

Truro Select Board Meeting
Tuesday, June 23, 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 & Conservation Agent Emily Beebe; Town Planner Jeffrey Ribeiro

Chair Janet Worthington opened the remote meeting at 5:05 p.m. and explained how to view the meeting and participate through e-mail or phone calls.

PUBLIC COMMENT

There were no calls from the public. Stephanie Rein, addressing her fellow Select Board members regarding an e-mail to the Chief of Police that had been forwarded to them, read the e-mail from two members of the community and called attention to unintended but disrespectful racist terminology included in the message. Ms. Rein stated, "Words matter." We must look at systemic racism at all levels in our country, beginning with ourselves. She concluded, "As an all-white board in a predominantly white community, it is our duty to address the inherent racism in our lives."

Covid-19 Update

Town Manager Rae Ann Palmer said Phase 2, Step 2 for Massachusetts had begun on Monday with indoor dining at restaurants allowed. The beaches are open. The one-way beach access paths have been established. The Beach Office is not open to the public. Beach self-distancing and masks will be the personal responsibility of beach goers. Other towns are considering use of ambassadors for compliance issues. EMTs will be on the ocean beaches. Health Agent Emily Beebe commented on Phase 2, Step 2 (2.2) restaurant reopening with limited inside dining. Other personal services businesses are allowed to open. Phase 3 does not have a date but is not far away, she said. Townspeople are concerned about enforcement in all public places, not just at the beaches, according to Ms. Beebe. Her advice is to maintain your own distance, wear a mask and wash your hands. It's a matter of education rather than enforcement. Everyone should do their part because Covid-19 will last until there is a treatment or vaccine, she said.

Emily Beebe said Massachusetts Covid cases are trending in the right direction. There is a push to test more people and continue contact tracing. We are still in first wave. We need to stay the course and continue to do what we're doing by maintaining physical separation and reminding others not to ease up. Ms. Beebe said no positive results came up in the tests done in Wellfleet and Provincetown after the recent demonstrations. She said testing is a good strategy. Kristen Reed added that businesspeople, both employees and employers, should be aware of their rights and call the Attorney General's Fair Labor Division to file a complaint or receive information about businesses or restaurants.

Susan Areson asked for information on antibody testing. Emily Beebe that it is complicated. Towns are using it, and she's read a lot about it, but it is unclear how Truro would use the antibody testing at this time. If you have the test, it is not a diagnostic that indicates you wouldn't transmit the virus, she said. More information is needed on how it can be used.

Other Comments

Because of the need for blood at this time, Susan Areson suggested adding information to the Town website about any upcoming blood drives in the area. Rae Ann Palmer said there is usually a blood drive held at the Community Center, but the Health Agent did not have an update on it. Janet Worthington recommended using the electronic message board or an ALERTruro with the information that people can go to the polls or vote by mail for the Town Election. Ms. Palmer said the notice will be put on the message boards and sent out a second time on ALERTruro. Assistant Town Manager Kelly Clark will post the information on the Town website. Susan Areson shared information from the Assistant Town Clerk that it was okay to leave ballots in the Town Hall drop box. Ms. Palmer did not have information for Ms. Areson's question on the number of ballots submitted so far. Kristen Reed mentioned the need for election tellers and recommended that anyone interested get in touch with Town Clerk's office. Rae Ann Palmer added that tellers must be Truro voters and residents. They probably should not be public employees, she said.

PUBLIC HEARING

Jeff Ribeiro read the notice: This is a public hearing on an application in accordance with MGL Ch. 166, § 21, 22 and 25A from New Cingular Wireless PCS, LLC ("AT&T") in conjunction with Eversource Energy d/b/a/ NSTAR Electric for Grant of Location for Telecommunication Wires and Wireless Attachments and Appurtenances, fiber optic cable (s), remote radios mounted to the pole, an unobtrusive side mounted antenna, conduits and cable protectors, and an electrical meter with grounding rod for the small cell installation on the replacement Eversource utility pole. AT&T Site ID: CRAN_CP_17_P20A: Location: 37 Corn Hill Road, 42.000117N, -70.078439W, replacing pole # 82/15.

Attorney Edward Pare explained AT&T's effort to provide more wireless coverage and capacity to Truro. They use existing utility poles when possible, but Eversource had asked that the chosen pole be replaced. The height will be six feet taller although the attachment will be placed on the pole's side. The new installation should provide coverage in the neighborhood and down to Corn Hill Beach, he said. It meets emission control standards.

