



# Truro Select Board

Tuesday, June 11, 2019

Regular Meeting-5:00pm

Truro Town Hall - 24 Town Hall Road

## AMENDED

### 1. PUBLIC COMMENT

- A. Open the Regular Meeting
- B. Public Comment Period - *The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda*

### 2. PUBLIC HEARINGS NONE

### 3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS NONE

### 4. TABLED ITEMS

- A. Review and Approve the April 2019 updated Truro Police Department's Rules and Regulations Manual-**Move for Action**  
Presenter: Jamie Calise, Chief of Police
- B. Application for a Sunday One-Day Entertainment License: Truro Vineyards of Cape Cod  
Presenter: Kristen Roberts, Truro Vineyards (June 25)

### 5. SELECT BOARD ACTION

- A. Discussion on Sharks  
Presenter: Rae Ann Palmer, Town Manager and Brian Carlstrom, Superintendent Cape Cod National Seashore
- B. Request for Temporary Borrowing Note  
Presenter: Cynthia Slade, Town Treasurer
- C. Discussion and Appointment of OPEB Trustees  
Presenter: Trudi Brazil, Town Accountant
- D. Discussion on Draft FY20 Goals and Objectives  
Presenter: Rae Ann Palmer, Town Manager

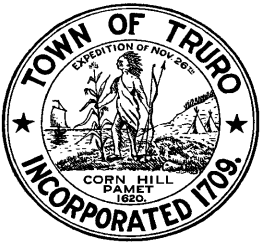
### 6. CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
  - 1. *Application for an Entertainment License: Truro Concert Committee*
- B. Review and Approve Staff Reappointments: Chief Jamie Calise-Keeper of the Lock-up; Susan Joseph-Registrar of Voters
- C. Review and Approve Select Board Minutes: May 15, 2019, May 28, 2019 and May 29, 2019

### 7. SELECT BOARD REPORTS/COMMENTS

### 8. TOWN MANAGER REPORT

### 9. NEXT MEETING AGENDA: June 18<sup>th</sup> and June 25<sup>th</sup>



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Police

**REQUESTOR:** Jamie M. Calise, Chief of Police

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Tabled-Departmental Rules and Regulations

**EXPLANATION:** This item was tabled from the Consent Agenda at the May 28<sup>th</sup> meeting for discussion on the Action Agenda at the next meeting.

The Truro Police Department's Rules and Regulations Manual was last updated on April 3, 2012. This April 2019 update includes new job descriptions and other general updates. The main changes include:

1. Addition of Deputy Chief and Master Patrolman Positions.
2. Modifications to the Lieutenant position to reflect new agency command structure.
3. Removal of dispatcher responsibility of processing prisoners. This was an old practice that was abandoned for safety and liability reasons many years ago.
4. Addition of Malicious Gossip rule.
5. Minor modifications and consolidation of language.

**IMPACT IF NOT APPROVED:** Manual will continue to include outdated information.

**SUGGESTED ACTION:** *Motion to approve the April 2019 updated Truro Police Department Rules and Regulations Manual.*

**ATTACHMENTS:**

1. Truro Police Department Rules and Regulations Manual

**TRURO POLICE DEPARTMENT**

**RULES AND REGULATIONS**

**MANUAL**

The Rules and Regulations for the government of the Truro Police Department is issued by the Select Board, through the Chief of Police, pursuant to the authority contained in Section 97 of Chapter 41 of the General Laws of the Commonwealth of Massachusetts, as amended, accepted by the vote of the Annual Town Meeting of March 7, 1966.

A copy of this Manual was delivered to the Select Board through the Town Manager on April 25, 2019.

**The effective date of these Rules and Regulations shall be April 25, 2019, and they shall remain in full force and effect until amended or rescinded.**

**JAMIE M. CALISE**  
**CHIEF OF POLICE**

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## **1.0 – AUTHORITY**

The Rules and Regulations for the government of the Police Department of the Town of Truro Police Department is issued by the Select Board, through the Chief of Police, pursuant to the authority contained in Section 97 of Chapter 41 of the General Laws of the Commonwealth of Massachusetts, as amended, accepted by the vote of the Annual Town Meeting of March 7, 1966.

**2.0 – RECEIPT**

Employees of the Truro Police Department shall subscribe their names to the following agreement:

*I hereby acknowledge receipt of a copy of the Manual of the Rules and Regulations for the government of the Truro Police Department, as amended, on April 25, 2019.*

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Employee

**This document shall be placed in the employee’s personnel folder. A copy shall be maintained in the Professional Standards Division.**

Issued by Chief Jamie M. Calise

\_\_\_\_\_  
Chief Jamie M. Calise

### 3.0 – INTRODUCTION

Law enforcement is, at the same time, one of the most demanding, yet one of the most rewarding, professions. The role of police employees in a democratic society is an ever-changing one. The training that an individual receives at the police academy is but a first step in an on-going process of education and training which will span an employee's career. This department is committed to making in-service and specialized training available to its members, consistent with statutory mandates and subject to municipal appropriation. Members are encouraged to pursue degree programs in law enforcement as well. This Manual of Rules and Regulations, including applicable job descriptions, along with the department's policies and procedures manual and general orders, should constantly remind members of what is expected of them.

The quasi-military nature of a police agency is one of its time-tested traditions. A rank structure and a chain of command have proven an essential component, especially in an organization involved in dangerous and even life-threatening activities. The need for camaraderie and teamwork are evident to the experienced law enforcement professional. Our distinctive appearance, including uniforms and grooming standards, helps foster *esprit de corps* and security among members of the department, as well as recognition and confidence among members of the public.

The standard of conduct expected of members of the law enforcement community is higher than that demanded of other municipal employees. We recognize this in accepting appointment to our chosen profession. The needs of public confidence require that we are held to a high ethical standard, which dictates the avoidance of even the appearance of impropriety. Likewise, we acknowledge the need for reasonable restrictions on our off-duty conduct, especially where it reflects on our profession or the department.

The department is aware of its labor relations obligations. It is prepared to bargain with the appropriate representative(s) regarding the impact, if any, which any rules and regulations have on mandatory subjects of bargaining.

This Manual will generally serve as the basis for departmental discipline. It attempts to outline the minimal level of conduct expected of each member. Familiarity with its contents is required. On a more positive note, members are encouraged to use this Manual as part of their overall training experience. Each member should endorse the ethical standards and commit themselves to a code of conduct befitting of members of our noble profession.

Use of the masculine is intended to facilitate readability. Where appropriate, the masculine will include both genders and the singular and plural are interchangeable.

Whenever this Manual refers to such things as permission or approval of the Chief, this will refer to his designee when, from time to time, the Chief authorizes others to act on his behalf in appropriate circumstances. Use of the terms patrol supervisor, shift commander, superior officer, or OIC, may occasionally be used interchangeably.

This manual affects all employees of all classifications of the Truro Police Department, unless specifically noted otherwise.

The Law Enforcement Code of Ethics is a time-honored tradition among members of our profession. Its inclusion in this Manual is meant to make members adhere to the lofty goals and worthwhile objectives, which are consistent with our professional calling.

### **LAW ENFORCEMENT CODE OF ETHICS**

As a Law Enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deceptions, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all individuals to life, liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature will be kept forever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve those objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

#### **4.0 - PROFESSIONAL CONDUCT AND RESPONSIBILITIES**

The police are the most visible and most readily accessible representatives of local government. They respond to calls for assistance of a diversified nature and are expected to resolve a wide variety of community problems as they occur. Officers and Telecommunicators are professionals. They are expected to maintain exceptionally high standards in the performance of their duty while conducting themselves at all times, both on and off duty, in such a manner as to reflect favorably upon themselves and the department.

Effective police operations require loyalty to the department and to their associates, maintaining a genuine spirit of cooperation and rendering appropriate assistance to a fellow police officer or citizen exposed to danger or in a situation where danger may be impending.

To accomplish these purposes, the professional responsibilities of police officers within their area of jurisdiction, include the following functions:

- a) The protection of life and the safeguarding of property.
- b) The prevention and control of crime within the territorial jurisdiction of the Town of Truro, including Route 6 and the areas within the National Seashore.
- c) The investigation of crime, the apprehension of criminal offenders and the recovery of stolen property.
- d) The preservation of public peace and good order.
- e) The immediate response to public emergencies.
- f) The creation of a sense of safety and security for the entire community through vigilant preventive patrol and community policing.
- g) The accomplishment of all police objectives within the law and the constitutional guarantees of all citizens.
- h) The performance of such other police related services, duties, functions and responsibilities required of the officer by the department and/or the community.
- i) The advancement of a cooperative relationship with the general public.
- j) The creation of awareness through the implementation of educational programs.

Public scrutiny, and sometimes public criticism, is directed not only at police performance but also at the behavior, both on and off duty, of those who deliver police services. The establishment of proper standards for police behavior must not only meet the expectations of the citizen but also protect the rights of police officers and employees and those who have already violated the law.

The department recognizes that its employees have certain basic personal rights and restricts those rights only when necessary to ensure the integrity of the department and its personnel and that the highest quality of police services are maintained.

#### **RULE 4.1 – PRIVACY AND OFF-DUTY CONDUCT**

The department will generally limit its inquiry into an employee's personal matters, off-duty conduct, and outside employment, to situations reflecting upon the department or affecting the employee's ability or fitness for duty. An employee's right to privacy guarantees that disclosure of personal matters can be compelled only if the employer's interest in the disclosure outweighs the employee's privacy interest. When the department determines that inquiry into an employee's private life is legitimate, it will make the scope of the inquiry as narrow as reasonable under the circumstances.

An employee's medical and psychological fitness for duty is a matter of continuing departmental concern. The department is authorized to require employees to submit to medical, drug, and/or psychological examinations on a periodic basis or whenever there is reason to question the employee's fitness for duty. Reports of such examinations will be maintained in a separate file and dissemination of the information will be restricted to appropriate individuals.

The department has a legitimate interest in preserving its public image of trust and respect. An employee's off-duty personal relationships should not bring discredit to the employee or department, impact the employee's ability to perform their job, or result in poor job performance.

The department has the right to regulate the off-duty employment of its employees. The emergency nature of law enforcement, the need to ensure that employees report for work in good physical and mental condition, and the need to prevent conflicts of interest, all combine to provide the department with discretion in regulating off-duty employment.

#### **RULE 4.2 – CONDUCT UNBECOMING AN EMPLOYEE**

It is impossible to have detailed rules governing every conceivable situation. However, police employees have come to understand that certain behavior is clearly not in keeping with the good order and proper operation of the department. This rule has been shown to be capable of objective interpretation. It must not be subject to the whim of police administrators. The standard of conduct expected of police employees is learned in a variety of ways, from academy and in-service training to manuals, orders, and various written directives. It is fair to say that conduct unbecoming an

employee occurs when a reasonable employee under the circumstances would be aware that their behavior was inappropriate.

Both on and off-duty conduct may subject an employee to a charge of conduct unbecoming an employee. Employees do not sever their relationship with the department at the end of their shift. An employee's off-duty conduct, especially where there is some nexus or connection to the department or where the employee's status as a police employee is known, may reflect unfavorably on both the employee and department. Employees charged with conduct unbecoming an employee will have the underlying offensive conduct specified in the notice of charges.

Employees shall not commit any specific act or acts of immoral, improper, unlawful, disorderly or intemperate conduct whether on or off-duty, which discredits or reflects unfavorably upon the employee, upon fellow employees, or upon the police department. Employees shall conduct themselves both on and off-duty, in such a manner as to reflect most favorably on the department and its members. Conduct unbecoming an employee shall include that which tends to indicate that the employee is unable or unfit to continue as a member of the department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the department or its members. It shall also include off-duty conduct where there is a nexus or connection between the act or acts committed by the officer and his continued fitness or ability to effectively perform his required duties and responsibilities and/or the impact or adverse effect said conduct may have on the operation, morale, integrity, reputation or effectiveness of the department and ability of the officer(s) not involved in said act to effectively perform their required duties and responsibilities.

#### **RULE 4.3 – MEMBERSHIP IN ORGANIZATIONS**

Employees shall not affiliate with or become a member of any organization if such affiliation or membership would substantially interfere with or prevent them from performing their duty or conflict with the department's code of ethics.

#### **RULE 4.4 – IMPROPER ASSOCIATIONS**

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community for present involvement in criminal behavior, except as necessary in the performance of official duties, with the knowledge and approval of the Chief or where unavoidable because of an employee's family relationships.

#### **RULE 4.5 – UNDUE INFLUENCE**

Employees shall not seek or obtain the influence or intervention of any person, outside or within the department, for the purposes of advancement, preferential assignment, transfer, pecuniary advantage or any other type of preferred treatment or advantage, including the disposition of pending charges or findings in a disciplinary hearing.

#### **RULE 4.6 – IMPROPER BUYING, RECEIVING OR SELLING**

Employees shall not buy, receive, or sell anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other personnel involved in any case which has come to the attention of or which arose out of department employment, except as may be specifically authorized by the Chief of Police.

#### **RULE 4.7 – DEPARTMENT CORRESPONDENCE**

Employees shall not use department letterhead for private correspondence nor shall they send any written communication about police business to any person, firm or other law enforcement or public agency without the consent of the Chief of Police or his designee.

Employees shall not enter into official department correspondence with anyone or any agency outside the department, except with the approval of the Chief. All official department communications outside of the community without the permission of the Chief is prohibited.

#### **RULE 4.8 – MAILING ADDRESS**

Employees shall not use the department as a mailing address for private purposes without the permission of the Chief. At no time will the department be used as a mailing address for the purposes of a motor vehicle license or registration for private purposes.

#### **RULE 4.9 – INTERFERING WITH COURSE OF JUSTICE**

Employees shall not interfere with cases being handled by other employees of the department or other law enforcement agencies. When an employee believes that such involvement is necessary, he or she shall secure permission from a superior officer.



Employees shall not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person whomsoever for the purpose of permitting an accused person to escape the penalty of his wrongdoing or seek to obtain a continuance of any trial or otherwise interfere with the course of justice, except in the normal course of proceedings.

#### **RULE 4.10 – POSSESSING KEYS TO PRIVATE PREMISES**

Officers shall not personally hold keys to private buildings or dwellings in their area of patrol without the permission of the Chief.

#### **RULE 4.11 – PRIVATE BENEFIT FROM DEPARTMENTAL ASSOCIATION**

Employees shall not use the prestige or influence of their position, or use the time, facilities, equipment or supplies of the department for the private gain or advantage to themselves or another.

#### **RULE 4.12 – OFF-DUTY EMPLOYMENT**

Employees shall not engage in any off-duty employment without the knowledge and approval of the Police Chief. This approval is required for purposes of (a) increasing off-duty efficiency and availability, (b) avoiding potential conflicts of interest, (c) protecting the image of the department, and (d) avoiding impairment of on-duty performance.

All personnel engaging in outside employment should clearly understand that their primary obligation is to the Truro Police Department and the community they serve. Prior to accepting any outside employment, an employee must request, in writing, the approval of the Police Chief.

#### **RULE 4.13 – POLITICAL ACTIVITIES**

Employees shall not participate in political activities while in uniform or on duty. All actions which could even give the impression that employees are using their official positions to influence the electoral process are to be avoided. An employee shall not be required to solicit or be obliged to make contributions in money, services, or otherwise, for any political purpose.

#### **RULE 4.14 – GIFTS AND GRATUITIES**

Employees shall not seek, solicit or accept any gift, gratuity, loan, reward or fee where there is any direct or indirect connection between the solicitation or acceptance and their departmental

membership or employment. Any unauthorized gift, gratuity, fee or reward coming into the possession of any officer shall be forwarded to the Chief, together with a written report of the circumstances involved.

#### **RULE 4.15 – TESTIMONIALS AND PRESENTS**

Employees shall not collect or receive any money or things of value from any source for the purpose of making a present to any active officer or employee of the department unless specific permission is granted by the Chief. No employee shall seek or accept such presents without the permission of the Chief. Under the provisions of General Laws, Chapter 268, Section 9A, no personnel shall sell tickets or solicit contributions for a testimonial dinner or similar function for any person in active employment in any law enforcement agency or regulatory body of the state or any city or town.

