

Truro Select Board Meeting
Tuesday, June 9, 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; Police Chief Jamie Calise; Fire Chief Timothy Collins; DPW Director Jarrod Cabral; Town Moderator Monica Kraft; Screening Committee Chair Paul Wisotzky; Paradigm Associates Consultant Bernard Lynch; Associate Sharon Flaherty

Chair Janet Worthington called the remote meeting to order at 5:00 p.m. and explained how citizens could participate in the meeting by phone or e-mail.

PUBLIC COMMENT

There were no callers from the public.

Covid-19 Update

Town Manager Rae Ann Palmer said that Phase 2 reopening had started today. Lodging and short-term rentals are now open with the recommendation for 24 hours between guests, she said. There will be postings on the Town website about Truro Beach and Transfer Station permits. The Beach Office will be set up with limited staff to accommodate pick-up of beach stickers. Pick-up could possibly be done at the Community Center, she said. Provisions for beach openings on June 20th are in place. Ms. Palmer said mask signs and beach signs are up. Pamet Harbor provisions have not changed.

Health Agent Emily Beebe said there have been many questions about Town restrictions on short-term rentals, but Truro will be following the governor's guidance. Short-term rentals have opened with adherence to the governor's plan. Enforcement will be based upon complaints. Any business needs to operate with a Covid-19 plan. Employees, neighbors or customers could complain if precautions are not being taken. The advisory message to visitors stays the same: self-quarantine for 14 days. The one-day interval between rentals to allow cleaning to be most effective is also an advisory, according to the Health Agent. There is no enforcement around it, Ms. Beebe said. Masking in public places is a requirement that remains the same. The Health Department is still working on the ORV program, but Fisher Beach is closed for shore birds and high tides. There are postings, an entrance barrier and fencing for ORV lanes. Ms. Beebe said the recommendation is to keep Fisher Beach closed. The north side should not be opened, and the south side is not good for ORV access either. In case of emergency access, DPW Director Jarrod Cabral said the entrance pole and stakes delineating the path can be easily pulled out.

Stephanie Rein asked about complaint procedures for non-compliance in short-term rentals or other businesses. Health Agent Beebe said to call or send an e-mail, and she will investigate. Documentation with photos and other information would be useful. Complaints can also be made to the Department of Public Health (DPH) or the Department of Labor Standards offices.

Ms. Beebe invited Select Board members and the public to join the Coffee with Health Agents Q & A session with the Wellfleet Health Agent and her on June 10th.

Kristen Reed asked the Health Agent to give a recap of reopening guidelines for retail and other businesses. Ms. Beebe said each business must complete a Covid plan, following guidance for their sector. Restaurants can now be open with outdoor seating. Agent Beebe has been working on recommendations for restaurants, following DPH advice. The six-foot separation doesn't work for some local configurations, so she has been looking for more guidance from DPH. Outdoor areas are not allowed enclosure of any kind, including screening. Take-out guidelines can be used if outdoor dining does not work at a restaurant. There are many different guidelines for retail businesses, depending upon their sector. Ms. Beebe is sending advice to the campgrounds. Any business or individual can e-mail questions to the Board of Health or call in to ask during the Coffee with Health Agents hour.

Susan Areson asked about beach/transfer stickers and wearing masks for swimming. There are no 2-week period stickers. Week or month permits for the Transfer Station and Beach for non-residents remain the same. Emily Beebe said that masks are not required for swimming, but social distancing should be observed whether swimming at a pond, beach or pool. She said that the loading rate at beaches and pools will be the way to reduce the number of people.

SELECT BOARD ACTION

Finance Committee Membership

Robert Weinstein recused himself from the discussion.

Chair Janet Worthington, at the request made by Joan Holt during Public Comment at the Select Board meeting of May 28, 2020, read the Petitioned Charter Amendment (Section 2-2-4) Article from the draft Annual Town Meeting Warrant:

"The Moderator shall conduct an open search, selection and appointment process for candidates for new, renewing, and/or vacant seats for the Finance Committee. The Moderator will adhere to the procedures and practices used by the Select Board for appointed, members to Town committees and pursuant to General Law and to Chapter 6 of the Town Charter, as established and amended by Town Vote."

