

Select Board Meeting Minutes
Tuesday, February 23, 2021 @ 5:00pm
Via GoToMeeting Platform

Select Board Members Present: Chair-Robert Weinstein, Vice Chair-Kristen Reed, Clerk-Susan Areson, Member-Janet Worthington, Member Stephanie Rein

Others Present: Town Manager-Darrin Tangeman, Assistant Town Manager-Kelly Clark, Health/Conservation Agent-Emily Beebe, Ellen Anthony, K.P. Law Attorney William Hewig, Susan Roderick, Amy Graves, Eliza Harned, Susan Howe, Town Moderator-Monica Kraft, Alice Boyd

Chair Weinstein read off instructions about how citizens could join the meeting.

Public Comment:

Ellen Anthony would like to introduce the idea of offering a land acknowledgement at the beginning of town meetings. It's a practice that other towns and institutions are beginning to offer. It acknowledges the history of indigenous lands that has formerly been erased. She offered a sample land acknowledgement to be placed on a future Select Board agenda. Chair Weinstein suggested she submit the wording to the Town Manager to be disseminated to the Select Board.

Chair Weinstein stated the Board would first discuss the Comcast agreement.

Approve and Sign Comcast Agreement

Atty. Hewig gave a brief introduction to the proposed agreement. The proposed new license would span 10 years, beginning March 1, 2021 and end February 28, 2031. During that time period, the license will provide the Town with 5% of Comcast's gross annual revenues from Truro subscribers per year as well as capital payments each year of \$9,600 for a total of \$96,000 over the 10-year period. The percentage of gross annual revenue is to be divided between the Town getting 55% and the Lower Cape TV getting 45% and the capital is to be divided between the Town and Lower Cape TV at a ratio of 50/50. It includes a much lower density requirement obligating Comcast to build out to 15 homes per arial mile and 20 homes per underground mile.

Member Reed, liaison to the Cable and Internet Advisory Committee, asked why the strand maps are not present. Atty. Hewig stated he could get electronic versions of the strand maps when Comcast produces them. He's submitted requests but Comcast has not responded.

Chair Weinstein has issues with the language in the agreement regarding where the strand maps are held as it puts the onus on the Town (as the issuing authority) and he thinks the strand maps should be readily available to anybody in the Community. If there is a way to ensure it's not a cumbersome process to gain access to these maps, it should be a requirement. Atty. Hewig stated that the way to do that would be to have them be electronically available. He will contact Comcast to make sure that will be the case. If necessary, he can revise the language in the agreement.

Member Reed continued the discussion, asking two questions. During negotiations did Comcast provide financials as backup to the fee calculations and, did Atty. Hewig feel the term "gross annual revenue" was clearly defined? Atty. Hewig provided answers to her questions.

Chair Weinstein asked where the \$96,000 figure, which Atty. Hewig mentioned earlier, came from. Atty. Hewig went over how they arrived at the capital contributions of each of the municipalities.

Member Worthington asked if the number of homes needed to be on the line to get service would not be revisited for the length of the agreement, which is ten years. Atty. Hewig confirmed that was the case.

Member Rein appreciates that Truro has the lowest density requirement in Massachusetts, but noted that any request for planned extension is measured from the existing trunk and distribution system. She doesn't want people to have a false impression of this density requirement because it's not great. Truro is pretty rural. While internet might be on someone's road, it's originating from an existing trunk and distribution system which might inhibit one from getting Comcast.

Member Areson asked if she was interpreting a portion of the agreement, referring to the level playing field provision with other providers, correctly. Atty. Hewig explained. Truro cannot give a better deal to a company than it gives to Comcast. If another cable company came in and said they would do 10 homes per mile, that's fine and Comcast wouldn't have to lower their density. However, we just can't give the new company a better deal (for example: 25 homes per mile when Comcast's agreement is at 15).

More discussion regarding language of the renewal license was had.

Member Reed made a motion to approve and sign the renewal cable television license for the Town of Truro, Massachusetts, with the amendment to the language related to electronic strand maps.