#### **RULE 4.16 – UNAUTHORIZED TRANSACTIONS**

Employees shall not enter into any transactions of material value at substantially lower than fair market value, or the value at which such goods or services are being offered to the general public, when such transaction takes place between themselves and any person involved in any matter or case which arose out of their employment with the department.

#### **RULE 4.17 – USE OF OFFICIAL POSITION**

Employees shall not use their official position, department identification cards or badges for (a) personal or financial gain, (b) obtaining privileges from performance of duty, or (c) avoiding consequences of illegal acts. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

Employees shall not authorize the use of their names, photographs, or official titles that identify them as police employees with testimonials or advertisements for any person, commodity or commercial enterprise, without the approval of the Chief.

#### **RULE 4.18 – BADGES, DECALS, INSIGNIA**

No member or employee shall purchase, have purchased by some other person, make, or have made, constructed, printed, or created, any badge, insignia, decal, plaque, etc. that depicts the official title of Truro Police Department or purports to be an official facsimile of the department.

Any and all badges and other official insignia issued to or purchased by members and/or employees shall become the property of the Truro Police Department upon the termination of employment subject to the discretion of the Chief of Police.

#### **RULE 4.19 – CONFLICT OF INTEREST LAW**

Employees shall not violate Mass. General Laws c.268A. Since the position of a police employee is a public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance. Areas of concern include certain types of outside employment; financial transactions with units of government or others; memberships in non-police unions; activities in partisan politics; and the use of an official position to secure unwarranted privileges, pecuniary advantage or preferential treatment.

## **DUTY**

### **5.0 – NEGLECT OF DUTY**

Employees are required to be attentive to and not neglect their sworn duty. Employees must not absent themselves from their assigned duty without leave. They must not leave their post or assignment without being properly relieved; likewise, they must take suitable and appropriate police action regardless of whether they are on or off-duty when any crime, public disorder or other incident requires police attention or service. Examples of neglect of duty include but are not limited to: failure to take appropriate action on the occasion of a crime, public disorder or other act or condition deserving attention; absence without leave; failure to report to duty at the time and place designated; unnecessary absence from one's assignment during a tour of duty; failure to perform duties or comply with any rule or regulation, general or special or other order; or failure to conform to department policies and/or procedures.

### **RULE 5.2 – INCOMPETENCE**

Employees shall maintain sufficient competency to perform their duties and assume the responsibilities of their position. Incompetence may be demonstrated by, but is not limited to:

- a) A lack of knowledge of the application of laws required to be enforced;
- b) An unwillingness or inability to perform assigned tasks;
- c) Failure to conform to work standards established for officer's rank, grade or position;
- d) Repeated poor evaluations;
- e) Repeated infractions of rules, regulations, policies, procedures, general or special orders;
- f) Inability to fulfill duties outlined in job descriptions.

## **6.0 – PUBLIC STATEMENTS AND FREE SPEECH**

The rules attempt to balance the employee's right to freedom of expression on matters of public interest with the department's legitimate interest in the integrity and efficiency of its operations. Police employees do not surrender their Constitutional right of free speech upon taking their oath of office. However, courts have recognized that police departments can promulgate reasonable rules to regulate certain types of statements by employees consistent with the mission of a law enforcement agency.

A police department is a para-military organization, which is unique in the public service, and, as such, has a justifiable need for esprit de corps, harmony, discipline and confidentiality. Close personal or confidential relationships are often required. Disrespectful and/or offensive remarks are inconsistent with fostering and maintaining such relationships.

There is a need to maintain chain of command. Statements that undermine the working relationship between employees and superiors are disruptive to the agency's mission. This is especially true when such statements are simply bickering or personal disputes with one's superiors.

Employees should avoid: speech that is knowingly false; statements made as an extension of a personal dispute; statements resulting from a personality conflict; speech promoting or endorsing private services; profanity or name calling; speech which causes significant disruption of morale.

Employees who are the subject of an internal investigation may be instructed not to discuss the subject matter of the investigation with others. Generally, such restrictions would not apply to discussions with an employee's attorney or union representative, or with such employee's spouse.

### **RULE 6.1 – PUBLIC CRITICISM OF THE DEPARTMENT**

Employees shall not knowingly publicly criticize the department, its policies or members. Employees shall not make any unnecessary complaints against another member of the department nor criticize any other employee, except in the line of duty as a superior to subordinate. Employees shall not publicly criticize instructions or lawful orders they have received.

### **6.11 – CRITICISM AND MALICIOUS GOSSIP**

No employee shall maliciously gossip about any other employee, order, policy, procedure, case, or event, nor shall any employee cause to discredit, lower, or injure the morale of the personnel of

the department or that of any individual of the department. To this end, employees shall make maximum utilization of the chain of command and the grievance procedure of the department as described in the applicable contractual agreement.

#### **RULE 6.2 – DISPARAGING REMARKS**

Employee shall not speak disparagingly of any minority, race, nationality, gender, religion, sexual preference or a person's marital status on-duty or while off-duty in a public place.

#### **RULE 6.3 – COURTESY**

Employees shall not be discourteous or inconsiderate to the public, to their superior officers, to their fellow employees, or to members of other law enforcement or government agencies. They shall refrain from using profanity, derogatory comments, ethnic or racial slurs, or other types of demeaning statements. They shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances.

#### **RULE 6.4 – RECOMMENDING PRIVATE SERVICES**

Employees shall not, except in the transacting of personal affairs, recommend or suggest in any manner the employment or purchase of a particular professional or commercial service or product, such as lawyers, bondsmen, undertakers, towing service, or burglar alarm companies.

#### **RULE 6.5 – QUESTIONS OF CITIZENS**

Employees shall answer questions from citizens in a courteous manner and if unable to supply an answer, shall make every effort to obtain the answer for the citizen while avoiding argument.

#### **RULE 6.6 – IDENTIFICATION**

Employees shall identify themselves when asked while on-duty, except when withholding information is necessary for the performance of police duty, when it could jeopardize a member's safety, or when authorized to refuse by a proper authority. M.G.L. Ch. 41, s. 98D requires that full-time police officers carry official identification cards to be shown upon lawful request.

## **RULE 6.7 – DISSEMINATION OF OFFICIAL INFORMATION**

Employees shall treat as confidential that information which is confided to them personally. They shall disclose such information only as required in the proper performance of their duties. Employees shall neither disclose nor use for personal reasons any confidential information they learn in the course of their duties and shall treat as confidential all matters relating to investigations, internal affairs, and personnel. Employees shall treat the official business of the police department as confidential and shall conform to the following guidelines:

- a) Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established departmental procedures.
- b) Access to departmental files, records and reports shall be limited to those officers and employees authorized by the Police Chief.
- c) Official records or reports shall not be copied or removed from a police facility except in accordance with established departmental procedures.
- d) The identity of a person giving confidential information to an employee in the performance of their duty shall not be divulged except with the approval of the Chief or by operation of law.
- e) No information shall be released, given or issued to the news media or any members of the press concerning department operations without the approval of the Police Chief.
- f) Employees shall not communicate or give police information, which contributes to the destruction, removal or loss of evidence, goods or contraband.
- g) Employees shall not communicate to the public, news media or other agencies or persons departmental information except as authorized by the Police Chief or by statute. Requests for public appearances or speaking engagements concerning departmental operations or policies shall be submitted to the Chief for approval.

## **RULE 6.8 – TESTIMONY IN CIVIL CASES**

Employees shall not testify in any civil case, arising from their performance of duty, unless legally summonsed to do so or until having received permission or order from the Police Chief. When summonsed to testify, an employee shall notify the Police Chief in advance of testifying.

## **RULE 6.9 – TRUTHFULNESS**

Employees shall speak the truth at all times. In cases in which an employee is not allowed by the regulations of the department to divulge facts, they will decline to speak on the subject.

### **RULE 6.10 – STATEMENTS CONCERNING LIABILITY**

Employees shall not make any oral or written statement to anyone concerning liability in connection with the operation of police vehicles or performance of other police duty, unless specifically authorized to do so by the Chief of Police.

### **RULE 6.11 – TESTIFYING FOR DEFENDANT IN CRIMINAL CASES**

Employees shall not testify for a defendant in a criminal case, parole hearing or other judicial proceeding unless legally summonsed to do so or with the advance approval of the Police Chief. In cases which involve the police department or its personnel, employees shall, before testifying, inform the Police Chief of the nature of the testimony intended to be given.

### **RULE 6.12 – RECOMMENDATION FOR DISPOSITION OF CASES**

Employees shall not make a recommendation for the disposition of any case pending in the courts without the consent of the Chief of Police, or without the permission of the Detective Sergeant; or upon the direct request of the Court to the officer.

### **RULE 6.13 – USE OF DEPARTMENT RECORDS, REPORTS AND COMMUNICATIONS**

All communications to municipal officials shall be forwarded through the Chief of Police, unless specifically authorized otherwise.

### **RULE 6.14 – DEALING WITH LOCAL OFFICIALS**

Employees shall not confer with or forward communications to local officials on police matters without first notifying the Police Chief, except as otherwise provided by statute.



## **7.0 – ORDERS**

An order is defined as a command or instruction, oral or written, given by one member of the department to another member of lesser rank. It is essential for a police agency that employees obey all lawful orders. Every department employee shall promptly obey, without reservation, the rules, regulations, policies and procedures of the department and all lawful commands of a superior officer, including commands relayed from a superior by an employee of the same or lesser rank.

### **7.01 – UNLAWFUL ORDERS**

No superior officer shall knowingly issue an order in violation of any law. Obedience to an unlawful order is not a defense for unlawful action, so no employee is required to obey an order that is contrary to federal or state law. Responsibility for refusing to obey an unlawful order rests with the employee to whom the order was given and will be strictly required to justify such action.

### **7.02 – CONFLICTING ORDERS**

Should any order given by a superior conflict with a previous departmental order, the employee to whom such order is given will call attention to the conflict. If the person responsible for issuing said order does not change his/her order to avoid such conflict, the new order will be obeyed, but the employee obeying such order shall not be held responsible for disobedience of the previous order. It shall later be reported to the Police Chief, through the chain of command, for clarification.

### **7.03 – UNJUST OR IMPROPER ORDERS**

When lawful orders which appear to be unjust or improper are given, the employee to whom the order is given shall notify the superior issuing the order of its impropriety. If the order is not corrected, it shall be carried out. The employee to whom the order was given may then file a written report to the Chief via the chain of command seeking clarification and outlining the reasons for questioning the order. After complying with this section, an employee who obeyed an order found to be unjust or improper will not be held responsible for carrying it out. Unjust or improper orders issued by the Chief are subject to the applicable grievance procedure.

### **7.04 – INSTRUCTIONS FROM TELECOMMUNICATOR**

All messages transmitted over the police radio system by any officer or employee shall be direct and concise and shall conform with all departmental radio procedures and the rules and regulations

of the Federal Communications Commission. No employee shall fail to obey or refuse an official communication (whether via radio, telephone, computer or in-person) transmitted by or conveyed directly from an officer or telecommunicator, unless instructed to do so by a superior officer.

### **7.05 – TYPES OF ORDERS**

Below is a brief description of the types of written directives which may be utilized.

- a) **GENERAL ORDERS.** General Orders are permanent written orders issued by the Chief of Police outlining policy matters which affect the entire department. A General Order is the most authoritative written order that the Chief issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full effect until amended, superseded or rescinded by the Police Chief.
- b) **SPECIAL ORDER.** Special Orders are temporary written orders issued by the Police Chief or designee outlining instructions covering specific situations. Special Orders are automatically cancelled when their objective is achieved.
- c) **PERSONNEL ORDERS.** Issued by the Police Chief or other authorized command personnel pertaining to assignments, duty change assignments, administrative matters relating to conditions of employment, and employee rights and benefits.
- d) **MEMORANDA.** Written communications (memorandum or memo) issued by the Police Chief or other authorized command officers for the following purposes:
  - i. to issue information or instructions which do not warrant a formal order;
  - ii. to direct the actions of subordinates in specific situations;
  - iii. to explain or emphasize portions of previously issued orders; or
  - iv. to inform officers of actions or policies of other agencies.
- e) **RULES AND REGULATIONS.** A manual of rules and regulations issued by the Select Board of the Town of Truro, through the Chief of Police, which defines required and prohibited conduct and generally outlines the basis for departmental discipline.
- f) **POLICIES AND PROCEDURES.** A manual describing the policy of the department and required procedures to be followed in handling a variety of operational or administrative areas confronting law enforcement officers.

### **RULE 7.06 – INSUBORDINATION**

Employees shall not be insubordinate. Insubordination shall include the failure or deliberate refusal to obey a lawful order (written or oral) given by a superior or as otherwise specified above. It shall also include any disrespectful, mutinous, insolent, or abusive language or action toward a superior whether in or out of the presence of the superior.

## **8.0 – UNIFORMS AND APPEARANCE**

Employees shall wear uniforms, equipment, and insignia of rank as the Police Chief or his designee proscribes. A professional, uniform appearance fosters teamwork and esprit de corps. While on duty, employees shall present themselves with a professional appearance to the public at all times. Since uniforms make an employee identifiable and accessible to citizens, it is vital that employees maintain a neat and clean appearance and that the uniform serves as an appropriate introduction to the members of the community. Exceptions must be authorized by the Chief or designee.

### **RULE 8.1 – HAIR STYLES FOR MALE EMPLOYEES**

Male employees shall keep their hair neat, clean and trimmed and shall present a well-groomed appearance. Hair shall not cover the ears and must be trimmed in back and on the sides so that it does not extend over the collar. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. In no cases will the bulk or length of the hair interfere with the proper wearing of any authorized headgear. Sideburns will not extend below the bottom of the earlobe, must be neat and trimmed and will end with a clean-shaven horizontal line. Exceptions to this rule may be granted by the Police Chief.

### **RULE 8.11 – MUSTACHE AND BEARD**

Mustaches must be neat and trimmed and shall not extend above the upper lip or below the lip line. An officer's face will be clean shaven other than the acceptable mustache and sideburns. Beards and goatees are prohibited. Exceptions to this rule may be granted by the Police Chief.

### **RULE 8.2 – HAIR STYLES FOR FEMALE OFFICERS**

Female police officers shall wear their hair so that it does not touch the collar of the shirt. Longer hair will be fashioned up to stay in place and not hang over the eyes. All styles will render a neat appearance. No scarves, headbands or ribbons will be worn in the hair. In no case will the bulk or length of the hair interfere with the proper wearing of any police headgear. Exceptions to this rule may be granted by the Police Chief.

### **RULE 8.3 – EARRINGS**

Officers may not wear earrings or studs while on duty while in uniform.

#### **RULE 8.4 – WEARING THE UNIFORM**

Employees shall keep their uniforms neat, clean and pressed. Care should be taken not to wear threadbare or faded items. The uniform cap shall be worn when directed by competent authority. While in uniform, officers shall display their badge on the outermost garment over their left breast. The Police Chief will issue periodic special orders regarding daily or seasonal wearing of uniforms. Employees shall not wear any identifiable part of the uniform outside the limits of the community except while in the performance of official duty, while commuting to and from duty, or with the permission of the Chief of Police.

#### **RULE 8.5 – CIVILIAN CLOTHING**

Male officers allowed to wear civilian clothing during a tour of duty, including court appearances, shall wear either a business suit with tie, or sports coat with tie and slacks, subject to seasonal changes as directed by the Police Chief. Female officers allowed to wear civilian clothing during a tour of duty, including court appearances, may wear a dress or skirt and blouse, or blouse and dress pants. Jeans are not considered proper attire for any officer.

The Police Chief may prescribe other types of clothing when necessary to meet particular police objectives. Civilian clothing shall not be worn with any distinguishable part of the police uniform. No shorts, T-shirts or shirts without a collar may be worn. Leather shoes are required (no sneakers/tennis shoes, etc.)

#### **RULE 8.6 – TATTOOS AND BODY ART**

Tattoos or body art that is racist, sexist or sexually suggestive, obscene or profane, or that undermines town or department values is prohibited. Tattoos on the arms below the elbow shall be covered. Tattoos on an officer's neck, head, face, ears, and hands are prohibited except for a single tattooed wedding ring. Employees shall not display body pierced jewelry or intentional (decorative) disfigurement while in uniform or on duty.