Due to the postponement of Town Meeting, Ms. Holt asked for a discussion of the manner in which appointments to the Finance Committee are made. She called for any appointments to be limited to six months and be reconsidered after Annual Town Meeting is held.

Town Manager Rae Ann Palmer said that a Charter amendment does not take place immediately after Annual Town Meeting. It first goes to the Attorney General for review before being placed on a ballot a year later. According to the Charter, boards and committee appointments are for 3-year terms. She does not believe Ms. Holt's request can be honored. Town Moderator Monica Kraft said that was correct. There is nothing in Charter for an appointment less than 3 years. She said the Petitioned Article suggests that something sneaky is going on. People file applications in a public process, and she appoints them.

Susan Areson asked about the interview process. Ms. Kraft said the interviews are conducted at Town Hall, but she does not function like a board. Since she is just one person, there is no

meeting posted. The Town Moderator also interviews and appoints the Cape Cod Technical High School representative, Ms. Kraft said.

Select Board will notify Joan Holt, Janet Worthington said. Ms. Palmer agreed and said the interviews could be posted on the Town website's calendar.

Monica Kraft left the meeting, and Robert Weinstein returned to the meeting.

Town Manager Screening Process

Paul Wisotzky, Chair of the Town Manager Screening Committee, thanked Consultant Bernie Lynch and the other members of the committee: Jim Summers, Kirsten Roberts, Jamie Calise, Janet Worthington and Robert Weinstein. He reviewed the process of narrowing down six semifinalists from 28 resumes and interviewing the six on topics from Mr. Lynch and questions from committee members. At the end of the process, the Screening Committee was unable to present three to five finalists to the Select Board. The Select Board needed to decide what to do next, he said. The Screening Committee members are all willing to continue in the search.

Consultant Bernie Lynch said that the committee had worked hard, asked tough questions and discussed the candidates thoroughly. Some candidates had dropped out because of the pandemic, so that had an impact on the search. He agreed it was tough to come up with three to five finalists. He said that it made sense to go back out and see who they can find now with a possible change in the salary. At the end of the fiscal year, some town managers are ready to make career changes, according to Mr. Lynch.

Janet Worthington asked about advertising in the *Boston Globe* since the position had been advertised the first time solely in professional journals and publications with postings at some graduate schools with alumni job boards also. Mr. Lynch said he generally does not use newspapers because they are expensive and don't reach the targeted audience; however, he is willing to try it. Chair Worthington said there could be professionals now interested in leaving the cities because of Covid.

Stephanie Rein agreed with an effort to broaden the reach and advertise in the *Globe* and even the *New York Times* to attract someone who knows Truro. Susan Areson said the advertisement should be placed in newspapers and re-advertised in the professional publications.

Mr. Lynch sent a comparison of Town Manager/Administer salaries for Outer and Lower Cape towns to be displayed on the screen. The figures, based on Fiscal Year 2019, showed higher salaries in all the towns except Eastham. Mr. Lynch said the market has changed. To be more competitive, Truro could go to \$160,000 or \$165,000.

Susan Areson said she does not think that more money is the answer. Truro is very different from the other towns. It is unfortunate to have had the pause, but boosting the salary is not necessarily the answer, according to Ms. Areson. There are people who are eager to come to Outer Cape, maybe someone who wants to return here, she said. If there is someone that the Select Board really likes, she would be willing to go up to \$160,000.

Janet Worthington said that she is inclined to raise the salary. People compare salaries, and if Truro's is lower, it could be a detriment. She said she was comfortable with an offer of \$160,000. Mr. Lynch said a negotiable \$160,000, plus or minus, could work. The Town could start someone with growth potential on the minus end. Someone with experience could start higher.

Robert Weinstein said he agrees more with Susan Areson because he is not convinced that more money produces better candidates. He liked the plus or minus idea, however, since what the Town will be facing economically is unknown. He did not want other department heads to think their salaries should be higher if the Town Manager's financial package was raised, he said. He stated that the salary was something to be negotiated.