Robert Weinstein asked why this location had been chosen. Attorney Pare said the location was based on the volume of people it would serve. It is to be installed in the public right of way, originally further back on a new pole, but they found the existing pole closer to Corn Hill Beach. It really was about the volume of people at Corn Hill Beach, the attorney said.

Robert Weinstein moved to approve the Application of a New Cingular Wireless PCS, LLC (d/b/a AT&T) for a grant of location for a wires and wireless attachments and appurtenances on a replacement utility pole in the public right of way at the following location: Pole #82/15-Near 37 Corn Hill Road. Susan Areson seconded, and the motion carried 5-0.

Edward Pare asked about input from the public. Janet Worthington said there were no callers for the public hearing.

Chair Worthington closed the public hearing at 5:33 p.m.

Town Planner Jeffrey Ribeiro said a roll call vote was required. Kristen Reed, Susan Areson, Robert Weinstein, Stephanie Rein and Janet Worthington each said *Aye*. The motion carried unanimously.

Public Comment on Payomet Theater Proposal

Payomet Theater Director Kevin Rice called in for public comment. He said that Payomet had submitted a proposal for a drive-in format for entertainment at the ball field. Social distancing is built in with people in their vehicles. He had received around seven hundred favorable responses on a survey, support from the National Seashore and a letter from the Chamber of Commerce. Selectmen of Yarmouth, Newton and New Bedford have approved drive-ins for live entertainment, he said. Mr. Rice had not met the deadline to get his 9-page proposal on the agenda for the meeting, but he wanted to be sure the Select Board had Payomet's proposal. Rae Ann Palmer said staff is reviewing and commenting on it, and Payomet's proposal will be on the agenda for the next meeting. Mr. Rice talked about the overwhelming positive response to holding drive-in style events. Chair Worthington asked if there is state guidance for this, and the Health Agent said there is. She will work with Kevin Rice on a plan.

SELECT BOARD ACTION

Memorandum of Agreement for Inter-Municipal Shoreline Management Plan

Health & Conservation Agent Emily Beebe conveyed her enthusiasm for the completion of the first phase of the Inter-Municipal shoreline Management Plan. Working with the Center for Coastal Studies has been a great experience, she said. Agent Beebe read an overview of the project for the shared management of the Cape Cod Bay shoreline by Eastham, Wellfleet, Truro and Provincetown. The plan addresses coastal storms and climate change. The memorandum of agreement (MOA) to develop the plan needs approval from each town's Select Board. She encouraged Truro's Select Board to sign the MOA in order to 1.) develop and provide an accurate, up-to-date database, 2.) pursue the development and implementation of an inter-municipal management framework, 3.) promote a science based approach for the management of the shoreline and 4.) ensure uniform management principles and responsible stewardship relative to wetland resources, private and public properties, infrastructure, wildlife, fisheries, boating and public access along the shoreline.

Kristen Reed expressed her enthusiastic support and asked about Cape Cod Commission involvement. Emily Beebe said that the Commission and the Cape Cod Cooperative Extension have met with the group. They have applied for grants including an MVP one for the low-lying roads. They anticipate working further with the Cape Cod Commission and others interested in the undertaking. She said the Center for Coastal Studies is building a massive geo database which will be updated regularly. It will be accessible to each town although each is at a different stage of using GIS. Learning how to use it is a very positive experience, she said. Janet Worthington asked if there is a role for the public in the study. Agent Beebe replied that there is since the plan is meant to be an organic, working document, not something in a binder on a shelf.

There have been listening sessions and TV meetings. Departments from the towns have participated, including beach directors, shellfish constables, harbor masters, planners, DPW directors, police and fire chiefs. There are Phase 3 plans to bring in the public. The first phase was data collection. The MOA allows the towns to move forward together with data from the Center for Coastal Studies that allows them to see things they hadn't seen before.

Kristen Reed moved to adopt the Outer Cape Memorandum of Agreement for Shoreline Management. Stephanie Rein seconded, and the motion carried 5-0.

Draft Outdoor Dining Procedures

Kristen Reed recused herself from discussion or voting on the outdoor dining policy. Town Planner Jeffry Ribeiro said that procedures for outdoor dining had been reviewed at the reopening meeting. Governor Baker's order on June 1st allows the Select Board to grant restaurants outdoor service and preempts Planning Board approvals. Because the process will be expedited, public hearings are not required. The Select Board still must see that use, appropriateness, neighbors' concerns and health/fire/building codes are all met. The process is meant to operate in a safe way with the applicant working with the Health & Conservation Agent. The Building Inspector will check for code compliance. There must be six-foot distances between diners and pathways to the bathroom and exit. Parking lot traffic patterns must be shown on the plans. Mr. Ribeiro had provided the Select Board with a draft policy letter of permission, an acknowledgement from the owner for the seating arrangements and insurance, and the required information to be included on the plans.