## **9.0 – ATTENTION TO DUTY**

Employees are expected to be constantly alert and vigilant in the performance of their duties and respond prudently but decisively when police action, functions, responsibilities, duty or service is required. Employees who handle any complaint, assistance call, arrest or other duty, shall attend to such duty with professionalism and courtesy and without unnecessary delay. Employees shall furnish information and render aid to all persons with due courtesy whenever such request is consistent with their duty. Employees shall not withhold information on criminal activity.

Every employee shall familiarize themselves with the geography of the community, including: routes of public transportation; the location of streets, highways, bridges, public buildings and places; hospitals; courts; transportation offices and stations; prominent or important office buildings; large industrial plants or commercial establishments; and such information as may be disseminated by their superior officers from time to time.

Employees shall furnish police assistance to all persons making such request, consistent with their police duties and assignments. They shall assist and cooperate with all law enforcement agencies, provide them any authorized information they are entitled to receive, and submit a report on actions taken.

It shall be the duty of every employee to report to a superior officer any information given to them in good faith by any citizen regarding matters that indicate the need for police action. Officers, regardless of rank or assignment, shall act immediately to protect life, liberty or property; to enforce all laws; to detect the commission of crimes; and to apprehend law violators.

## **RULE 9.1 – PROFESSIONAL IMAGE**

Police employees shall not act in a manner inconsistent with the image of a professional police employee, which shall include, but not be necessarily limited to:

- a) Smoking or chewing gum in uniform when in plain view of the public;
- b) Unnecessary shouting or using obscene language;
- c) Leaning on walls, posts, cars, etc.;
- d) Tardiness in reporting for work;
- e) Conducting personal business on duty;
- f) Taking excessively long meals or refreshment breaks;
- g) Failing to respond promptly to a request for police service;

- h) Failing to return promptly to service after handling a call for police service;
- i) Lack of courtesy to an individual, either on the phone or in person;
- j) Gambling, except when off-duty and at licensed premises.

#### **RULE 9.2 – DEVOTION TO DUTY**

While on duty, employees shall devote their full time and attention to the service of the department and to the citizens of the community. They shall remain awake and alert at all times while on duty. Activities that detract from the proper performance of duty are not permitted.

#### **RULE 9.3 – LOITERING**

Officers shall not, while on duty, loiter in cafes, saloons, restaurants, theaters, service stations or other public places, except for the purposes of police related activities.

#### **RULE 9.4 – DUTY TIME LIMITED TO POLICE WORK**

Employees shall not shop while on duty or devote any of their on-duty time to activities other than that which relates to police work. They shall not perform any police duty in uniform for purposes of private gain.

#### **RULE 9.5 – REPORTING FOR DUTY**

Employees shall report for duty promptly at the time and place required or as otherwise directed by proper authority. They shall be properly uniformed and suitably equipped. While on duty they shall avoid any activities not directly related to their police responsibilities and shall not absent themselves from duty without leave. Employees unable to report for duty because of sickness or injury shall notify the station as soon as possible.

#### **RULE 9.6 – SLEEPING**

Employees shall not sleep while on duty.

#### **RULE 9.7 – GAMBLING**

Employees shall not gamble while on duty, unless to further a police purpose.

### **RULE 9.9 – LEAVING VEHICLES UNATTENDED**

Officers shall not leave vehicles unattended. When leaving a cruiser, the keys shall be removed from the vehicle and the doors secured. When necessary to leave a cruiser running for emergency lights, etc., the kill switch shall be activated.

### **RULE 9.10 – SMOKING AND TOBACCO USE WHILE ON DUTY**

Employees shall not smoke or chew tobacco while on duty. In addition, pursuant to M.G.L. 41-101(A), police officers are prohibited from smoking any tobacco products.

### **RULE 9.11 – AWARENESS OF ACTIVITIES**

Employees shall acquaint themselves before beginning their tour of duty with all important matters affecting their duties that have occurred since their last tour. Upon returning to duty from any period of absence, all employees shall inform themselves about all new orders, regulations, memoranda, and all other important matters governing their assignments. All officers shall familiarize themselves with the laws, statutes, by-laws/ordinances, and regulations necessary for the proficient execution of their duty as police officers.

### **RULE 9.12 – LEAVING THE COMMUNITY**

Officers shall not leave the town limits unless it is necessary in the performance of duty. An officer shall inform the patrol supervisor and the telecommunicator prior to leaving and again upon returning. If an emergency prevents following this procedure, the officer must contact the patrol supervisor as soon as possible. In all such cases, an incident shall be created, which will include the circumstances, the reasons for leaving the community and the period of absence.

### **RULE 9.13 – DUTY STATUS**

Officers shall be considered on duty or available for duty at all times (during assigned hours or while off-duty) for the preservation of the public peace and the protection of life and property and shall be prepared to take all reasonable police action to accomplish this purpose. All serious matters of public concern shall receive appropriate attention, even though an officer is not on duty at the time.

#### **RULE 9.14 – DEPARTMENTAL COMMUNICATIONS**

Employees shall transmit all official communications promptly, accurately and completely to other employees of the department as required and shall immediately inform the patrol supervisor of any matter of police importance coming to their attention during their tour of duty, or otherwise. They shall call to the attention of their relieving employees any information regarding unresolved problems or problems which may arise during the next tour of duty.

#### **RULE 9.15 – MUTUAL PROTECTION**

Officers shall come to the immediate aid, assistance or protection of fellow officers who, in the performance of their duties, require such aid and assistance.

#### **RULE 9.16 – DUTIES WHILE IN COURTS**

Officers concerned with cases before courts, grand juries, etc., shall be punctual in attendance, and shall have a clean and neat appearance.

#### **RULE 9.17 – REPORTS**

Officers shall promptly and accurately complete all reports and forms required by the department through its policies, procedures, and general orders.

#### **RULE 9.18 – COOPERATION WITH INTERNAL INVESTIGATIONS**

Employees shall answer questions, respond to lawful orders, and render material and relevant statements in internal investigations when such orders, questions and statement are directly related to their job responsibilities. Nothing in the section shall infringe on one's federal or state constitutional rights.

#### **RULE 9.19 – WITHHOLDING EVIDENCE**

Officers shall not fabricate, withhold, or destroy any evidence of any kind. Final disposition of evidence shall be in accordance with established departmental policies and procedures and as governed by statute.



### **RULE 9.20 – TESTIMONY**

When testifying, officers and employees will be truthful, accurate, and complete, and will be respectful of all persons involved in the court process.

### **RULE 9.21 – REPORT OF RULE VIOLATIONS**

Employees shall, upon observing or otherwise becoming aware of a violation of the Truro Police rules and regulations, policies and procedures, or other directives or as governed by law, report said violations to a superior officer who will then be responsible for appropriate action, report submission and follow-up.

## **10.0 – GENERAL REQUIREMENTS**

### **RULE 10.1 – RESIDENCY**

Employees shall comply with any residency requirement specified by any applicable statute, by-law/ordinance, or collective bargaining agreement.

### **RULE 10.2 – HOME ADDRESS AND TELEPHONE**

Employees shall have access to a telephone at all times and shall report any changed telephone number or home address to the Chief within twenty-four hours. The telephone numbers or home addresses of department personnel shall not be given out by department members to anyone outside the department without the approval of the Police Chief. In the event of an emergency request, the employee's telephone number will be called with a notification to call the person making the request.

### **RULE 10.3 – DEFECTS IN STREETS OR ROADWAYS**

Officers shall promptly report to the dispatcher any defect, obstruction, or nuisance in the streets, sidewalks or other public areas which may cause a hazard to the general public or create civil liability upon the community. Appropriate notification shall be made by the dispatcher for more immediate remedial action where necessary.

### **RULE 10.4 – MEALS**

Employees shall take meals and breaks as such times as are approved in the discretion of the patrol supervisor who may limit the number of employees who may be off at any one time.

### **RULE 10.5 – POLICIES AND PROCEDURES COMPLIANCE**

Employees shall read and be familiar with and comply with the requirements of the department's policies and procedures manual.

### **RULE 10.6 – PAYMENT OF DEBTS / LEGAL LIABILITIES**

Employees shall not willfully or negligently fail to pay just debts and legal liabilities, especially where creditors solicit the assistance of the Chief of Police in the collection process. Employees

shall not borrow money from or otherwise become indebted to any municipal official or other employee, nor shall they solicit any municipal official or other members or employees of the department to co-sign, endorse or in any way whatsoever guarantee any promissory note, or other loan nor shall they offer to act as co-signor, endorser or guarantor of any promissory note or other loan for any municipal official or other member or employee of the department.

#### **RULE 10.7 – WARRANTS FOR ASSAULT UPON A POLICE OFFICER**

Employees shall not make application for a warrant charging that they were assaulted while in the performance of duty without first reporting the facts of the case to a superior officer.

#### **RULE 10.8 – RELEASE WITHOUT ARRAIGNMENT**

Employees shall notify a superior officer in all cases where a release without arraignment is to be sought for any person arrested. In no case shall any discharge without arraignment be made without the approval of a superior officer or the court.

#### **RULE 10.9 – INCURRING DEPARTMENT LIABILITY**

Employees shall not incur a liability chargeable to the department or town, except with the knowledge and consent of the Chief of Police.

#### **RULE 10.10 – DUTIES WHILE SUSPENDED**

Employees shall obey all lawful orders while on suspension. Suspended employees may be required to testify in connection with cases which originated while an employee was on duty or to submit to fitness for duty examinations.

#### **RULE 10.12 – CIVIL DISPUTES**

Officers shall take a neutral position in any dispute of a civil nature, acting only to keep the peace and enforce any orders of a criminal nature as issued by a court of competent jurisdiction.

#### **RULE 10.13 – CIVIL SUITS FOR PERSONAL INJURY**

Employees shall make any claims for damage to clothing or other personal property that occurs during the performance of duty in accordance with current departmental directives, regulations

and contractual provisions. Employees shall not seek, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first receiving approval from the Chief. Employees who have received municipal salaries or have been indemnified or reimbursed for medical bills for illness or for personal injuries sustained off-duty or in the line of duty shall notify the Chief in writing of any intent to seek, sue, solicit, or accept compensation or damages for such injury or illness. Notice shall occur prior to any legal action and must include the claim facts and the defendant's name. The Police Chief shall be kept informed of the case status and the final court determination.

#### **RULE 10.14 – IMMORALITY**

Employees shall not engage in immoral conduct or public lewdness.

#### **RULE 10.15 – CRIMINAL CONDUCT**

Employees shall not commit any criminal act or violate the criminal laws or statutes of the United States or of any state or local jurisdiction (by-law/ordinance), whether on or off-duty. An employee may be guilty of violating this rule regardless of the outcome of any criminal court case.

## **11.0 – DEPARTMENTAL PROPERTY AND EQUIPMENT**

Equipment and uniforms issued to employees shall remain the property of the department. Employees shall maintain departmental property, uniforms and equipment assigned to them in good condition. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action. If department property is found to have damage not previously reported, it will be considered prima facie evidence that the last person using the property is responsible for the damage unless said evidence is disproven.

### **RULE 11.1 – DAMAGED, DEFECTIVE OR INOPERATIVE PROPERTY AND EQUIPMENT**

Employees shall immediately report to a superior officer any damaged, defective, or inoperative property or equipment. The superior officer shall then submit a report to the Chief detailing the circumstances and order a report by the employee assigned or in control of the property when the damage occurred. The Police Chief shall also be notified of any defects or hazardous conditions existing in any department property or equipment.

### **RULE 11.2 – CARE OF DEPARTMENT BUILDINGS**

Employees shall not mar, mark, or deface any wall, posting, or other general surface in any department building.

### **RULE 11.3 – AUTHORIZED EQUIPMENT**

Officers shall carry, while on duty, only that equipment which is authorized by the Chief and/or departmental policies, procedures, rules, regulations, or general orders.

### **RULE 11.4 – SURRENDER OF DEPARTMENT PROPERTY**

Employees are required to surrender all department property in their possession upon separation from service, or when otherwise ordered.

### **RULE 11.5 – PRIVATE VEHICLES**

Officers shall not drive or utilize a private vehicle while on a duty assignment or otherwise engage in a police service, function, duty, or responsibility without the specific authorization of the Police Chief or his/her designee. An exception will be made for emergency circumstances requiring immediate police services.

#### **RULE 11.6 – DEPARTMENT TELEPHONES**

Employees shall not use department telephones for the transmission of private messages.

#### **RULE 11.7 – DEPARTMENT VEHICLES**

Officers must have and maintain an active driver's license. Officers shall not use any unassigned department vehicle without the permission of the Chief of Police or his/her designee except in an emergency. Department vehicles shall not be used for personal business or pleasure.

#### **RULE 11.8 – UPKEEP OF POLICE MANUAL**

Employees who are issued this manual and the department's policies and procedures manual are responsible for their maintenance and knowledge of their contents, inclusive of changes issued by the Police Chief. The manuals shall be readily available for inspection and review when so directed by lawful authority. The manuals shall be considered department property and shall be surrendered to the police department upon separation from service with the department.

#### **RULE 11.9 – TRANSPORTING CITIZENS**

Officers shall ensure that only authorized employees drive or are transported in department vehicles. Citizens shall be transported in department vehicles only when necessary to accomplish a proper police purpose and transportation shall conform to department policy and procedure.

#### **RULE 11.10 – RESPONSIBILITY FOR DEPARTMENT PROPERTY**

Employees who are the actual custodians or users of any department property shall be responsible for the safe-keeping and proper use of the property during the time that such employee has control of it, and the property shall be returned upon demand of a superior, or when its use is terminated.

#### **RULE 11.11 – CARE OF DEPARTMENT PROPERTY**

Employees shall make every effort to conserve the physical resources of the department. Employees shall use department equipment only for its intended purpose, in accordance with established procedures. They shall maintain all issued equipment in proper order and condition. Negligent use and care of department property, as well as its abuse, misuse, willful or negligent loss or destruction, is not only cause for department discipline, but may also require restitution. Intentional or negligent defacement, misuse, damage or loss of department property is prohibited.

#### **RULE 11.12 – ITEMS OF IDENTIFICATION**

Employees shall be responsible for the items of identification issued to them as member of the department, including but not limited to, police badges, name plates, and identification cards. They shall not permit any other person to borrow or use the items of identification issued to them by the department. Loss of items shall be reported immediately by the employee to the Chief of Police together with a written report of the circumstances leading to such loss.

#### **RULE 11.13 – PERSONAL POLICE EQUIPMENT**

Officers shall register with the department all personal firearms or police equipment they personally own or carry.

#### **RULE 11.14 – CARE AND SECURITY OF FIREARMS**

Officers will maintain their service firearms and authorized off-duty weapons in proper working order. They shall report any damage, loss, or unserviceable condition immediately to a superior officer. Officers are personally responsible for the security and safekeeping of firearms and shall not alter or repair any part of their service firearm without proper approval.

#### **RULE 11.15 – CARE AND CUSTODY OF PROPERTY**

Officers shall assure that all personal property, including money, which comes into an officer's custody while on duty, whether lost, stolen, confiscated, abandoned, turned over to the department or taken from a prisoner or detainee, is properly tagged, recorded and turned over to the proper department authority, or placed in the designated place of storage for safe keeping, prior to securing from their shift, in accordance with current department policies and procedures.

#### **RULE 11.16 – EVIDENCE / SUSPECTED CONTRABAND**

Evidence or contraband of any kind that comes into the possession of an officer shall be turned over to the evidence/property officer for safe-keeping and/or processing prior to securing from their shift. This regulation shall be adhered to in all cases, whether or not court action is contemplated, an arrest is made, or the owner of the evidence/suspected contraband is known.

Officers are not authorized to destroy or dispose of evidence or suspected contraband, except at the direction of the Chief of Police or his/her designee and in accordance with procedures established by law and department policy.

#### **RULE 11.17 – RESPONSIBILITY FOR VEHICLE**

Officers assigned to duty as an operator of a department vehicle shall be responsible for checking on the serviceability of the vehicle. Each officer shall inspect the vehicle prior to use and shall submit a written report to his supervisor of any defect, damage, unserviceability, or the presence of unauthorized articles. Officers shall also inspect the vehicle's interior before and after they transport anyone. Responsibility for cleanliness of the vehicle shall be the responsibility of the officer(s) assigned to said vehicle.