Member Areson seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Staff/Committee Updates

- **Covid-19/Vaccine Update: Emily Beebe, Health & Conservation Agent**
- **Bike & Walkways Committee Update: Susan Roderick, Chair**
- **Beach Commission Update: Eliza Harned, Chair**

Health/Conservation Agent Beebe reported that the vaccine eligibility has expanded. The State has developed a prioritization schedule for issuing first doses. The State is prioritizing the 20 communities which have been impacted most by Covid. New guidelines came out for regional clinics at the end of the week. Sub-regional clinics will continue to move forward. For the moment, first dose clinics have been paused on the Cape with the exception of one on Thursday in Eastham at Little Creek. They expect to see clinics opening up again over the next few weeks. If people are fine with travelling up Cape and off Cape, they are being encouraged (if eligible) to look at the State site.

Member Worthington had a few questions.

- If she heard correctly, there is only one clinic this week, and then how many weeks will we be waiting for a clinic on the Lower Cape? Health/Conservation Agent Beebe thinks the wait will be around two weeks. 2nd dose clinics will continue to be held. Agent Beebe also reported that a lot of people are being vaccinated through Outer Cape Health.
- How many doses are going to be available this week at the Eastham Little Creek clinic? Health/Conservation Agent Beebe stated there would be 360.
- Is that 360 number set by the State? Spots for registering for the last clinic were gone by 8:15am. Health/Conservation Agent Beebe said that the number is set by the County, and the County is limited by the State as to how much vaccine they can get.
- Do we get less because we're smaller? Health/Conservation Agent Beebe explained that the County got 975 doses and 4 towns are getting about half of that.

- What are we doing about homebound elders? Health/Conservation Agent Beebe stated she attended a phone call at the beginning of the week with Legislators, Town Managers, Health Agents and Fire Chiefs. There is a program for homebound people through Outer Cape Health where they will send a nurse to a home followed up by EMS. The ambulance will be staged at the home for 15-30 minutes and then they will move to the next appointment. Appointments will be scheduled 10 at a time. Towns are in the process of compiling lists of qualified people.
- Are there arrangements set up for people who need someone to take them to get a vaccine? People who have been fully vaccinated could volunteer to take these people to their appointments. Health/Conservation Agent Beebe will speak with COA Director Briscoe about that to make sure they're covering that piece.

Member Reed asked if an update on Covid in Truro could be given. Health/Conservation Agent Beebe stated that there are 10 active cases right now in Truro.

Chair Weinstein virtually attended the meeting of the Metropolitan Planning Organization yesterday which is responsible for the funds for the Regional Transit Authority. There was indication that the Regional Transit Authority is trying to provide free transportation to people that need it to get to vaccination sites. He suggested Health/Conservation Agent Beebe be in touch with either the Cape Cod Commission or the Regional Transit Authority to find out if in the future that may be a viable option.

Member Worthington asked how people can sign up for the Little Creek clinic in Eastham.

Health/Conservation Agent Beebe explained that they are prioritizing the older citizens and reaching out to them. If someone has not been contacted and they do not have a shot they should contact the COA. Chair Weinstein noted he raised the issue with Senator Cyr that Barnstable County has close to 70,000 individuals between the age of 65 and up. He rounded up the number of doses the County is currently receiving. If the County is receiving roughly 1,000 doses per week it would take approximately 70 weeks to distribute the vaccine, which is completely unacceptable. Senator Cyr indicated that he was informed by the Baker Administration that there was no plan for a site like Gillette Stadium to happen in Barnstable County. Barnstable County has been ignored in the needs of the elderly population.

