice to vote early in the town elections by going to the Town website's "News and Announcements" for information on how to mail, e-mail, fax or put ballots in the drop box at Town Hall.

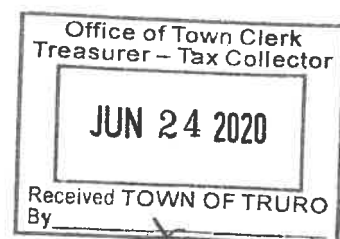
ADJOURNMENT

Robert Weinstein moved to adjourn. Stephanie Rein seconded, and the motion carried 5-0. The meeting was adjourned at 4:12 p.m.

Respectfully submitted,


Mary Rogers, Secretary


Town Manager Rae Ann Palmer
Under the Authority of the Truro Select Board



Public Records material of 5/28/2020

1. E-mail from Cathy Haynes
2. Municipal Purpose Loan
3. General Obligation Bond Anticipation Notes
4. Certificate of Award (General Obligation Bond Anticipation Note)
5. July 2020 Budget
6. Farmer's Market application and materials
7. E-mails from Daniel Holt and Jack Riemer