#### **RULE 11.18 – DEPARTMENT NOTICES**

Employees shall not alter, deface, or remove without permission any posted notice on the department bulletin board or other location where notices are posted. No derogatory, libelous or profane notices shall be posted upon department or union bulletin board(s) or upon any other department location. All notices on the union bulletin board will conform to the requirements of the applicable collective bargaining agreement and will be signed by a union official.

#### **RULE 11.19 – REPORTING ACCIDENTS**

Officers involved in an accident with a department vehicle, or when a vehicle is disabled and has been damaged, shall not move the vehicle except in an emergency. A patrol supervisor shall immediately go to the scene and make an investigation and report all particulars to the Chief of Police. The involved officer must promptly submit a written report in accordance with department policies and procedures.



## **12.0 – REPORTS**

### **RULE 12.1 – FILING REPORTS**

Employees shall promptly and accurately complete all reports and forms as required by this manual and by department policies, procedures and general orders.

### **RULE 12.2 – FALSIFYING RECORDS**

Employees shall not knowingly or willingly enter or cause to be entered into a police report, police investigation, or police record any inaccurate, false or improper information.

### **RULE 12.3 – WITHHOLDING EVIDENCE**

Employees shall not fabricate, withhold, or destroy evidence of any kind.

### **RULE 12.4 – FEIGNING ILLNESS OR INJURY**

Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive the department as to the condition of their health.

### **RULE 12.5 – DEPARTMENTAL RECORDS / REPORTS / CITATIONS**

Employees shall not steal, alter, forge or tamper with any kind of police record, report, or citation. Removal of official files or documents from the department, except by process of law or as directed by the Chief is prohibited. Obtaining or duplicating information from department files, sources or reports, other than information to which a member is entitled by law or policy, is prohibited.

### **RULE 12.6 – LINE OF DUTY DISABILITY**

Officers injured in the line of duty may apply for leave as provided in MGL c.41 s. 111F. Any injury, illness or disability incurred on-duty shall be reported in writing to the Chief and will be investigated. A report shall be made prior to the end of the officer's shift unless the seriousness prevents such notice. In that case, immediate notice will be made by a superior officer to the Chief. Departmental and insurance claim forms will be utilized for notification purposes, and with each

case of illness, injury or disability incurred in the line-of-duty, the Chief may require that an officer not be returned to duty until his ability for full duty status is certified by proper medical authority.

### **13.0 – FITNESS FOR DUTY**

#### **RULE 13.1 – ABSENCE**

Employees shall not be absent from duty without permission. For a proper reason, and only for a limited time, a Sergeant, Lieutenant, Deputy Chief or Chief or Police may excuse an officer from reporting or being present for duty. All unauthorized absences shall be investigated by Professional Standards with report made to the Chief of Police for appropriate action.

#### **RULE 13.2 – MILITARY LEAVE OF ABSENCE**

Employees who are members of a reserve component of the United States Armed Forces shall be granted leave, in accordance with Chapter 33, Section 59, of the Massachusetts General Laws and the provisions of any applicable collective bargaining agreement.

#### **RULE 13.3 – SICK LEAVE**

Employees shall utilize sick leave for personal illness or physical incapacity only when rendered unable to perform the duties of the officer's position or as allowed by employment contracts.

#### **RULE 13.4 – DOCTOR'S CERTIFICATE**

Employees shall provide a doctor's certificate for an absence from duty because of sickness or injury if required by the Chief of Police or as set forth in contract.

#### **RULE 13.6 – NOTIFICATION**

Employees shall notify the station when ill and unable to report for work or if there is a change in the employee's physical or mental health that could disqualify them from being employed by the department. The use of sick leave without just cause or furnishing false information to utilize sick leave by any employee of the department is strictly prohibited.

#### **RULE 13.7 – POSSESSION OR USE OF ALCOHOL**

Employees shall not possess and/or use alcohol on duty other than in an authorized duty capacity. No employee shall report for duty while under the influence of intoxicating liquor or with an odor of alcoholic beverage on his breath. No employee shall drink alcoholic beverages so as to render themselves unfit to report for scheduled duty.

#### **RULE 13.8 – SMOKING TOBACCO**

Officers appointed after January 1, 1988 shall not smoke tobacco products of any kind whether on or off-duty. Use of tobacco products is grounds for dismissal as specified in MGL C.41, s.101A.

#### **RULE 13.9 – POSSESSION OR USE OF CONTROLLED SUBSTANCES**

Employees shall not possess and/or use any controlled substance, whether on or off duty, except with the approval and guidance of a licensed physician and notice to the Chief. At no time may an employee use or be under the influence of a controlled substance that renders them unable or unfit to perform their duties.

#### **RULE 13.10 – INTOXICANTS AND DRUG POSSESSION**

Employees shall not bring, place, possess or allow another to bring, place or possess any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, into any building, location, or vehicle of the department, except in the strict performance of police duty, or when needed for administration by, or at the direction of, a licensed physician, and then only after approval of a superior officer.

## **14.0 - ACCOUNTABILITY AND DISCIPLINE**

### **RULE 14.1 – ACCOUNTABILITY AND DISCIPLINE**

An effective and responsive system of personal accountability and discipline is essential for maintaining efficient performance and preserving departmental morale. Clear disciplinary policies enable employees to know what is expected of them and to understand that appropriate steps will be taken when required.

Under the provisions of M.G.L. Chapter 41, officers and employees may be disciplined for just cause. This would include any misconduct or unsatisfactory behavior which impairs personnel or departmental efficiency or effectiveness. Disciplinary actions which may be imposed after statutory procedural requirements are observed include, but are not limited to:

- a) Loss of vacation days.
- b) Suspension not exceeding five days.
- c) Suspension exceeding five days.
- d) Lowering in rank and compensation.
- e) Discharge.

\* Note: Probationary employees having less than one year's service are subject to discharge without the right to a hearing or appeal.

When any disciplinary action is taken, a complete record will be made of the facts and circumstances and will be retained in the personnel file of the employee involved.

Department standards of conduct and performance will be enforced in a consistent manner and all disciplinary measures will be based upon the seriousness of the charges. When appropriate, other disciplinary measures may first be considered. These include, but are not limited to:

- a) Oral Reprimand - The Chief or a superior officer may reprimand or admonish for minor infractions of department regulations or procedures. At the Chief's discretion, a written record of the same may be entered into the member's personnel file. Each oral reprimand entry shall be deleted from the file after twelve (12) calendar months. However, if new disciplinary action is taken against the employee during the twelve-month period, the oral reprimand may become a permanent part of the member's personnel file.
- b) Written Reprimand - The Chief or superior officer may issue a written reprimand for infractions of department regulations or procedures. All letters of reprimand will become a permanent part of the individual's record and be included in the personnel file of the department. Written reprimands will be reviewed after two (2) years and may be removed from the permanent record at the discretion of the Chief.

The Deputy Chief, Lieutenant, or a Sergeant may relieve a member under his/her command from duty with pay for the balance of their shift if the superior officer determines that a member is not properly able to carry out his duties. In all such cases, a written report shall immediately be submitted to the Chief of Police.

Employees will not be subject to unjust, capricious, or frivolous complaints. Complaint dispositions shall be classified according to one of the following:

- a) Sustained: Evidence exists that is sufficient to prove the allegations.
- b) Not sustained: There exists insufficient evidence to either prove or disprove the allegations.
- c) Exonerated: The alleged incident occurred but was lawful and proper.
- d) Unfounded: The allegation was false or non-factual.
- e) Policy failure: The incident was caused by a flaw in departmental policy.

#### **RULE 14.2 – COMMENDATIONS**

The department shall maintain a positive program for awarding commendations for outstanding duty performance and providing official recognition for professional accomplishments. The department's commendation process is set forth in the policies and procedures manual and includes categories for consideration by the commendation committee. Specific actions to be considered include, but are not limited to, valor, bravery, exceptional professional skill, meritorious police service to the community or department, and lifesaving measures.

## **15.0 – DUTIES AND RESPONSIBILITIES**

### **RULE 15.1 – CHIEF OF POLICE**

#### **A. SUMMARY**

The Chief of Police is the chief executive officer of the department and the final departmental authority in all matters of policy, operations, and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the department.

Through the Chief of Police, the department is responsible for the enforcement of all laws coming within its legal jurisdiction. The Chief is responsible for planning, directing, coordinating, controlling and staffing all activities of the department. He is also responsible for its continued and efficient operation, for the enforcement of rules and regulations within the department, for the completion and forwarding of such reports as may be required by proper authority, and for the department's relations with local citizens, local government, and other related agencies.

The Chief is responsible for training of all members of the department.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Chief of Police to:

1. Supervision

- a. Ensure compliance with all laws which the department or its officers have the authority to enforce.
  - b. Organize, direct and control all resources of the department to preserve the peace, protect persons and property and enforce the law.
  - c. Develop a professional organizational structure for the department.
  - d. Establish a routine of daily duties to be performed by officers. Designate an officer to serve as Commanding Officer in his absence.
  - e. Institute a program of training which is organized and conducted for members and employees of the department.
  - f. Ensure that all members have access to the department's policies and procedures manual.
  - g. Promulgate all general and special orders and issue on his own authority orders, written and oral, not inconsistent with his powers, duties, and responsibilities.
  - h. Plan and execute police programs designed to prevent and repress crime, to apprehend and prosecute offenders and to recover property. Modify these programs to meet current trends.
  - i. Provide for investigation into all cases of alleged or apparent misconduct by departmental personnel. Enlist the suggestions of department members to ensure maximum relevance and acceptance of all departmental regulations.
  - j. Inform himself of the affairs of the department to ensure that the duties and responsibilities of his subordinates are being properly discharged.
  - k. Be responsible for the necessary delegation of authority to his subordinate commanders, commensurate with their duties and responsibilities.
2. Reporting and Notification
- a. Submit an annual report to the appointing authority outlining the activities of the department.
  - b. Make an annual report to the state Department of Corrections, on the appropriate forms, indicating the number of arrests and their classification.
  - c. Ensure that the state Department of Public Utilities is notified within twenty-four (24) hours after an accidental death by electricity or gas.
  - d. Promptly report to the appropriate authority all particulars within his knowledge that relate to injuries to persons or property alleged to have been caused by defects, obstructions, or want of repair on any public street.
  - e. Ensure that the Registrar of Motor Vehicles is notified, as required by law, of motor vehicle accidents that occur within the limits of the Town of Truro.
  - f. Be responsible for the preparation and justification of the annual departmental budget and for the control of all departmental expenditures.

- g. Report to the FBI the appropriate data for the purposes of compiling the National Incident Based Reports (N.I.B.R.S.)
  - h. Maintain a personnel record system that keeps all pertinent information on Department members and employees.
  - i. Submit such other reports as required.
3. Leadership
- a. Plan coordinate, supervise, and evaluate police department operations (in alignment with the department's vision and mission).
  - b. Serve as a member of the Town's senior management team; collaborate and coordinate with other Town Departments.
  - c. Coordinate and supervise the training, assignment, and development of subordinate police officers and department staff.
  - d. Maintain good order and discipline as outlined in the departmental rules and regulations.
  - e. Direct investigation of major crime scenes.
  - f. Perform the duties of subordinate personnel as needed.
4. Management
- a. Develop procedures for the Department mandated by law, to ensure efficient operations of the department, and to implement directives from the Town Manager.
  - b. Plan and implement a law enforcement program for the Town in order to better carry out the vision, policies and goals of the Board of Selectmen.
  - c. Review department performance and effectiveness, formulate programs to identify and alleviate deficiencies.
  - d. Coordinate information gathered and work accomplished by various officers; assign officers to special investigations as the needs arise for their specific skills.
  - e. Assure that personnel are assigned to shifts or working units which provide optimum effectiveness in terms of current situations and circumstances governing deployment.
  - f. Manage internal grievance process.
  - g. Review evidence, witnesses, and suspects in criminal cases to correlate all aspects, and to assess for trends, similarities, or for associations with other cases.
  - h. Direct the development and maintenance of systems, records, and legal documents that provide for the proper evaluation, control and documentation of the Police Department operations.



- i. Prepare and submit periodic reports to the Town Manager upon request, regarding the Department's activities, and prepare a variety of other reports as appropriate.
5. Budget and Finance
    - a. Supervise and coordinate the preparation and presentation of an annual budget for the Department; direct the implementation of the department's budget; plan for and review specifications for new or replaced equipment.
    - b. Analyze and recommend improvements to equipment and facilities, as needed.
    - c. Plan and implement law enforcement and staff deployment programs that maximize efficient and effective operations.
  6. Community Policing
    - a. Maintain effective community relations by being accessible to and visible in the community.
    - b. Develop crime prevention programs.
    - c. Implement and oversee effective problem-solving strategies that enhance safety, reduce crime, and positively affect quality of life.
    - d. Meet with appointed and/or elected officials, other law enforcement officials, community and business representatives and the public on all aspects of the Department's activities.
    - e. Attend or designate personnel to attend conferences and meetings to keep abreast of current trends in the field; represent the Police department in a variety of local, county, state and other meetings.
    - f. Cooperate with other law enforcement agencies as appropriate where activities of the police department are involved.
    - g. Coordinate activities with supervisors and other Town departments, exchange information with officers in other law enforcement agencies, the District Attorney's Office, Court, and other government agencies.
    - h. Ensure state and local laws and regulations are enforced and that public peace and safety is maintained.
    - i. Participate in various Town and/or Community committees.

### **RULE 15.1.1 – DEPUTY CHIEF OF POLICE**

#### **A. SUMMARY**

The Deputy Chief of Police acts as the Executive Officer and is second in command of the police department. The Deputy Chief of Police performs administrative and supervisory work assisting

in directing, coordinating, and controlling the operations of the police department, in the protection of life and property and in the suppression of crime.

Under the direction of the Police Chief, and working from municipal policies and objectives, the Deputy Chief of Police assists in establishing and implementing departmental policies and procedures, rule and regulations, training, operational matters, and community policing. The primary job of the Deputy Chief of Police is of an administrative nature with emphasis on such activities as operational problem solving, personnel and resource allocation and identifying training needs. Planning and projecting future needs of the department in all areas will be of primary importance. Administrative duties include planning functions, directing and organizing the activities of assigned personnel, assistance in the budget process, maintaining harmonious relationships with town departments and other outside departments, state and other law enforcement agencies, and maintaining collaborative relationships with community stakeholders.

#### **B. DUTIES AND RESPONSIBILITIES:**

Under general direction of the Chief of Police, the Deputy Chief of Police is accountable for the supervision, coordination and control of the on-going operations and services of the Police Department. The Deputy Chief of Police will:

- a. Conduct periodic staff meetings with the Sergeants, solicit input from the supervisors and advise and inform the Chief of Police in preparation for periodic full staff meetings.
- b. Assist in the preparation of the department's annual budget as directed by the Chief; receive daily, monthly, semi-annual or annual reports from Sergeants or the Lieutenant regarding operational, service and administrative data; prepare and submit annual report of activity to the Chief.
- c. Coordinate with the Lieutenant the continued and required in-service training of department personnel; maintain accurate and complete records of training in process and completed; provide information regarding career training through outside agencies and special programs to department personnel; encourage their off-duty participation in such programs.
- d. Ensure that the department's goals are being pursued, identify the need for additional resources; assure that control is maintained throughout the agency.
- e. Handle grievance procedures according to employment agreements; ensure that established agreements between the Town and bargaining units are strictly adhered to.
- f. Direct, coordinate and control all public information, adhering to accepted and legal policies and procedures regarding dissemination of this information.