Susan Areson moved to approve and adopt the policies and procedures as drafted. Janet Worthington seconded, and the motion carried 4-0.

Kristen Reed resumed her participation in the meeting.

Avenue D Outdoor Seating

Attorney Lester J. Murphy was unable to attend the meeting, so Jeffrey Ribeiro explained the request for Avenue D's outdoor seating. The wine bar had not been approved at a previous site plan review by the Planning Board. That is not being requested until November for the small deck at the rear of the building. Seating accommodates 12 diners with required back to back, six-foot separation from the chairs. The deck is existing. The proposal does not allow music or entertainment. It does not increase the approved capacity for the establishment. This is important for septic capacity and health codes, Mr. Ribeiro said.

Stephanie Rein expressed concern about the Planning Board denial based on community input. We want to support businesses in this challenging time, she said. However, she is apprehensive about the arrangement lasting until November. She said she was not in favor of allowing seating where they didn't have it. Susan Areson asked for clarification on the number of seats. The application form indicated 14, but the plan shows 12 seats, she said. Planner Jeffrey Ribeiro said it would take the owner to explain why the application says 14 seats. Robert Weinstein asked if the applicant had agreed to wait for the next Select Board meeting for a decision. Ms. Palmer said the attorney would prefer a decision at this meeting, but, if need be, it can be postponed.

Susan Areson said approval could be granted with the condition that full occupancy was approved until November 1st and revoked after that. Jeffrey Ribeiro said that reasonable conditions are okay since approvals will be considered case by case. The applicant could come back for further discussion if the Select Board approves for 12 seats now with the condition of stopping on November 1, 2020. With that caveat in place, Stephanie Rein said she could support a vote at this meeting. Robert Weinstein said he didn't see the necessity of an approval since Massachusetts guidelines indicate that there will not be an overall increase in seats and there is an end date of November 1st. Susan Areson said increasing capacity was not the issue. A full use of indoor seating ends the outdoor use. Janet Worthington said that is what she understands. Rae Ann Palmer offered the reminder that allowing for indoor dining means there must be allowances for social distancing. Avenue D is a wine bar with limited space. When they return to indoor dining, they won't exceed their original allowance, she said.

Ms. Palmer said the next Select Board meeting is scheduled for July 14th. The owner would prefer a decision now, but the matter could be tabled. Jeff Ribeiro said the Select Board could approve continued use of the outdoor area but put conditions on it. Mr. Weinstein said if the 12 seats are outdoors, the inside cannot be full use. He was willing to proceed with a vote.

Susan Areson moved to approve the temporary outdoor use at Ave D with the condition that if at any point prior to November 1, 2020, the interior occupancy can be met with proper social distancing, the outdoor use be discontinued. Kristen Reed seconded, and the motion carried 5-0.

Use of Dennis Family Gift Fund

Rae Ann Palmer explained the request for use of the Dennis Family Gift Fund to pay June 2020 interest on Walsh Property borrowing. If there is no Town Meeting before the end of June, the Town's ability to use Free Cash in the current fiscal year will have passed despite legislative efforts for relief to pay FY2020 expenses in FY 2021 or 2022 or to use FY2020 Free Cash. The Town has to pay the interest on the money borrowed for the purchase of the Walsh Property. The interest was not in the budget because the approval to buy the property didn't exist until Town Meeting, so the plan has been to use Free Cash in the current fiscal year. She asked that the Select Board authorize the Town to pay with the Dennis Gift Fund. The Select Board had previously authorized use of the Dennis Gift Fund to pay FY2021's interest which is due in FY2021. Since next year's budget is not set yet and we won't really know until September if we can cover it with Free Cash then, Ms. Palmer asked that the Select Board reserve that decision until the final FY2021 budget is prepared.

Susan Areson moved to approve use of the Dennis Family Gift Fund to pay short-term interest of \$116,847.22 due on the "Walsh property acquisition" portion of the June 2019 BAN. Kristen Reed seconded, and the motion carried 5-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: *None*
- B. Review and Approve 2020 Seasonal Licenses: Avenue D (Common Victualer)
- C. Review and Approve Select Board Minutes: May 19, 2020 Work Session, and May 28, 2020 Regular and Work Session

Susan Areson amended the minutes of May 28, 2020 and said that she will send some typos to the executive assistants for correction.

Susan Areson moved to approve the Consent Agenda as amended. Stephanie Rein seconded, and the motion carried 5-0.