Kristen Reed observed that we don't know why there weren't suitable candidates, but we need a Town Manager to overlap with Rae Ann Palmer. We can't assume that she will continue to stay on, Ms. Reed said. We have to move on finding a replacement for the Town Manager since we have a deadline. Salary is a certainty, she said, but it can give. Kristen Reed said she agrees with Chair Worthington that time is of the essence since Truro has big list of projects underway.

Stephanie Rein thanked the Screening Committee for their work. She agreed with Janet Worthington to increase salary with the plus or minus for negotiating. Susan Areson said the increase would be okay as long as it is made clear that the salary is negotiable. Janet Worthington said the goal was to attract an experienced person.

Robert Weinstein moved to broaden the Town Manager search and to increase the salary to \$160,000, plus or minus. Stephanie Rein seconded, and the motion carried 5-0.

Mr. Lynch said the advertisement can be placed right away in the professional journals but asked about placement in the *Globe* or *Times*. The professional publications generally run it for four weeks. He said the *Globe* costs about \$1,000 for a weekend placement. The *Times* could be as much as \$2,000. Susan Areson suggested using online ads. Mr. Lynch said that could be cheaper and practical because this is where people look for job opportunities. His associate Sharon Flaherty said online advertising might not be substantially less costly and suggested two weekends instead of four weekends in the newspapers. She promised to get back to the Board and Town Manager with the prices.

Rae Ann Palmer said she has not budgeted for the new round of advertising and suggested using the professional journals and the *Globe* since the New York *Times* would be very expensive. Susan Areson suggested going ahead with advertising in the professional journals but holding a vote on the newspapers until the costs are known. Kelly Clark said that she believed the Boston *Herald* charged around \$675, but the *Globe* is closer to \$1,000. Ms. Palmer and Chair Worthington said that the *Globe* ad could run, but the Select Board could decide about the *Times* next week.

Paul Wisotzky thanked everyone and stated that the Screening Committee is eager to continue the Town Manager search and will get back to work when they have a pool of candidates to

review. They will plan on the July 6th deadline for receiving applications. Mr. Lynch promised to keep moving forward since time is of the essence.

Use of Electronic Signatures by Council/ Board/Commission Members

Assistant Town Manager Kelly Clark explained the possibility of adopting Mass General Law c.110G, which permits the use of electronic signatures by council, board or commission members. The Annual Town Election will take place on June 30, 2020. Town Counsel has advised that electronic signatures could be used. Signatures are dropped digitally into documents once they are approved by the Select Board. The Assistant Town Clerk would prepare the certificate of the vote if a document needs to be recorded.

Robert Weinstein moved that the Truro Select Board hereby recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect. Susan Areson seconded. Kristen Reed, Susan Areson, Robert Weinstein, Stephanie Rein and Janet Worthington each said "Aye," and the motion carried unanimously.

Kelly Clark noted that the Annual Town Election will be held on June 30, 2020, before the Annual Town Meeting. The constable will post Election Warrant in the usual locations.

Susan Areson moved to electronically sign and post the Annual Town Election Warrant for the June 30, 2020 Annual Town Election. Kristen Reed seconded, and the motion carried 5-0.

Annual Town Election Ballot Questions Review

Rae Ann Palmer discussed the overrides and debt exclusion questions. Town Counsel had suggested holding a separate meeting for the three ballot questions or adding the discussion to a Select Board meeting. Ms. Palmer said the three ballot questions need to be approved now and again at Annual Town Meeting. They will be placed as an agenda item for the next meeting.

The first ballot question is a Capital exclusion request for a heavy-duty, tractor trailer truck for \$170,000. As a debt exclusion, it would have a one-year impact. DPW Director Jarrod Cabral explained the use of the truck for solid waste and recyclables. Operations at the Transfer Station would be more efficient with the one new vehicle replacing the three old trucks now in use.

Susan Areson asked how voters would learn about the three ballot questions since there will not be a Pre-Town Meeting at which they could be explained and discussed. Because they are ballot questions, this cannot be done through the mail, Ms. Palmer said, but local newspaper coverage would be helpful. Assistant Town Manager Kelly Clark cautioned that this would have to be done carefully. Susan Areson said that she was not thinking about advertising; she was just wondering about ways to let people know about the three questions. Janet Worthington suggested bringing up the ballot questions at every Select Board meeting until the Town Elections.