- g. When delegated by the Chief of Police, as in the case of serious acts of misconduct, serious infractions, or other rule, regulation, policy or procedure infractions by Department personnel, investigate and recommend in writing appropriate action for approval or decision by the Chief of Police.
- h. As appropriate, establish guidelines for personnel allocation, new job descriptions and classification and assignment to specialized units or positions. Evaluate and monitor performance of subordinate staff as directed by the Chief of Police.
- i. Participate in staff meetings and attend other meetings as appropriate or as required. Participate in community and regional civic and other organizations as well as professional organizations; attend seminars, programs, courses and other events as prescribed by the Chief of Police to remain current on municipal law enforcement and related policies, practices, procedures and trends.
- j. Coordinate with the Lieutenant to recommend new approaches, policies and procedures to effect continual improvement of effectiveness and efficiency of the Police Department and the services provided.
- k. Be accountable for the actions or omissions of those under his/her supervision, which are contrary to Department policy and which could have been avoided if he/she had been properly executing supervisory responsibilities.
- l. Meet frequently with the Chief of Police in order to advise and apprise of departmental affairs and developments.
- m. Perform any other related duties or functions assigned by the Chief of Police.
- n. Supervise the Lieutenant and Property Officer in the control of all evidence and property that is held by the Department. Direct inspections consistent with department policy to ensure adherence to departmental procedures and to insure orderly maintenance.
- o. Oversee the maintenance and control of the Department Armory and ensure the development, implementation, and control of on-going department firearms training for all officers of the department, including the schedule for qualifying examinations on an annual basis. Supervise the activity of the trained firearms instructor when he/she is acting in that capacity.
- p. Ensure that all officers are aware of which department and other mandated forms, records and reports are to be filled out and how they are to be filled out.
- q. Provide for the daily inspection of the Sergeants and Lieutenant and other department members to ensure compliance with department standards of uniforms and equipment.
- r. Exercise supervision of the Sergeants, Lieutenant and Officers assigned to his/her command.
- s. Exercise supervision of the Detective Division, inclusive of the Court Prosecutor in the District and juvenile sessions, task force members, and investigations.

- t. Take measures through consultation with the Sergeants assigned to Operations and personal observation to see that all officers are properly carrying out their police mission.

## **RULE 15.2 – LIEUTENANT**

### **A. SUMMARY**

Under the direction of the Chief and Deputy Chief, the Lieutenant is responsible for the supervision and direction of all subordinate officers to ensure their efficiency and effectiveness as department members. The Lieutenant is part of the department's management team and performs various functions relating to the administration and operation of the department. The Lieutenant is third-in-command and serves as the officer-in-charge of the Professional Standards Unit.

### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Lieutenant to:

- a. Be familiar with the authority and responsibilities of the Lieutenant's position and all subordinate positions within the Department.
- b. Inform subordinates of their duties, and the current rules, regulations, policies and procedures of the department, as amended from time to time.
- c. Inform subordinates of new developments in federal and state law and regulations, and review the department's rules, regulations, policies and procedures on a regular basis and make appropriate recommendations for revisions.
- d. Supervise subordinates to ensure that all members are informed and prepared to implement all assignments, regulations, policies and procedures of the department.
- e. Take measures to determine that all officers are properly carrying out their assigned duties and conforming to departmental regulations.
- f. Exchange information with superior officers regarding the performance of their subordinates. Where performance is below standard, ensure that appropriate measures are taken promptly to address the situation.
- g. As the Professional Standards officer-in-charge, conduct internal investigations and report to the Chief of Police the results of each investigation and recommend discipline.
- h. Be ultimately accountable for the actions or omissions of those under his/her supervision.
- i. Ensure that all subordinates properly complete all required records and reports.

- j. Faithfully implement all orders from the Chief of Police and Deputy Chief of Police; including communicating to subordinates the details of any orders, which affect them.
- k. Keep informed of events or developments in law enforcement and advise the Chief of same. Conduct ongoing policy and procedure review, propose changes or revisions as needed, and submit oral or written reports detailing the revisions.
- l. Under the direction of the Police Chief or his designee, coordinate and conduct recruitment for entry level officer police officers as needed. This includes, but is not limited to, developing qualifications statements, drafting advertisements, and implementing testing procedures.
- m. When called upon, serve as the Chief's designee in labor relations matters, including the grievance process; serving on and/or assisting the Town's bargaining team with collective bargaining, including formulating, reviewing and costing out proposals and counterproposals.
- n. Supervise, coordinate and direct incident investigations of the department as needed.
- o. Perform other related duties as required or assigned by the Chief of Police.

#### C. SELECTION

The Town Manager, after consultation with the Police Chief, will determine the qualifications and selection process for the position as well as make any appointment(s) to the position. (Refer to Truro Police Employees Federation Collective Bargaining Agreement Article 29, Section 8).

#### D. ESSENTIAL FUNCTIONS/DUTIES

The essential functions/duties for the Lieutenant's position will include those established by the Commonwealth's Human Resources Division.

### **RULE 15.3 – SERGEANT**

#### A. SUMMARY

A sergeant provides supervision to department members. He/she is primarily responsible for the proper performance of police officers assigned to duty within the area subject to his supervision. A sergeant is charged with ensuring compliance with the department's policies, procedures, rules and regulations, and will handle minor infractions using sound judgment and report all serious violations to a superior officer.

A sergeant shall be responsible for the efficiency, discipline, conduct, appearance and strict attention to duty of all Police Officers under his supervision.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a Sergeant to:

1. Supervision

- a. Supervise officers assigned to his/her shift and be responsible for their effectiveness and performance. Sergeants must be thoroughly acquainted with the duties of police officers in order to assist and instruct them in the proper discharge of their duties.
- b. Be familiar with the current departmental rules, regulations, policies, procedures, developments in the law, and current police practices.
- c. Monitor the performance of departmental members and employees and ensure that it is satisfactory through encouragement, explanation, discipline, referral to superior officer(s) or other methods consistent with departmental policy.
- d. Submit written report(s) as required by departmental policy for any member of the department who commits a serious infraction or who does not respond to informal corrective measures. Some examples of serious infractions include, but are not limited to:
  - i. Flagrant refusal to obey order(s).
  - ii. Commission of any criminal offense.
  - iii. Verbal and/or physical abuse of a member of the public.
  - iv. Excessive use of force with a prisoner or other person.
  - v. Absence without leave.
  - vi. Excessive tardiness.
  - vii. A conflict of interest.
  - viii. Negligent failure by the departmental personnel to discover or act upon a felony or other conditions dangerous to the health or safety of the public.
- e. Seek officers' opinions about their assignments and police policies generally.
- f. Implement orders received from superior officers and explain content of new orders to subordinates.
- g. Request clarification whenever uncertain as to what is expected of him/her.
- h. Be accountable for the actions or omissions of officers under his/her supervision.

- i. Respond to emergencies or incidents of a serious nature that occur within his/her area of responsibility and take command steps consistent with departmental policy.
  - j. Ensure all officers receive warrants, summonses, subpoenas or other official papers, and ensure service or delivery is made, or that other duties are fulfilled.
  - k. Before beginning his/her tour of duty, become familiar with all important matters that have occurred since his/her last tour, and provide officers with this information.
  - l. Perform the duties and responsibilities of a police officer.
  - m. Perform other related duties as required.
2. Reporting and Writing Procedures
- a. Be familiar with and instruct officers on the proper methods of reporting as set forth in the department's records and reporting system, as well as its policies, procedures, rules, regulations, and general orders.
  - b. Ensure reports are filed on preliminary investigations and periodic reports are made on the status of more in-depth investigations.

### **RULE 15.4 – POLICE OFFICER**

#### A. SUMMARY

A police officer shall be responsible for the efficient performance of his/her duties in conformance with the rules, regulations, general orders, policies and procedures of the police department, as well as those imposed by law. These general police responsibilities include, but are not limited to:

1. Identify criminal offenders and criminal activity and, when appropriate, apprehend offenders and participate in subsequent court proceedings.
2. Reduce opportunities for the commission of crime through preventive patrol and other measures.
3. Aid individuals who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Identify potential law enforcement problems.
6. Work towards creating a feeling of security in the community.
7. Promote and preserve the peace.
8. Provide other services on an emergency basis.
9. Perform other related duties as required.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a police officer to:

- A. Exercise authority consistent with the obligations imposed by the officer's oath of office.
- B. Be accountable to superior officers and promptly obeying lawful orders.
- C. Coordinate with other department members to ensure continuity of purpose and maximum achievement of police objectives.
- D. Effectively communicate with superiors and fellow officers' information that is pertinent to achieving police objectives.
- E. Respond punctually to all assignments.
- F. Become familiar with events that have taken place since last tour of duty.
- G. Complete detailed reports on all crimes, motor vehicle accidents, and other incidents that require police attention.
- H. Maintain weapons and equipment in a functional and presentable condition.
- I. Assist citizens who request service, assistance, or other information.
- J. Be accountable for properly handling evidence and property.
- K. Be cognizant and alert to conditions tending to cause crime, take preventive action and inform superiors as required.
- L. Conduct thorough investigations of offenses and incidents within the officer's area of responsibility.
- M. Perform general patrol duties to include, but not be limited to, apprehending persons violating the law or wanted by the police; public assembly checks; building security checks; observation and interrogation of suspicious persons; issuing traffic citations; locating fires; reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety; checks of schools, parks and playgrounds; responding to any public emergency; rendering first aid to persons who are seriously ill or injured;
- N. Preserve the peace at public gatherings, neighborhood disputes and family quarrels.
- O. Serve or deliver warrants, summonses, subpoenas, and other official papers promptly and accurately when directed by a superior officer.
- P. Confer with court prosecutors and testify in court.
- Q. Ensure assigned vehicle is well maintained and kept clean. Inspect the vehicle at the start of the tour of duty for any defects or missing equipment. Immediately report defects and damages to a superior and complete all required reports and forms.
- R. Follow FCC regulations and current departmental procedures when using police radio.
- S. Remain in assigned area throughout his/her tour of duty except when a superior officer authorizes an absence, or an emergency requires it.



- T. Be alert for nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health, or convenience of the public.
- U. Take measures to direct the flow of traffic during periods of congestion.
- V. Keep radio equipment in operation at all times while on duty and be familiar with all departmental requirements concerning use of the police radio.
- W. Enforce traffic laws and parking ordinances as required.
- X. Wear the prescribed traffic safety clothing and equipment as required.

### **RULE 15.4-1 – PATROL SUPERVISOR (OIC)**

#### **A. SUMMARY**

A patrol supervisor is the sergeant on duty, who is the most senior sergeant within the chain of command, or in the absence of a sergeant, an officer who has met the qualifications for OIC as set forth in the Truro Police Department Policies and Procedures and applicable contractual agreement. The Chief of Police shall not be the patrol supervisor for a particular shift unless he/she so chooses. In the case of an officer designated as an OIC, said officer is under the general supervision of a sergeant.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the patrol supervisor to:

1. Take command and assume responsibility when arriving at an incident.
2. Notify a superior officer immediately of all serious incidents.
3. Confer with a superior officer as needed when handling an incident.
4. Ensure that decisions comport with all departmental policies, procedures, rules, regulations, general orders and directives.
5. Perform the duties and responsibilities of a police officer.
6. Perform other related duties as required.

### **RULE 15.4-2 – MASTER PATROLMAN**

#### **A. SUMMARY**

A master patrolman acts as a patrol supervisor in the absence of a police sergeant, as set forth as set forth in the Truro Police Department Policies and Procedures and applicable contractual agreement. A master patrolman is an officer who has met the applicable requirements for said

position and is under the general supervision of a sergeant. The Chief of Police will not be the patrol supervisor for a particular shift unless he/she so chooses.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the master patrolman to:

1. Take command and assume responsibility when arriving at an incident when a police sergeant is unavailable.
2. Function as the officer in charge in the absence of the sergeant.
3. Notify a superior officer immediately of all serious incidents.
4. Confer with a superior officer as needed when handling an incident.
5. Ensure that decisions comport with all departmental policies, procedures, rules, regulations, general orders and directives.
6. Perform the duties and responsibilities of a police officer.
7. Perform other related duties as required.

#### **RULE 15.4-3 – EVIDENCE OFFICER**

#### **A. SUMMARY**

The evidence officer performs departmental functions relating to processing crime scene evidence, collecting and maintaining the department's general identification files, and performing related duties as required by the Chief of Police.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Evidence Officer to:

1. Become proficient in the collection, preservation and presentation of all physical evidence.
2. Take fingerprints, maintain fingerprint files on arrested persons, and take palm prints of persons arrested for all capital offenses.
3. Take non-criminal fingerprints and photographs as required for firearm permits or identification purposes.
4. Photograph and process persons taken into custody in accordance with established procedures. Maintain the photography files.
5. Photograph crime scenes, incident locations, and accident scenes as required:

6. Search crime scenes for physical evidence in conformity with established and approved procedures.
7. Process all physical evidence collected/located by an agency member in conformity with established and approved procedures.
8. Preserve for court all documented physical evidence as may be required for presentation in court.
9. Maintain evidentiary chain of custody through receipts whenever evidence is received or transferred to another.
10. Receive, mark for identification, prepare, package, record and forward all evidence that requires further scientific processing.
11. Conduct evidence audits in conformance with departmental policies and procedures.
12. Stay current with improvements in scientific investigative techniques in policing.
13. Maintain the integrity of the property room.

#### **RULE 15.4-4 – DETECTIVE SERGEANT**

##### **A. SUMMARY**

The detective sergeant will be responsible for the follow-up investigation and prosecution of all crimes and offenses, inclusive of the preparation and presentation of cases on the District Court level. The detective sergeant acts as the department's liaison with the court, to assist with the scheduling of cases and witnesses.

##### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of a Detective Sergeant to:

1. Cooperate to the extent possible with other departmental units and law enforcement agencies with investigations.
2. Become familiar with known criminals and their associates and be alert for information sources.
3. Investigate promptly and diligently all crimes assigned, utilizing available resources.
4. Keep his/her superior informed of investigative progress and/or changes in the scope of an investigation, and request additional instructions as needed or required.

5. Submit written reports regarding case activity to the proper authority.
6. Follow-up on all cases to determine appropriate investigative course or disposition. Examples of case statuses include, but are not limited to, closed by arrest, open, closed, suspended, unfounded, and no crime involved.
7. Periodically contact the complainant or victim to give case updates.
8. Keep accurate, up-to-date accounting of expenses incurred when on assignment. Submit to proper authority for approval.
9. Prepare cases for court, inclusive of ensuring witnesses are notified of required appearances and evidence is available.
10. Obtain court dispositions of all cases in which he/she was involved.
11. Ensure that assigned unit is mechanically maintained and kept clean. Report all vehicle defects or damages to the proper authority and complete all required documentation.
12. Report all information received or known which may affect the safety of other members of the department in the execution of their duties.
13. Maintain an effective working relationship between the court and the department.
14. Cooperate with the District Attorney's Office in the scheduling and presentation of cases to the grand jury or in Superior Court.
15. Be responsible for the preparing and submitting reports on case statuses as set forth in department policy.

#### **RULE 15.4-5 – PART-TIME (SPECIAL) POLICE OFFICER**

##### **A. SUMMARY**

A part-time special police officer shall be responsible for the efficient performance of his/her duties in conformance with the rules, regulations, policies, procedures and general orders of the Truro Police Department. These shall consist of, but are not limited to, general police responsibilities necessary for the stability and safety of the community and include:

1. Identify criminal offenders and criminal activity and, where authorized, apprehend offenders and participate in subsequent court proceedings.
2. Reduce the opportunities for crime through preventive patrol and other measures.
3. Aid individuals who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Work to create and maintain a feeling of security in the community.

6. Promote and preserve the peace.
7. Provide other services on an emergency basis.
8. Perform other related duties as required.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a Part-Time Police Officer to:

1. Exercise authority consistent with the legal mandates and obligations imposed through the oath of office.
2. Be accountable to superior officers and obeying lawful orders.
3. Coordinate efforts with other members of the department to ensure teamwork, continuity of purpose and achievement of police objectives.
4. Communicate pertinent information to other department members.
5. Acquire and record information concerning events that have taken place since last tour of duty.
6. Record activity during tour of duty consistent with departmental policies, procedures, rules, regulations and general orders. Submit timely and detailed reports.
7. Maintain equipment in a functional, presentable condition.
8. Assist citizens who request service, assistance, or other information.
9. Be accountable for properly handling evidence and property.
10. Be cognizant and alert to conditions tending to cause crime, take preventive action and inform superiors as required.
11. Conduct thorough investigations of offenses and incidents within the officer's area of responsibility.
12. Perform general patrol duties to include, but not be limited to, apprehending persons violating the law or wanted by the police; public assembly checks; building security checks; observation and interrogation of suspicious persons; issuing traffic citations; locating fires; reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety; checks of schools, parks and playgrounds; responding to any public emergency; rendering first aid to persons who are seriously ill or injured;
13. Preserve the peace at public gatherings, neighborhood disputes and family quarrels.
14. Serve or deliver warrants, summonses, subpoenas, and other official papers promptly and accurately when directed by a superior officer.