Chair of the Bike and Walkways Committee, Susan Roderick, reviewed the Board's questions, noting that there are 5 members and 2 alternate positions, which are vacant. Adrian Cyr is in the process of joining. Amy Graves, a member of the Committee, was also present. She is an alternate member of the Cape Cod Commission and with her help, the Committee has been able to access information from the Commission. Chair Roderick stated that the Committee began meeting in October. They were able to get the ramp approved for the bike repair stations at Head of the Meadow on the Town side and across from Jams on Snows Park. She outlined some of the goals they are working on, including: a survey for the local bike and walkway safety needs for the residents as well as tourists; conversations about having a water station at Puma Park and the Chamber of Commerce Information Booth, DPW Director Cabral's work on a grant to see how they can go about installing these stations, discussions about bus shelters and HAWK lights, a meeting with the Wellfleet Bike and Walkway Committee regarding how they plan to develop and fund a trail, the letter sent to MASSDOT for the extension from the Truro Safety Facility to Route 6 and to Shore Road that was supported by the Select Board.

Chair Roderick asked if there were a group or committee of complete streets that the Bike and Walkways Committee could participate in. Chair Weinstein deferred to the staff at the Cape Cod Commission.

Member Areson would be interested in seeing the results of the survey the Committee wishes to put out and stated that if there's any help the Select Board can offer in getting the survey out to please let them know.

Member Reed stated that they will have software called Bang the Table implemented soon to push out surveys.

Chair of the Beach Commission, Eliza Harned, responded to the Select Board's questions. She reported that the Commission has all their members (no vacancies) and that since Covid, they have not met as a Board. They will need to meet soon as the summer season will be approaching. The Commission is always looking at parking at the Town loses more spots every year. Another item for the Commission to consider is making sure there is enough public access, and enough protection for the birds. Chair Harned knows that Health/Conservation Agent Beebe and the Conservation Commission are talking with the Audubon (which manages the bird program) and it does affect the beaches. The Beach Commission tries to keep updated and get the word out to the public.

Member Worthington asked if there has been any more discussion about taxpayer-only parking at Coast Guard Beach. Chair Harned thought the resident-only parking went well. It was an adjustment for some people as non-resident sticker holders could not park in the designated spots as they had done in the past.

Member Rein asked if there were any plans to increase the accessible mats at other beaches. Chair Harned agreed that would be great. Chair Harned noted that some funding has come from the Disabilities Committee and the Beach Commission can look into that. Commission on Disabilities Chair Susan Howe stated that her Commission applied for CPC money several years ago for some of the accessible mats. She thinks there was also a batch that came out of the general budget. The Town of Provincetown also gifted Truro with some mats.

Member Areson is curious as to whether the Commission had any discussion with Wellfleet as they about their taxpayer-only beach. In addition, the Wellfleet Select Board got rid of the daily passes at that beach. Chair Harned stated that as a Committee, they have not worked with Wellfleet, but Recreation/Beach Director Clements meets with beach managers and they get feedback from him. She added that it would be a good idea to reach out to them.

Member Reed noted that at some point the Board will be discussing day passes for the summer and she asked if Chair Harned had any feedback. Chair Harned stated that would be something the Commission would have to discuss. Member Worthington believes that would have more to do with the Covid situation this year.

Select Board Action

Further Discussion of Multi-member Bodies Recruitment and Handbook

Member Areson said that Town Manager Tangeman reviewed the handbook and made great comments. She noted that there is no reference to remote meetings in the handbook and that the subcommittee can take a stab at writing a section about that with the consideration that there is uncertainty about how long Gov. Baker's allowance of remote meetings will last. Member Areson believes the Town should pursue it continuing remote meetings. There's a lot of appetite in this community for remote meetings, in some fashion, to continue. Member Worthington asked for information for people who want to run for the Select Board. Member Areson cited the cover letter which the Board approved in December and Member Worthington felt that language was sufficient.

Discussion continued regarding different portions of the handbook.

Member Areson pointed out that the subject of remote meetings keeps coming up and she thinks it's a topic that should be placed on a future Select Board agenda. She also wished to talk about the procedure with the handbook, going forward. The subcommittee is meeting in a few weeks and she and Member Reed will make the amendments suggested, including a section on remote meetings. After that, the Select Board should be ready to vote on it.