SELECT BOARD REPORTS/COMMENTS

Susan Areson enquired about the Annual Town Report, which typically this comes out after Town Meeting. Ms. Palmer said it is on the website and boxes of the reports are available when Town buildings reopen. Ms. Areson suggested offering the reports at the Library's curbside pickup.

Robert Weinstein reported the latest School Committee virtual meeting which he had attended. Of the \$500,000 remaining unspent in the School budget, \$350,000 will be returned to Free Cash because \$150,000 will be used to prepay the Special Education program. The School Committee is still waiting to hear from Governor Baker about reopening in fall. The summer program for around 60 students who experienced difficulties in the past semester, particularly because of Covid-19, will be held to help them catch up, Mr. Weinstein said.

Robert Weinstein commented on the problems encountered with technology during the current meeting. It was frustrating and too difficult to hear everyone, he said. Kelly Clark acknowledged the reverberations and echoes throughout the meeting. She suggested that everyone put themselves on mute when they were not speaking. She also said that IT might need to work with Mr. Weinstein on his connection. Susan Areson and Stephanie Reed noted that everyone was experiencing the audio problems.

Mr. Weinstein asked about harbor plans to install a credit card reader so they don't have to handle cash and a Dutch door for staff to converse with the public. Ms. Palmer promised to get the information for him.

Kristen Reed advocated for participating in Census 2020. She said Cape Cod's response has not been good, and Truro's is only 22%. Ms. Reed said she wants Truro to do better. She urged citizens to take the initiative and complete the census form online or by phone even if they had not received the census in their post office boxes. There is information on the Town website on how to participate. She suggested placing a reminder on the electronic message board.

TOWN MANAGER REPORT

Town Manager Rae Ann Palmer said there was a lot of confusion over the ballot question for a Proposition 2 ½ override for paramedic/firefighters. Provincetown expects to become an in-house rescue department, but Lower Cape ambulance service was extended there for another year. Truro and Provincetown had been in discussion with Lower Cape, but all meetings stopped because of the Covid public health emergency. Truro had determined that if Lower Cape stopped serving in Provincetown, it would end in Truro too. If Truro had to take over on its own, the Town would need eight new EMTs. During the Budget Task Force meetings, the Finance Committee and the Select Board, after much discussion, decided hiring four more paramedic/firefighters would put Truro in better position since the future with Lower Cape is

unknown. The Covid emergency has taught us to be prepared for the unexpected, Ms. Palmer said. She has also talked to Steve Roderick about the paramedic/firefighters. He said that Truro should be prepared. There are ongoing concerns about senior citizens and about being in the middle of the Covid-19 health emergency.

Janet Worthington said that people are asking why do this when we still have Lower Cape, but the Town needs to prepare since we don't know what is going to happen. Susan Areson asked about waiting if there are still some years left with Lower Cape. Ms. Palmer said the Town does not have two years left on the contract. It is up. Ms. Areson said that had been reported wrong in the media. Susan Areson also asked if the ballot question would go to another Town Election in spring if it does not pass now. Rae Ann Palmer said if it passes at Annual Town Meeting but not in the election, the question would go to another election and be on the 2021 Annual Town Meeting Warrant. Kristen Reed suggested posting the Town Manager's explanation on the Town website, but Ms. Palmer said she needs to check first because she does not want to violate any election laws.

Janet Worthington enquired about the Farmers' Market, and Ms. Palmer asked Stephanie Rein to report on it. Stephanie Rein said that the Farmers' Market was relatively well attended although not as busy as usual. People practiced social distancing and wore masks. The new location was a nice spot, but it got hot when sun came out without any sheltering trees or a breeze from the Pamet. It went well from a safety perspective, she said.

NEXT MEETINGS

Ms. Palmer reviewed agenda and dates for the next two meetings:

July 7, 9 a.m. – Reopening Task Force: Phase 3 discussion;

July 14, 5 p.m. – Regular meeting: Select Board reorganization and liaison list, final update on goals and objectives.

ADJOURNMENT

Susan Areson moved to adjourn. The motion carried 5-0.

The meeting was adjourned at 6:43 p.m.

Respectfully submitted,

Mary Rogers,
Secretary



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

Public Records Material of 6/23/2020

1. E-mail to the Chief of Police
2. Public Hearing Notice and application papers for New Cingular Wireless
3. Inter-Municipal Shoreline Management Plan Memo of Understanding
4. Draft Policy for Outdoor Dining
5. 2020 Seasonal Licenses: Avenue D (Common Victualer)