15. Confer with court prosecutors and testify in court.
16. Ensure assigned vehicle is well maintained and kept clean. Inspect the vehicle at the start of the tour of duty for any defects or missing equipment. Immediately report defects and damages to a superior and complete all required reports and forms.
17. Follow FCC regulations and current departmental procedures when using police radio.
18. Remain in assigned area throughout his/her tour of duty except when a superior officer authorizes an absence, or an emergency requires it.
19. Be alert for nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health, or convenience of the public.
20. Take measures to direct the flow of traffic during periods of congestion.
21. Keep radio equipment in operation at all times while on duty and be familiar with all departmental requirements concerning use of the police radio.
22. Enforce traffic laws and parking ordinances as required.
23. Wear the prescribed traffic safety clothing and equipment as required.

### **RULE 15.5 – ADMINISTRATIVE ASSISTANT**

#### **A. SUMMARY**

The Administrative Assistant is responsible for duties that require extensive knowledge of departmental operations and is responsible for the security of department records.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Administrative Assistant to:

1. Provide for efficient operation of the office.
2. Prepare and maintain all files for the Chief and a record of attendance for all members of the department, inclusive of personnel files.
3. Prepare payroll, which includes reviewing employee time sheets for hours, differentials, and leave taken for presentation to the Chief and delivery to the Town Accountant. The Administrative Assistant also prepares and submits financial warrants, purchase orders, requisitions, and weekly financial reports.
4. Prepare correspondence as requested by the Chief.

5. Be a certified dispatcher, including maintaining required state certifications to perform dispatcher duties when requested by a patrol supervisor, dispatch supervisor, or the Chief.
6. Prepare invoices to contractors for police details and process payments from same. Maintains a list of all contractors for off duty police details.
7. Assist the Chief in the preparation of the annual budget and prepare and analyze data for projected costs.
8. Maintain security of all records and not divulge information of a confidential nature.
9. Prohibit the removal of any record without specific authorization of the Chief.
10. Create and maintain hard copy and computer files.
11. Research office equipment and office supplies for the department and places order for same.
12. Perform such other duties as the Chief may require.

#### **RULE 15.5-5 – COMMUNICATIONS SUPERVISOR**

##### **A. SUMMARY**

The Communications Supervisor is responsible for the general handling and security of the communications division and is charged with ensuring compliance with the department's regulations.

##### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Communications Supervisor to:

1. Review the operation of the Communications Division to ensure that telecommunicators are performing their assigned duties in accordance with department rules and regulations, policies and procedures, general orders and established practices.
2. Approve requests for time off, and the replacement of same, according to procedures set forth by the Chief.
3. Be responsible for scheduling in-service training of the telecommunicators.
4. Be responsible for the scheduling of training for all new telecommunicators.
5. Ensure that all equipment utilized by the Communications Division is operated in a proper manner and report all deficiencies to the proper authority.

6. Be proficient with the department's procedures relating to radio use and other communications equipment.
7. Act as the emergency medical dispatch manager to meet state requirement for same, and review and perform quality assurance on EMD calls for service.
8. Meet periodically with other EMD managers and medical director.
9. Coordinate the state 911 grant.
10. Perform other related duties as required, including but not limited to, the duties of a telecommunicator as outlined in Rule 15.6 "Telecommunicator".

### **RULE 15.6 – TELECOMMUNICATOR**

#### A. SUMMARY

The telecommunicator receives all oral communications from the public and law enforcement personnel coming into the police station. By following established procedures and employing common sense, the telecommunicator transmits requests for service to the appropriate location. In general, the telecommunicator has the primary responsibility for initially deploying law enforcement personnel and equipment.

#### B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Telecommunicator to:

1. Under the direction of the patrol supervisor, assign officers to respond to service requests. Transmit to the officer in the field all calls for help and assistance and log such assignment.
2. Log the time whenever a departmental mobile radio unit goes on the air and the time and location when a unit goes off the air.
3. Be thoroughly familiar with the department's procedures relating to the use of radio and other communications equipment. Periodically announce the call letters of the department as issued by the FCC.
4. Respond to all calls received in a calm and civil manner.
5. Have a thorough knowledge of the location and lay-out of streets, buildings, parks, housing projects, beaches, and other significant community locations to maximize the accuracy and speed of dispatches.
6. Be familiar with emergency procedures in order to be capable of activating them immediately.



7. Keep dispatched personnel fully informed of all facts affecting the safety or efficiency of their response to the call.
8. Inform the patrol supervisor when contact with an officer on patrol cannot be made after a reasonable amount of time.
9. Maintain equipment, especially the emergency calls lines, in working order and immediately report any malfunction or defect to the patrol supervisor.
10. Communicate requests for information by members of the department and other law enforcement agencies as required.
11. Answer all E911 calls and other calls promptly and respond as trained.
12. Perform other related duties as required.

### **RULE 15.6-1 –PART-TIME TELECOMMUNICATOR**

#### **A. SUMMARY**

The Part-Time Telecommunicator receives all oral communications from the public and law enforcement personnel coming into the police station. By following established procedures and employing common sense, the telecommunicator transmits requests for service to the appropriate location. In general, the telecommunicator has the primary responsibility for initially deploying law enforcement personnel and equipment.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the Part-Time Telecommunicator to:

1. Under the direction of the patrol supervisor, assign officers to respond to service requests. Transmit to the officer in the field all calls for help and assistance and log such assignment.
2. Log the time whenever a departmental mobile radio unit goes on the air and the time and location when a unit goes off the air.
3. Be thoroughly familiar with the department's procedures relating to the use of radio and other communications equipment. Periodically announce the call letters of the department as issued by the FCC.
4. Respond to all calls received in a calm and civil manner.
5. Have a thorough knowledge of the location and lay-out of streets, buildings, parks, housing projects, beaches, and other significant community locations to maximize the accuracy and speed of dispatches.

6. Be familiar with emergency procedures in order to be capable of activating them immediately.
7. Keep dispatched personnel fully informed of all facts affecting the safety or efficiency of their response to the call.
8. Inform the patrol supervisor when contact with an officer on patrol cannot be made after a reasonable amount of time.
9. Maintain equipment, especially the emergency calls lines, in working order and immediately report any malfunction or defect to the patrol supervisor.
10. Communicate requests for information by members of the department and other law enforcement agencies as required.
11. Answer all E911 calls and other calls promptly and respond as trained.
12. Perform other related duties as required.

### **RULE 15.7 – MATRONS**

#### **A. SUMMARY**

The matron assists female prisoners as directed by the patrol supervisor.

#### **B. DUTIES AND RESPONSIBILITIES**

It is the duty and responsibility of the matron to:

1. Search all women prisoners in accordance with departmental policies and procedures when ordered to do so by a patrol supervisor.
2. Under the direction of the patrol supervisor, be responsible for the well-being and safekeeping of all women prisoners.
3. Communicate all significant information to the patrol supervisor.
4. When requested by a patrol supervisor, care for lost children brought to police headquarters.
5. Perform other related duties as required.



Agenda Item: 5A

# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Rae Ann Palmer, Town Manager

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Discussion on Shark Preparedness

**EXPLANATION:** Cape Cod National Seashore (CCNS) Superintendent Brian Carlstrom will join us for a discussion and presentation on work that we and the other five Towns in the CCNS have done to prepare for the upcoming summer season. Town staff will also be present to answer specific questions related to their areas of responsibility.

**SUGGESTED ACTION:** *Presentation and discussion only. Action not required.*

**ATTACHMENTS:**

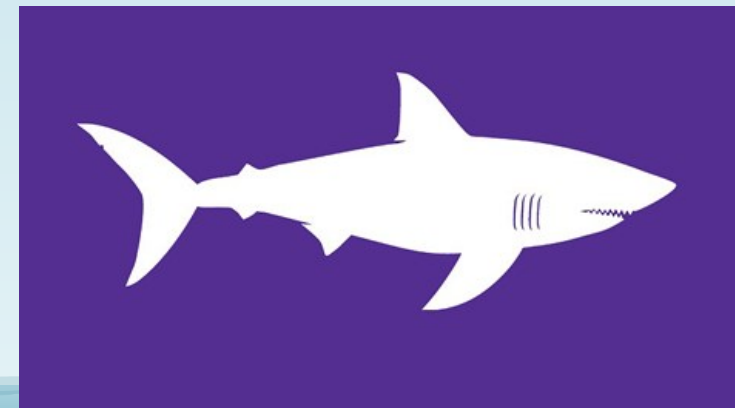
1. Power Point Presentation

# Shark Preparedness

TOWN OF TRURO  
JUNE 2019

# 2013- Shark Working Group Initiatives

- Regional group of staff members from Cape towns (beach officials, harbormasters, natural resource directors, etc.), CCNS, Atlantic White Shark Conservancy and Dr. Greg Skomal of DMF
- Group developed uniform procedures for shark sighting, reporting, and swimming closures so that beach patrons would experience uniformity at Cape beaches.
- Some of the group's initiatives include:
  - Reaching out to communities around the world regarding their responses to white sharks
  - New purple shark flags to indicate a presence of sharks
  - Uniform signage
  - Uniform shark brochures
  - Short informational video about sharks
  - Sharktivity app
  - Working Group notification system
  - Uniform messaging about shark safety



Purple Shark Flag



Sharktivity App  
For reported sightings and public notifications

#### SHARK FACTS

- Sharks have existed for more than 400-million years.
- As top predators, sharks are critical for maintaining a healthy and balanced marine ecosystem.
- Sharks are slow growing, late to mature, and produce few offspring making them extremely vulnerable and slow to recover from overexploitation.
- A number of shark species are considered threatened or endangered.
- Great white sharks are a prohibited species in Massachusetts. It is illegal to harvest them.
- It is estimated that 70 to over 100 million sharks are harvested each year, some of which are killed just for their fins.



Great white sharks have been drawn back to the Cape because of a growing seal population, which has rebounded after nearly being hunted to extinction. Shark attacks are rare events. Millions of us swim in the oceans each year, with just a handful of attacks. The only way to completely rule out a close encounter with a shark is to stay on the shore.

Through research we gain a better understanding of sharks and their behavior, which will allow us to improve public safety.



#### OTHER RESOURCES

Massachusetts Shark Research Program  
Division of Marine Fisheries  
[www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)

Global Shark Tracking  
OCEARCH  
[www.ocearch.org](http://www.ocearch.org)

Supporting Local Shark Research and Education  
Atlantic White Shark Conservancy  
[www.atlanticwhiteshark.org](http://www.atlanticwhiteshark.org)

Brochure created by the towns of Cape Cod & The Islands with funding from a Massachusetts Community Innovation Challenge Grant.

#### CAPE COD GREAT WHITE SHARK SAFETY



Cape Cod & The Islands

Cape Cod's waters are part of a natural and wild marine ecosystem with a rich diversity of sea life, including sharks.

This brochure provides important shark safety tips for beach goers and some facts about sharks.

## Cape Cod Great White Shark Safety Brochure

#### SHARK SAFETY TIPS

- Don't swim where seals are present.
- Don't swim too far from shore.
- Avoid swimming early and late in the day (when sharks tend to feed).
- Swim in groups.
- Avoid wearing shiny jewelry or other accessories (which look like fish scales to a shark).
- Avoid cloudy water (sharks could mistake you for prey).
- Avoid surfing alone.
- Avoid areas with signs of baitfish or fish feeding activity - watch for diving seabirds.
- Be aware that sharks may be present between sandbars or near steep drop offs.



#### SHARK SIGHTINGS

- Notify a lifeguard or a parking lot attendant if a shark is spotted.
- Shark reports will be investigated quickly.
- Beaches will be temporarily closed to swimming or surfing.
- Signs will be posted about shark sightings and beach closures.
- Beach goers will be notified when they can re-enter the water.



#### DORSAL FINN FREQUENTLY MISTAKEN FOR GREAT WHITE SHARKS



great white dorsal fin

- **Ocean Sunfish** - not a shark, but a very large harmless fish that moves its fin up and down.



- **Basking Shark** - second largest living fish. A slow moving harmless shark that feeds on tiny shrimp-like plankton.



In addition to white and basking sharks, sand tiger sharks, sandbar sharks, smooth dogfish, and spiny dogfish frequently visit Massachusetts coastal waters. However, these smaller (< 5 feet), harmless sharks are not likely to be seen at the surface.



Signs Produced in 2013

# Truro Initiatives

- Shark Informational Video included on Town website
- Dangerous Marine Life section added to annual beach brochures
- Shark Brochures distributed with beach stickers annually and by beach attendants



Hinged Signs to Indicate Swimming Closure  
Installed in 2014 at all ocean beaches



Recent Shark Sighting Signs  
Installed in 2018 at all ocean beaches



# 2018- Town Manager/ Administrator Shark Response Group

- Managers/ Administrators from six towns in the National Seashore (Chatham, Orleans, Eastham, Wellfleet, Truro and Provincetown) and Superintendent Carlstrom of CCNS began meeting in fall 2018 in response to Wellfleet shark fatality and Truro shark bite.
- The group asked for funding for external communications, internal communications, medical response supplies, and public education tools and were granted \$383,000.00 by the State for expenditures in FY19. Truro received \$144,000 of the funding.
- Meetings continue to identify longer term solutions.



# Fall 2018- Present Shark Preparedness Efforts

➤ Education/ Information

➤ Public Awareness/ Prevention

➤ Communications

➤ Medical Response

➤ Research

# Fall 2018- Present Shark Preparedness Efforts

## ➤ Education/ Information

- Shark presentation: Dr. Greg Skomal of the Department of Marine Fisheries presented at the August 28, 2018 Board meeting
- Seal presentation: Lisa Sette of Provincetown Center for Coastal Studies and Dr. Andrea Bogomolni from the Northwest Atlantic Seal Research Consortium presented at the January 8, 2019 Board meeting
- Stop the Bleed demonstration: Chief Collins presented at the March 12, 2019 Board meeting

# Fall 2018- Present Shark Preparedness Efforts

## ➤ Public Awareness/ Prevention

- **Signs:** new shark safety signs (ocean version and bay version) and main entrance beach signs being used across the Cape.
- **Brochures:** new shark safety brochures being used across the Cape. Will continue distribution at Beach Office and by beach attendants.
- **Stop the Bleed trainings:** Fire Department continues to provide “Stop the Bleed” trainings.

## New Main Entrance Beach Signs




# Head of the Meadow Beach




Valid beach parking permit required 9:00 a.m. - 4:00 p.m.

3rd Saturday in June through Labor Day.

### BEACH RULES

- ◆ No animals between 9:00 a.m. and 6:00 p.m. from the 2nd Saturday in June - Labor Day
- ◆ No smoking
- ◆ No alcoholic beverages
- ◆ Nudity prohibited
- ◆ No glass containers
- ◆ No beach fires allowed without valid permit
- ◆ Do not climb or walk on the dunes
- ◆ Fishing is not permitted in designated swim areas when lifeguards are on duty.
- ◆ Oversand beach driving requires Cape Cod National Seashore permit

**DANGER**  **WARNING**

		
<b>STRONG CURRENTS</b>	<b>RECENT SHARK SIGHTINGS</b>	<b>LIFEGUARD ON DUTY 10:00 a.m. 5:00 p.m.</b>

**SWIM AT YOUR OWN RISK**

**TRURO BEACH OFFICE (508)487-6983 | TRURO POLICE DEPT (NON EMERGENCY) (508)487-8730**

**IN CASE OF EMERGENCY CALL 911**

## New Shark Signs at Ocean Beaches

# WARNING

Great white sharks hunt seals in shallow water at this beach.  
People have been seriously injured and killed by white sharks along this coastline.

In emergencies  
**CALL 911**

Peak Activity  
Based on tagging data



**Know your risk when entering the water.**

Download the Sharktivity App to receive alerts and report sightings.  
For more info and to view the latest research, visit: [www.atlanticwhiteshark.org](http://www.atlanticwhiteshark.org)

NPS/Bill Fisher



## New Shark Signs at Bay Beaches

# BE SHARK SMART

Great white sharks frequent these waters.