Stephanie Rein asked Jarrod Cabral what would happen if the truck purchase was postponed for a year. She wanted to know if the current three vehicles could last or if the maintenance costs

would be too great. Mr. Cabral said two of the vehicles aren't even registered and can only be used in the Transfer Station. Needed maintenance on the roll-off truck limits its use. Rae Ann Palmer said if the truck broke down on a trip to SEMASS, the DPW would have to seek help from another town. Jarrod Cabral said that relying on the one road-worthy truck makes him nervous since it is a 2006 model.

The second ballot question is for a Proposition 2 ½ exemption for a new Fire Department ambulance costing \$350,000. Fire Chief Timothy Collins discussed the need for a replacement of the 2001 ambulance because of the lack of available parts for it and the increasing need for maintenance. It's an age issue, not a mileage issue, he said. Finding parts and fuel efficiency are problems. The ambulance has served the Town well, but in the event of a catastrophic failure, the Town might not be able to find replacement parts. In response to a question from Chair Worthington, Chief Collins explained the wear and tear on the ambulance as a result of many transports to the hospital when Lower Cape is busy. When Robert Weinstein asked about 4-wheel drive in the new ambulance, Chief Collins said that is a must. It is necessary for getting over substandard roads and especially good in winter. A new ambulance will provide enhanced safety features, have current parts available and can be maintained without difficulty.

Rae Ann Palmer said the third ballot question is an assessment of \$351,904 to add four full-time firefighter/paramedics to the Fire/Rescue Department staff if there is a change in rescue services for Truro. This is a request for an override with a permanent effect on the tax rate. Janet Worthington noted that it was a lot of money, but it is like an insurance policy if Lower Cape stops providing its services. The Town has been working out plans with Lower Cape and knows that Truro will be on its own at some time in the future. Ms. Palmer said that one thing the Covid pandemic has taught us is to ensure the safety of the community. This will be an investment to allow the Town to provide rescue services to its citizens.

Rae Ann Palmer said that she, the Select Board, Fire Chief and DPW Director will continue the conversation at future meetings in the hope that citizens will approve the three ballot questions. She invited people to call or send e-mails to her with their thoughts and questions.

Non-Regulatory Boards/Committees Meetings

Rae Ann Palmer said there have been requests to let non-regulatory boards meet. She said GoTo Meeting could be used by the other boards. Otherwise, boards would have to post an audio recording and verbatim minutes. Only one meeting at a time can be live streamed, however. There is not staff available to do all the meetings. Nicole Tudor and Noelle Scoullar will help schedule, hold, record and post the meetings on the Town website.

Janet Worthington suggested that information about the additional meetings be included on the Town website to let everyone know and to make it clear how to attend the virtual meetings. Ms. Palmer said that the meeting recordings would be both audio and visual.

Caller Bob Higgins-Steele asked why Zoom Meeting would not be used. The boards will need to use GoTo Meeting technology, which Truro has purchased, Ms. Palmer said. It works like Zoom and is not a problem to run.

Stephanie Rein thanked Assistant Town Manager Kelly Clark and IT Director David Wennerberg for setting up the process for holding virtual meetings.

Susan Areson moved to allow non-regulatory and non-adjudicatory Town boards and committees to hold virtual meetings using the GoToMeeting platform and procedures outlined by the Town Manager. Stephanie Rein seconded, and the motion carried 5-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: *M.A. Frazier Inc. Agreement*
- B. Review and Approve 2020 Seasonal Licenses: Lewis Brothers Ice Cream (Hawker Peddler)
- C. Vote to Authorize Town Manager to Sign Cemetery Certificate
- D. Review and Approve Select Board Minutes: May 12, 2020 Regular and Work Session, May 19, 2020 Regular Session

Susan Areson made corrections in the minutes, dates and a public records item for the May 12, 2020 meeting. Kristen Reed made amendments which she will forward to staff to correct in the minutes of May 12, 2020. Stephanie Rein made a correction in the May 12th minutes.