Town Meeting Planning and Vote to Approve Town Meeting Date

Town Manager Tangeman stated that he consulted with the Town Moderator and staff has done some planning and research in order to continue to plan for the Town Meeting. Resources for the meeting have been confirmed and the recommended date to hold the Annual Town Meeting at the Truro Central School ballfield is on Saturday, May 1st at noon. The rain date would be May 2nd.

Town Moderator Kraft stated that MA General Law does give the Select Board some leeway in setting a date. She noted some complaints about the last Annual Town Meeting and wants to be sure she sees everybody, and that everybody has a chance to speak. Member Worthington asked about outdoor heaters. Assistant Town Manager Clark stated that staff's intent is to look at respite tents and tents that allow outdoor heaters. Town Moderator Kraft also wants to be sure this Town Meeting is recorded for viewing at a later date. Member Reed had a question regarding whether the issue with the School's internet had been resolved, as that hindered the recording of the meeting. She also asked Health/Conservation Agent Beebe to speak to her understanding about Covid, keeping citizens safe, and tenting. Health/Conservation Agent Beebe said that they would be getting more guidance. She added that the tenting piece is still a big question.

Member Areson made a motion that pursuant to General Laws, Chapter 39, Section 9 that the Select Board set the date for the Annual Town Meeting for Saturday, May 1, 2021.

Member Reed seconded.

Roll Call Vote:

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Member Rein-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Discussion of Preliminary Article List for Annual Town Meeting

A list of all preliminary articles was shared on screen. Town Manager Tangeman stated his intent to go through each article and determine which ones the Select Board want them to revise and noted that voting on the articles will take place at the Select Board meeting of March 9. Member Rein noted that having items under a consent agenda at the last Town Meeting brought a lot of confusion. There was a lot of debate around that consent agenda and she wants the Board to keep that at the forefront. A small discussion was held regarding the consent agenda. There was general consensus to not have a consent agenda.

Due to the length of the preliminary article list, Member Reed suggested a 10am check-in time with a start time of 11am.

Member Areson suggested that they make a plan to cut off the meeting at a particular time, if it runs too long, and plan to come back the next day. Member Worthington's concern is if you split up the meeting, sometimes people don't come back.

Member Rein brought up the quorum issue and asked if that were to be discussed. Town Manager Tangeman stated that even with the pandemic last year a quorum was still achieved so it wouldn't be a necessity to try to reduce the quorum level this year. It is certainly something the Select Board could consider. Member Rein would be happy not to reinstitute the reduced quorum, she just wanted to bring it up for discussion. Member Reed noted that because we exceeded 200 people she's comfortable keeping the quorum at the 100 minimum which Truro's Charter states.

Consent Agenda

Town Manager Tangeman stated that the Housing Rehab Subordination Request was withdrawn as a result of some issues with the mortgage lender. It may be brought back at a future date.

Member Areson made a motion to approve the consent agenda as printed on the Select Board agenda.

Member Reed seconded.

Member Rein noted that the motion should be reflected to omit item 7A1-Housing Rehab Subordination Request.

Member Areson made a motion to approve the consent agenda minus section 7A.

Member Reed seconded.

Roll call vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Select Board Reports/Comments

Member Rein was reading the weekly report and wanted to thank Recreation/Beach Director Clements and Ellery Althaus. They were working on creating a beach cleanup bag program where you go to the beach, take a bag, and clean up. She appreciates them working on that.

Member Worthington would like to place an item on the next agenda for the Select Board to discuss writing a letter to support the fishing community at the Provincetown Pier to send to the Provincetown Select Board and Pier Corp. They are pricing fishermen out of the pier. There are many fishermen who live in Truro and use Provincetown's pier along with two businesses (Chris King's-Cape Tip Seafood and his restaurant). She thinks it would help if they wrote a letter in support of the fishing community and emphasize how important it is that Provincetown, and the Pier Corp., support what's left of the fishing community since the Town was built on the back of the fisherman and their families. Chair Weinstein is in agreement.