In emergencies  
**CALL 911**

Peak Activity  
*Based on tagging data*



[Sharks may remain year-round]

**Know your risk when entering the water.**

Download the **Sharktivity App** to receive alerts and report sightings.  
For more info and to view the latest research, visit: [www.atlanticwhiteshark.org](http://www.atlanticwhiteshark.org)

NPS/Bill Fisher

## New Brochures (Side 1)

### Great White Shark Facts

- 1 As top predators, sharks are critical for maintaining a healthy and balanced marine ecosystem. Great white sharks are the only natural predators of seals in our region.
- 1 Sharks are slow growing, late to mature, and produce few offspring, making them extremely vulnerable and slow to recover from overexploitation.
- 1 Great white shark populations declined dramatically in response to overfishing in the latter half of the twentieth century. As a result, the species was listed as a prohibited species by the United States in 1997 and by the state of Massachusetts in 2005. It is illegal to harvest them.
- 1 Increases in white shark sightings in the past decade suggest regional abundance may be increasing, but the status of the population remains unknown.
- 1 Researchers are currently conducting studies to better understand predatory behavior and to monitor the status of the population to inform public safety practices.

### Be Shark Smart

While it is rare for a great white shark to bite a human, it has occurred in the waters off of Cape Cod.

Over the past decade, the coastal waters off Cape Cod have emerged as the newest **great white shark** hotspot. The now-predictable presence of the species is linked to the regional population recovery of grey seals, which are preyed upon by sharks close to shore. These predation events primarily occur in close proximity to the beaches of the outer Cape, where people swim, surf, boogie- and paddle-board, and kayak.

#### Other Resources:

Division of Marine Fisheries  
Massachusetts Shark Research Program  
[www.mass.gov.marinefisheries](http://www.mass.gov.marinefisheries)

Atlantic White Shark Conservancy  
Supporting Local Shark Research and Education  
[www.atlanticwhiteshark.org](http://www.atlanticwhiteshark.org)



Brochure created by  
The Atlantic White Shark Conservancy and  
the towns of Cape Cod and The Islands  
Cover photo credit: NPS/Bill Fisher



### Be Shark Smart

Cape Cod and The Islands' waters are part of a natural and wild marine ecosystem with a rich diversity of sea life, including great white sharks.



## New Brochures (Side 2)

Great white sharks come to Cape Cod to feed on seals. Sharks have been reported year-round, but peak activity occurs in the summer and fall when water temperatures are warmest.

Sharks hunt for seals in shallow water right along the beach. Seals stay as close to the beach as possible to evade sharks that are hunting them in water that can be less than 5 feet deep.

The only way to completely eliminate the risk of a shark bite is to remain on shore.

### If you choose to enter the water:

- Be aware sharks hunt for seals in shallow water.
- Stay close to shore where rescuers can reach you.
- Swim, paddle, kayak and surf in groups – don't isolate yourself.
- Avoid areas where seals are present.
- Avoid areas where schools of fish are visible.
- Avoid murky or low visibility water.
- Limit splashing.
- Adhere to all signage and flag warnings at beaches. Follow instructions of the lifeguards.



## Shark Sightings

If you spot a shark along the beach:

- Exit the water calmly and with minimal splashing.
- Notify others in the water around you.
- Notify a lifeguard or a parking lot attendant.
- All shark sightings will be investigated and waters will be closed to swimming and surfing/paddle boarding etc temporarily.
- Shark sightings can be submitted to the Sharktivity App.



### Purple Shark Flag

When the purple flag is flying great white sharks are in the area.

### Dorsal fins frequently mistaken for great white sharks

Ocean Sunfish (pictured below) - not a shark, but a very large harmless fish that moves its fin up and down.

Basking shark - second largest living fish. A slow-moving, harmless shark that feeds on tiny shrimp-like plankton.

In addition to white and basking sharks, sand tiger sharks, sandbar sharks, smooth dogfish, and spiny dogfish frequently visit MA coastal waters. However, these species are not likely to be seen at the surface and pose minimal threat to humans.



## First Aid Response

Most white shark bite victims survive because of first aid initiated from bystanders. White shark bites generally result in massive hemorrhaging, which requires immediate first aid in order to stop the blood loss. For first aid training opportunities and more information visit: [www.atlanticwhiteshark.org/public-safety](http://www.atlanticwhiteshark.org/public-safety)

## Call 911 for Emergencies





# Fall 2018- Present Shark Preparedness Efforts

## ➤ Communications

- Satellite call boxes installed at Ballston, Long Nook, Coast Guard, Head of the Meadow and Corn Hill\*
- Portable satellite phones for beach and rescue staff to communicate on the beach\*
- In vehicle repeaters\* and public safety radio upgrades

\*Paid for with State funding



Satellite call box installed before Memorial Day Weekend at Head of the Meadow

# Fall 2018- Present Shark Preparedness Efforts

## ➤ Medical Response

- Purchase of a Utility Task Vehicle (UTV)
- Purchase/packing of Hemorrhage Control Kits similar to those that CCNS packs. Installation will be at all Town beaches. More robust kits will be carried by rescue staff and lifeguards.\*
- Seasonal Beach EMTs—new program modelled after similar program in Orleans
- Stop the Bleed trainings: Fire Department continues to provide “Stop the Bleed” trainings.
- Soft-turf Beach Stretchers\*

\*Paid for with State funding



New Seasonal Beach EMT Program will rove beaches

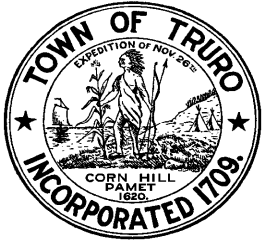
# Fall 2018- Present Shark Preparedness Efforts

## ➤ Research

- Shark Mitigation Alternative Analysis—regional study conducted by Woods Hole Group
- Other potential studies

# What Still Needs to Be Done

- Cellular coverage expanded to all beaches
- Future radio system upgrade
- Results from the Woods Hole Group Shark Mitigation Alternatives Analysis expected in fall 2019
- Expanded shark research



# TOWN OF TRURO

## Board of Selectmen Agenda Item

**DEPARTMENT:** Treasurer's Office

**REQUESTOR:** Cynthia Slade, Treasurer

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Municipal Purpose Loan XXX (NEW)

**EXPLANATION:** Approval of a Municipal Purpose Loan Number XXX: Consisting of Fire Tender \$350,000; East Harbor Culvert Repair Project \$1,931,000 and Walsh property Land Acquisition \$4,700,000 for a total loan amount of \$6,981,000. The Town's financial advisors have handled the sale, which took place on Thursday, June 6, 2019, and worked to get the Town the best possible rate of 1.5960% for one year with a \$62,759.19 Premium from TD Securities.

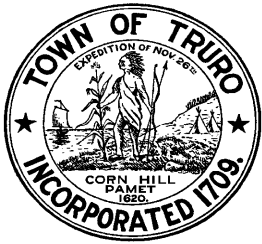
**FINANCIAL SOURCE (IF APPLICABLE):** New Multi-purpose General Obligation Bond Anticipation note. Interest due at term (6.19.2020) from appropriated funds.

**IMPACT IF NOT APPROVED:** The town will be unable to meet financial obligations for the three purposes listed.

**SUGGESTED ACTION:** *Motion to approve the sale of the Municipal Purpose Note (XXX) for \$6,981,000 for the period 06/21/2019-06/19/2020 at the rate of 1.5960%.*

**ATTACHMENTS:**

1. To be supplied by Bond Counsel on Monday, June 10, 2019 by 4:00 P.M. or as soon as available.



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Accounting

**REQUESTOR:** Trudi Brazil, Town Accountant

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** OPEB Trust: Appointment of Trustees

**EXPLANATION:** As per vote of the Select Board at the May 28, 2019 meeting (Agenda Item #5B) An Irrevocable Trust has been established. This item is to request appointment of three (3) individuals to serve as Trustees along with the Town Treasurer and the Town Accountant. I respectfully request that the Select Board appoint the following:

#1. A member of the current Select Board.

#2. The current Town Manager, Rae Ann Palmer. If the Board so chose, it could appoint the Town Manager as an Ex Officio Trustee and select another individual as Trustee. Appointing Ms. Palmer would provide time (up to a year) for the Board to solicit interested parties and conduct interviews without delaying the activity of a full Board of Trustees.

#3. the Chair of the Finance Committee, Robert Panessiti, who was instrumental in assisting with the evaluation and selection of Rockland Trust as our trust investment management company and whose extensive knowledge and experience in finance/investments would prove to be invaluable.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** If not approved, the established Trust will not have a functional Board of Trustees

**SUGGESTED ACTION:** *MOTION TO approve the appointment of \_\_\_\_\_, Select Board Member, Rae Ann Palmer, Town Manager and Robert M. Panessiti, Truro Finance Committee Chair, to the Board of Trustees of Truro's OPEB Trust.*

**ATTACHMENTS:** OPEB Trust Document signature page to be completed with the three Select Board appointments.

Witnessed By:

Rae Ann Palm  
Town Manager

Krista Peel  
Clerk to the Board of Selectmen

May 28, 2019  
Date:

BOARD OF SELECTMEN:

[Signature]  
Chairman of Board of Selectmen

[Signature]  
Selectmen

[Signature]  
Selectmen

[Signature]  
Selectmen

[Signature]  
Selectmen

BOARD OF TRUSTEES:

[Signature]  
Trustee  
(current Town of Treasurer)

Trustee  
(current Board of Selectman member)

[Signature]  
Trustee  
(current Town Accountant)

Trustee  
(current Board of Selectmen appointee)

Trustee  
(current Board of Selectmen appointee)



Agenda Item: 5D

# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Rae Ann Palmer, Town Manager

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Discussion and input regarding the FY20 Goals and Objectives. The Chairs of the Town's Boards, Committees, Commissions were invited to this meeting and the June 25<sup>th</sup> Public Hearing. The FY 2019 Goals and Objectives are attached for reference.

**SUGGESTED ACTION:** *None Required – for Discussion*

**ATTACHMENTS:**

1. FY2019 Goals and Objectives





# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666  
Tel: (508) 349-7004 Fax: (508) 349-5505

## Values and Fiscal Year 2019 Goals and Objectives

### VALUES:

The Town of Truro holds the following values that inform our approach to governance and municipal services. They are the guiding principles that drive all of the activities undertaken by any staff, volunteer, elected or appointed official in the Town of Truro. They embody our beliefs and our highest aspirations.

#### **Excellence:**

We strive to provide the highest quality services that are responsive to the needs of our residents and visitors. We engage in continuous learning, draw from past experience and strive to get it right the first time.

#### **Integrity:**

We hold ourselves to high ethical standards and commit to behave lawfully, respectfully, honestly and fairly.

#### **Openness and Transparency:**

We commit to sharing information, working inclusively and to hold ourselves accountable.

#### **Historic and Environmental Protection:**

We work diligently to maintain the historic rural and coastal character and culture of Truro and to be strong stewards of our fragile environment.

#### **Fiscal Integrity:**

We believe in sound fiscal policy and practice.

#### **Diversity:**

We strive to create a community that values diversity and is available, accessible and open to all.

#### **Collaboration:**

We believe in working with others to solve problems and address community need both local and regionally.

### GOALS AND OBJECTIVES:

Each year, as a way of articulating policy and priorities, the Truro Board of Selectmen develops goals and objectives. These are intended to provide guidance and direction to the Town Manager and her appointees, the Police and Fire Chiefs, and all of the Town's multi-member bodies.

The goals and objectives are divided into five broad categories:

- TOWN SERVICES
- FISCAL MANAGEMENT
- PUBLIC SAFETY
- COMMUNITY SUSTAINABILITY
- COMMUNITY ENGAGEMENT & GOVERNANCE

Some of the objectives and activities are ongoing or continuing from FY2015 or earlier.

The Truro Board of Selectmen has agreed to pursue the following goals and objectives for Fiscal Year 2019: July 1, 2018 through June 30, 2019.

### **TOWN SERVICES**

#### **THE TOWN OF TRURO WILL PROVIDE EFFICIENT AND EFFECTIVE MUNICIPAL SERVICES THAT MEET THE NEEDS OF YEAR-ROUND RESIDENTS, PART-TIME RESIDENTS AND VISITORS.**

- TS1. The Town Manager will continue to explore and implement shared services with our neighboring Outer Cape communities and report on these efforts quarterly and the Board of Selectmen will hold joint meetings with its Outer Cape counterparts.
- TS2. The Board of Selectmen will develop a policy that addresses uses and modifications to Town-owned property.
- TS3. The Town Manager will evaluate Council on Aging services and will identify trends in the needs of older adults in the community (including issues of transportation, loneliness and housing) and will make recommendations for changes.

### **FISCAL MANAGEMENT**

#### **THE TOWN OF TRURO WILL DEVELOP SHORT AND LONG-TERM TERM FISCAL POLICIES THAT INCREASE REVENUE FROM SOURCES OTHER THAN PROPERTY TAXES AND MINIMIZE ANNUAL BUDGET GROWTH.**

- FM1. So that the budget can be better communicated to and informed by the citizens, the Board of Selectmen and Town Manager, working with the Finance Committee, will re-design the budget development format and process to include the identification of appropriate budget tools, a citizen forum in the fall and a separate budget hearing in the spring. The Board of Selectmen, Finance Committee and Town Manager will define the format and collect data for a five-year financial forecast for the Town.
- FM2. The Board of Selectmen will present a Home Rule Petition to voters at either the fall 2018 Special Town Meeting or the 2019 Annual Town Meeting that would create a local 0.5% real estate transfer tax that would fund the Capital Improvement Stabilization Fund.

## PUBLIC SAFETY

**THE TOWN OF TRURO WILL PROVIDE HIGH QUALITY AND COST EFFECTIVE POLICE, FIRE AND EMERGENCY SERVICES TO RESIDENTS AND VISITORS IN COORDINATION AND COLLABORATION WITH NEIGHBORING TOWNS.**

- PS1. The Board of Selectmen and Town Manager will review and revise the existing General Noise Bylaw.
- PS2. The Board of Selectmen, working with the Town Manager and Emergency Management Director, will develop an initiative for neighborhood storm teams for natural disasters.

## COMMUNITY SUSTAINABILITY

**THE TOWN OF TRURO WILL SUPPORT POLICIES AND PROGRAMS THAT:**

- **FOSTER SUSTAINABLE AND APPROPRIATE ECONOMIC DEVELOPMENT**
- **CREATE MORE AFFORDABLE, YEAR –ROUND PLACES FOR PEOPLE TO LIVE**
- **PROTECT AND RESTORE OUR FRAGILE ENVIRONMENT**

- CS1. (ENVIRONMENTAL) The Town Manager will continue efforts on the following environmental projects and develop and implement public outreach and education components for them:
- a. *Pamet River Tidal Flow Restoration & Watershed Study*: This tidal restoration project will allow the Town to evaluate several different culvert model scenarios. Modelling of initial data will be complete by fall 2018. As a result of the 2018 storm impacts, follow up modelling will be completed by April 1, 2019. A public update will be presented in the summer of 2018.
  - b. *East Harbor Culvert Replacement*: Replacement of the seaward portion of the culvert at East Harbor will be complete by October 31, 2018. Evaluation of the scope of work for the culvert section between Route 6 and Shore Road will be complete by June 30, 2019.
  - c. *Mill Pond and Eagle Creek Repairs & Improvement*: Additional modelling to complete necessary repairs/improvements to Mill Pond and Eagle Creek will begin by July 31, 2017. The scope of services and plan will be completed by June 30, 2018. Bid process for the project will be advertised by April 1, 2019.
  - d. *Little Pamet Watershed Study & Culvert Repair*: Use 2018 Association for the Preservation of Cape Cod assessment to identify the necessary repairs/improvements for the Little Pamet culvert and to identify the scope of work for the whole system in order to identify appropriate resiliency funds for identified improvements.
  - e. *Coastal Management*: The Town Manager will direct staff to explore costs and scope of developing a comprehensive shorefront management plan to improve coastal resiliency for the bay shoreline.
- CS2. (HOUSING) The Board of Selectmen will hold a joint work session meeting with the Truro Housing Authority to develop ideas for home rental or ownership for people at 120% AMI, with specific consideration of municipal workers and elderly.
- CS3. (HOUSING) The Board of Selectmen will present a Home Rule Petition to voters at either the fall 2018 Special Town Meeting or the 2019 Annual Town Meeting that would allow for expansion of the Residential Tax Exemption to property owners that rent year round.