Robert Weinstein had questions about the large increases in the Frazier contract for porta-potties, the language about emergency pumping rates and the dates of service. DPW Director Jarrod Cabral said the contract started in April, but the contract covers the whole year. Rae Ann Palmer said costs went up with the requirement for daily cleaning and the addition of hand washing stations. Susan Areson asked about providing trash bins for disposal of paper towels from the hand washing stations. These will be placed at the stations.

Susan Areson moved to approve the contract with M.A. Frazier. Ms. Palmer said the motion should be for the entire Consent Agenda.

Susan Areson moved to approve the Consent Agenda with the amendments discussed. Stephanie Rein seconded, and the motion carried 5-0.

Susan Areson withdrew the motion to approve the M.A. Frazier contract. Stephanie Rein seconded, and the motion carried 5-0.

SELECT BOARD REPORTS/COMMENTS

Select Board members discussed several different topics. Stephanie Rein asked about conducting exercise classes outside at the Community Center. Kelly Clark said Phase 2 allows outside gatherings in groups of ten. She will check on bringing exercise classes outdoors at the Community Center. Rae Ann Palmer said she will be conferring with the COA Director, and they will discuss it. Kristen Reed said the maximum allowed number for outdoor exercise is 10, including the instructor. Janet Worthington asked if there was a place available for an outdoor pickleball court, noting an unofficial one that had been chalked onto the Corn Hill Beach parking lot. Ms. Palmer said that it could not remain there. Robert Weinstein asked about a meeting with the National Seashore Superintendent sometime soon. Ms. Palmer said she could invite Superintendent Carlstrom to a regular meeting of the Select Board. Mr. Weinstein also asked about accommodations for out-of-state property owners with moorings at Pamet Harbor. Ms.

Palmer said they will be issued parking permits, but launches by people with out-of-state registered vehicles are not allowed. Stephanie Rein asked if the Seashore Superintendent could be invited to a Task Force meeting if he can come. Ms. Palmer said she will invite him. Kristen Reed thanked her colleagues and the Town staff for their hard work as the reopening phases continue.

TOWN MANAGER'S REPORT

Rae Ann Palmer commented on the long four months since the Covid crisis began and noted that new information on reopening now comes every day. She said that staff have health concerns for themselves and their families. The horrific murders of George Floyd in Minneapolis and Breonna Taylor in Louisville do not represent the perspective of the Truro Police Department, she said. Chief Calise has instituted policies and training for staff to appropriately handle situations. The Truro Police Department has good people who are working hard and do not reflect what happened in Minneapolis or Louisville, she concluded.

NEXT MEETING AGENDA

The Reopening Task Force will meet on Tuesday, June 16, 2020. There is also a need for an Executive Session, but Ms. Palmer needs to confirm the time with several attorneys. The meeting schedule was set for:

June 16, 11:00 a.m. - Executive Session: Truro Motor Inn litigation and union negotiations.

June 16, noon - Standard Agenda for the Reopening Task Force.

ADJOURNMENT

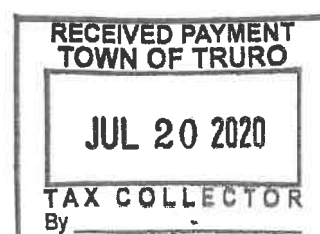
Kristen Reed moved to adjourn. Susan Areson seconded, and the motion carried 5-0. The meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Mary Rogers,
Secretary



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



Public Records Material of 6/9/2020

1. Truro Charter Section 2-2-4
2. May 28, 2020 e-mail from Joan Holt
3. Draft Annual Town Meeting Warrant Article #41
4. MGL 110G
5. Massachusetts Deed Indexing Standards 2018- April 2020 Amendment
6. Annual Town Election Warrant
7. Select Board Policy 63 – Select Board Powers of Appointment
8. Agreement with *M.A. Frazier Inc.*
9. Lewis Brothers Ice Cream (Hawker Peddler) seasonal license application
10. Cemetery Certificate