Member Reed spoke on behalf of herself and Member Areson who were both present for the Charter Review Committee meeting which met February 15th. Items discussed:

- The Committee discussed their survey that they would like to send to all Committees/Boards/Commissions related to their study of appointed vs. elected Boards. They would like to send it to the Chairs and then the Chairs in turn could send it to their committee members.
- The Charter Review Committee also discussed KP Law's comments on elected and appointed boards. That information is available on their agenda.
- They also discussed other sections of the Charter that they will look at and review (Section 6.2.1).
- Discussion was held regarding the Open Meeting Violation filed against the Committee. The Atty. General confirmed that there was no violation.
- The final topic was that a Member has missed the minimum number of meetings that would make that seat available. There is a request to start the process to appoint someone to that Committee.

Member Worthington asked if anyone had reached out to that Committee member. Member Reed cannot confirm but when the Chair informed her, she was under the assumption that there had been

communication. She has not seen an email or was given any specific information about a day or time when communication occurred. Member Worthington noted that the member has had significant health issues.

Chair Weinstein virtually attended the monthly meeting of the Metropolitan Planning Organization. There are two projects that most likely will be going forward in the next five years:

- 1st project is scheduled for 2023, assuming design work is completed in a timely fashion. It will disrupt the traffic flow on Route 6. The improvement will be at the intersection of the State Highway and Main Street in Wellfleet.
- 2nd project is on schedule for 2025 to build a rotary as new access and reconfiguring at Route 6 where people would now exit to Shank Painter Road in Provincetown. The DOT is working with a plan that would be able to accommodate bicyclists, pedestrians, and vehicles.

Another item that will impact people on this end of the Cape is Roadway Surface Preservation scheduled for 2023. Chair Weinstein thinks the project is resurfacing of the State highway from South Wellfleet to the Wellfleet/Truro line.

Member Reed remembered another item from the Charter Review Committee meeting. The topic was Select Board members attending other virtual meetings. There was a question about quorum and open meeting law. She wished to clarify that the law states that there can be a quorum of a Select Board present at any public meeting. There are best practices regarding posting the presence of the quorum of the Select Board at a public meeting, but during virtual times that makes it a little more complicated. As long as the Select Board does not deliberate, a quorum of members are allowed to be present at any public meeting, whether in person or virtually. The Open Meeting Law is available on the Mass.gov website for people that need to familiarize themselves.

Town Manager Report

Town Manager Tangeman stated that the Town submitted the DTLA Program grants last Friday. One grant letter was to support a second homeowner survey for Cape towns to get a better understanding of the dynamics that occurred in this pandemic with second homeowners remaining on Cape and the potential impact on a number of services.

The second request was for funds to work jointly with Wellfleet to examine regional solutions, not necessarily regionalization, for challenges that the region faces.

The final request was submitted for funds to assist the Local Comprehensive Planning Committee attain a facilitator to get the Local Comprehensive Plan moving forward.

Next Meeting Agenda: March 9

Town Manager Tangeman gave an overview of topics on the upcoming agenda. Member Areson noted that it sounded like too much for one meeting. She suggested scheduling another meeting. Having everything on one agenda does not give the Board enough time to talk about every one of the items. Discussion was held regarding what items should be placed on the upcoming agenda. A decision was made to hold meetings on March 9, March 16, and March 23rd.

Member Areson made a motion to adjourn at 7:57pm.

Member Rein seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Respectfully submitted,



Noelle L. Scoullar, Executive Assistant



Town Manager, Darrin Tangeman

Under the Authority of the Truro Select Board

Public Records material of 02/23/2021

- 1. Letter to Governor Charlie Baker**
- 2. Draft Renewal Cable Television License for the Town of Truro, MA**
- 3. Board, Committee and Commission Handbook/Acknowledgement of Receipt**
- 4. Preliminary Article List for 2021 Annual Town Meeting**
- 5. Letter from Alice Boyd regarding Housing Rehab Loan Subordinations**
- 6. Subordination Agreement**
- 7. Days Market & Deli License Application**
- 8. Select Board 1.25.2021 minutes**