- CS4. (HOUSING) The Board of Selectmen working with the Planning Board and the Zoning Board of Appeals will explore ways to increase use of the ADU bylaw.
- CS5. (HOUSING) The Board of Selectmen and Town Manager will identify additional funding sources for the Affordable Housing Trust in order to further support the development of a wide range of affordable and community housing in Truro.
- CS6. (ECONOMIC DEVELOPMENT) In an effort to support economic development, the Board of Selectmen, Town staff, and Town Counsel will develop a time table for Comcast contract negotiations.
- CS7. (ECONOMIC DEVELOPMENT) The Board of Selectmen will engage with the Truro business community, gather information, and explore ways to support and increase small business in Truro.

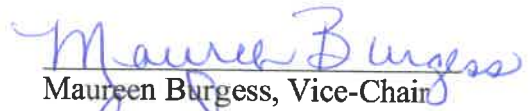
**COMMUNITY ENGAGEMENT & GOVERNANCE**

**THE TOWN OF TRURO WILL HAVE AN OPEN AND TRANSPARENT GOVERNMENT THAT PROACTIVELY ENGAGES AND INVOLVES THE TOWN’S RESIDENTS.**

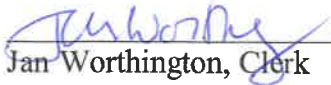
- CEG1. In an effort to better communicate with and gather information from citizens and visitors of Truro, the Town Manager:
  - a. Implement the Alert Truro notification system
  - b. Review and modify the Town website so that information and documents are organized more clearly.
- CEG2. The Board of Selectmen will conduct a thorough review of charges for Boards, Committees and Commissions under its purview by \_\_\_\_\_. This will include:
  - a. An assessment of relevance to the current and future work of the Town of Truro.
  - b. Revisions to charges to ensure clarity of purpose, role and authority.
  - c. Consolidation if possible and appropriate.
  - d. Develop incentives for residents to volunteer to serve on Boards, Commissions and Committees.
- CEG3. As part of the Local Comprehensive Planning process, the Board of Selectmen, Town Manager and Local Comprehensive Plan Committee will conduct an outreach, organizing and information gathering process that will engage citizens in the planning process and include the development of community-wide vision, mission and goals for the Town of Truro.
- CEG4. The Board of Selectmen and Town Manager will establish a recognition event to identify and thank volunteers and staff.
- CEG5. The Board of Selectmen will create an informational manual for the Board of Selectmen and other town boards/committees/commissions in order to help them be more effective in their role as well as to comply with local, state and federal regulations.



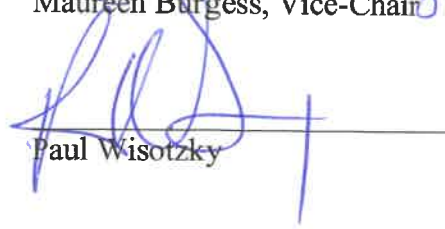
Robert Weinstein, Chair



Maureen Burgess, Vice-Chair



Jan Worthington, Clerk



Paul Wisotzky



Kristen Reed  
Board of Selectmen



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 110 or 124 Fax: 508-349-5505

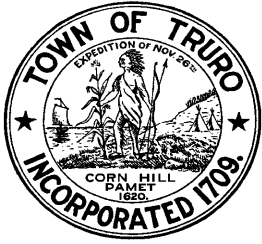
## 6. CONSENT AGENDA

A. Review/Approve and Authorize Signature:

1. *Application for an Entertainment License: Truro Concert Committee*

B. Review and Approve Staff Reappointments: Chief Jamie Calise-Keeper of the Lock-up; Susan Joseph-Registrar of Voters

C. Review and Approve Select Board Minutes: May 15, 2019, May 28, 2019 and May 29, 2019



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Nicole Tudor, Executive Assistant

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Application for an Entertainment License

**EXPLANATION:** The Truro Concert Committee is gearing up for their 2019 Summer Concert Series. They are applying for 8 separate dates, with performers playing at the Truro Public Library. Dates are: July 11, 18, 25, and August 1, 8, 15, 22, and 29. The concerts start at 6:30pm except for August 22<sup>nd</sup>, and 29<sup>th</sup>.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** Concerts will not be held at Truro Public Library, back deck area.

**SUGGESTED ACTION:** *MOTION TO approve the entertainment license for eight separate dates (July 11, 18, 25 and August 1, 8, 15, 22, and 29) and authorize the Chair to sign.*

**ATTACHMENTS:**

1. Application for Weekday Entertainment License



# TOWN OF TRURO

## Licensing Department

PO Box 2030, Truro, MA 02666

PH: 508-349-7004, Ext. 110 or 124 Fax: 508-349-5505

Email: [ntudor@truro-ma.gov](mailto:ntudor@truro-ma.gov) or [nscoullar@truro-ma.gov](mailto:nscoullar@truro-ma.gov)

RCVD 2019 MAY 31 AM 11:18  
ADMINISTRATIVE OFFICE  
TOWN OF TRURO

### Application for an Entertainment License

Weekday  Saturday  \*Sunday

\*Please complete the Commonwealth's Public Entertainment on Sunday Application

The undersigned hereby applies for a license in accordance with the provisions of Mass. General Laws, c.140 §183A amended, Ch. 140§181 & Ch.136§4

#### BUSINESS/ORGANIZATION INFORMATION

Name of Applicant: Patricia A Wheeler Business/Organization Name: TRURO Concert Committee

Mailing Address of Business/Organization: P.O. Box 289 TRURO, MA 02666

Is this a Non-profit or For-profit Entity (Check the appropriate box)  Yes  No

If yes, proof of Non-profit status **must** accompany this application

Contact Person: Patricia A Wheeler Phone Number: [REDACTED] Email: [REDACTED]

#### INDIVIDUAL APPLICANT INFORMATION

Individual's Name: Patricia A Wheeler Mailing Address: P.O. Box 289 TRURO MA 02666

Phone Number: [REDACTED] Email Address: [REDACTED]

#### EVENT INFORMATION

Day (s)/Date (s) of Event for License to be issued: Thursdays July and August Purpose of Event (example: fundraiser): Music Concerts

Hours of Event (from - to): 6:00 - 11:30

Location (Must provide facility name, if any, street number and name): TOWN of TRURO LIBRARY Event is:  Indoor  Outdoor Event (Please check applicable box)

Property Owner Name and Address: TOWN of TRURO Phone number: \_\_\_\_\_

Seating Capacity: \_\_\_\_\_ Occupancy Number: \_\_\_\_\_

Name of Caterer (if applicable): N/A Approximate number of people attending: 300



If the event is catered please return Caterer Food Service Form to Health Agent at Fax # 508.349.5508

Will an admission fee be collected?  Yes  No  
Will there be a One Day Alcohol License  Yes  No  
Will there be Police Traffic Control?  Yes  No

If yes; you must also apply for a One Day Alcohol License

ENTERTAINMENT INFORMATION

Type of Entertainment: Please check the appropriate boxes.

Dancing:  By Patron  By Entertainers  No Dancing  
Music:  Recorded  Juke Box  Live  No Music  
Number of Musicians & Instruments (Type) 3 to 8  
Amplified System:  Yes  No  
Shows:  Theater  Movies  Floor Show  Light Show  
 No Show  
Other:  Video Games  Pool/Billiard Tables (Please indicate quantity) \_\_\_\_\_

Applicant's Signature

I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable regulations of the Town of Truro.

Patricia A Wheeler  
Signature

May 31, 2019  
Date

- A valid entertainment license must be on the premises before the entertainment is commenced.
- No entertainment shall be offered, conducted, or otherwise provided by any establishment licensed under MGL Chapter 140 without first obtaining an entertainment license from the Board of Selectmen.
- Sunday entertainment must be specifically requested and addressed in the permitting process, under MGL 136.
- These regulations are intended to allow the Board of Selectmen to determine the appropriate parameters to limit impacts to the neighbors of the establishment and to the community by the establishment and the entertainment provided therein.
- A copy of the required Fire Safety Inspection Certificate of the facility must be provided, if applicable.
- The Local Licensing Authority may impose restrictions and/or conditions.

Office Use Only

Fee \$50.00

APPROVAL

License No 2019-05ENT

Board of Selectmen \_\_\_\_\_ Meeting Date \_\_\_\_\_

Police Department [Signature] Date 6/5/2019

Restrictions/Conditions attached to the license by the Board of Selectmen or its Delegate: \_\_\_\_\_

# 2019 Truro Summer Concerts



Artwork by Bill Evaul

**Thursday Evenings**

## **Truro Public Library**

**7 Standish Way, North Truro**

**Celebrating 25 Years of Free Concerts**

**The Rip-It Ups**

July 11, 6:30

**New Beach Band**

July 18, 6:30

**The Revolutionary  
Snake Ensemble**

July 25, 6:30

**Daddy-O!**

Aug. 1, 6:30

**Chandler Travis**

**Philharmonette**

Aug. 8, 6:30

**Zoë Lewis**

Aug. 15, 6:30

**Tim Dickey  
Toast and Jam**

August 22, 6:00

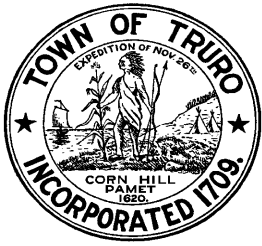
**The Grab Brothers**

Aug. 29, 6:00

*Aug. 22 and 29 concerts begin at 6:00*

*In the event of rain the concert will be moved inside the library.*

**Printing Courtesy of Seamen's Bank**



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Nicole Tudor, Executive Assistant

**REQUESTED MEETING DATE:** June 11, 2019

**ITEM:** Approval of Police Chief Jamie Calise as Keeper of the Lockup and Susan Joseph, as Registrar of Voters

**EXPLANATION:** Massachusetts General Law Chapter 40 § 35 requires the Select Board of each town that maintains a lockup annually make an appointment of Keeper of the Lockup. The Keeper of the Lockup shall have the care and custody of the lockup and of the persons committed thereto. The term is for one-year.

In accordance with MGL Chapter 51 § 15 the Select Board is the appointing authority for Registrar of Voters. Susan Joseph's three-year appointment is expiring as Registrar of Voters. The term is for three-years expiring March 31<sup>st</sup>.

**FINANCIAL SOURCE (IF APPLICABLE):** n/a

**IMPACT IF NOT APPROVED:** There will be no Appointment of Keeper of the Lock-up or the Registrar of Voters to certify voters.

**SUGGESTED ACTION:** *Motion to appoint Police Chief Jaime Calise to serve as Keeper of the Lockup for a one-year term commencing July 1, 2019 which will expire June 30, 2020 and Susan Joseph as Registrar of Voters for a three-year term commencing July 1, 2019 which will expire March 31, 2022.*

**ATTACHMENTS:**

1. Application to Serve-Susan Joseph



# TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

## APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Susan A Joseph HOME TELEPHONE: \_\_\_\_\_

ADDRESS: 1 Windigo Ln WORK PHONE: (508) 349-7004 X 126

MAILING ADDRESS: PO Box 427 No Truro MA 02652 E-MAIL: \_\_\_\_\_

FAX: \_\_\_\_\_ MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: \_\_\_\_\_

Registrar of Voters

SPECIAL QUALIFICATIONS OR INTEREST: \_\_\_\_\_

Town employee in Clerk's Office

COMMENTS: Very familiar with the process

SIGNATURE: Susan A. Joseph DATE: May 31<sup>st</sup> 2019  
\*\*\*\*\*

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL) \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

INTERVIEW DATE: \_\_\_\_\_ APPOINTMENT DATE (IF APPLICABLE): \_\_\_\_\_

# DRAFT

**Truro Select Board Meeting  
Wednesday, May 15, 2019  
Truro Town Hall Selectmen's Chambers**

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

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

Chair Robert Weinstein called meeting to order at 5:00 p.m. and welcomed new member Susan Areson, noting the historic significance of a Select Board with four women.

## **PUBLIC COMMENT**

Clint Kershaw complained about the method of selection for filling a vacancy on the Board of Health, a position which he had sought. He offered a suggestion that the task force making plans for the Walsh property consider all vacant Town-owned property as well. He said he had compiled a list of those parcels and offered to do further research on them.

Jane Peters expressed concern about the directorship of the Council on Aging. She asked that the unclarified situation be resolved to end speculation.

## **PUBLIC HEARINGS**

### ***Eversource Petition for 618 Shore Rd.***

Chair Weinstein opened the public hearing at 5:11 p.m.

Eversource representative Jessica Elder explained the request to bring a conduit under the road to the customers at 618 Shore Rd. She said Eversource will correct a misspelling of Knowles Rd. on the site plan.

Chair Weinstein closed the Eversource public hearing.

Maureen Burgess moved to approve the petition by Eversource petition to install approximately 40 feet of conduit/cable under Shore Road to provide electrical service to customers at 618 Shore Road. Kristen Reed seconded, and the motion carried 5-0.

### ***Day's Market and Deli – 271 Shore Rd.***

Chair Weinstein opened the public hearing for Day's Market and Deli at 5:13 p.m.

Mylan Janopolis, manager and owner of MCJLT, Inc., dba Days Market and Deli at 271 Shore Road explained his request for a new seasonal off-premises wine and malt package store license. He is bringing the building up to code and updating the old market. He had over 20 letters of support from neighbors on Shore Rd. Austin Knight, resident of Wellfleet and former Provincetown Selectman, came forward to give enthusiastic support for the reopening of the store with the license. Ginny Ross of Provincetown offered her support for granting the new license.

Chair Weinstein closed the public hearing.

Kristen Reed moved to approve a new seasonal off-premises wine and malt package store license for Days Market and Deli at 271 Shore Rd. for Mylan Janopolis. Janet Worthington seconded, and the motion carried 5-0.

## **SELECTBOARD ACTION**

### **Update on Herring River Restoration Project**

Attorney Barry Fogel of Keegan Werlin LLP said that the Town Manager and he had met with the representatives from Wellfleet, the National Seashore and the Friends of the Herring River, who had accepted Truro's decision to support the objectives but no longer be included in design and implementation of the project. Wellfleet and the National Seashore are drafting a Memo of Understanding (MOU) IV, which will supersede the earlier MOU's. Language remains that Truro will be included in decisions regarding Truro roads. There is no commitment to funding by Truro. Kristen Reed and other members of the Board expressed interest in reading the final draft of MOU IV since it still references Truro. Attorney Fogel said there that the document is still under discussion, but he will make sure the Select Board review the draft before final execution of MOU IV.

### **Select Board Election of Officers**

Kristen Reed moved to approve Robert Weinstein as Chair of the Select Board. Mr. Weinstein declined the nomination indicating that he did not wish to hold a leadership position, and would serve as a member of the Board.

Maureen Burgess moved to approve Janet Worthington as Chair. Kristen Reed seconded, and the motion carried 5-0. Janet Worthington assumed her role as Chair and presided over the rest of the meeting.

Janet Worthington moved to approve Maureen Burgess as Vice-chair of the Select Board. Kristen Reed seconded, and the motion carried 5-0.

Robert Weinstein moved to approve Kristen Reed as Clerk. Maureen Burgess seconded, and the motion carried 5-0.

Janet Worthington and Kristen Reed expressed appreciation for Mr. Weinstein's service as Chair. Kristen Reed welcomed Susan Areson to the Board, noting, from the passage of the 19<sup>th</sup> Amendment to the present, the progress for women on the national level and here in Truro with the first Select Board to have four women on a five-member board, concluding, "The future is female."

### ***Liaison List***

Select Board members agreed upon liaison assignments to the Fire and Rescue Department, boards, committees and commissions. Kristen Reed reviewed boards that had been eliminated or may be merged. She asked about further combinations of committees. Town Manager Rae Ann Palmer said the liaisons to those committees could be determined at another meeting.

From the audience, Bill Golden questioned the wisdom of combining boards because he believes in bringing more people into Town government. He said he had not been made aware of the reasons for the suggested mergers.

Ms. Palmer indicated that the Select Board representative for the Local Comprehensive Planning Committee is a member of that committee. Maureen Burgess moved to appoint Susan Areson as the Select Board member of the Local Comprehensive Planning Committee. Janet Worthington seconded, and the motion carried 5-0.

The revised liaison assignments are as follows:

Robert Weinstein – Shellfish Advisory Committee, Bike & Walkways Committee, CPC, Energy Committee, Library Trustees, and School Committee;

Maureen Burgess – Agricultural Commission, Board of Assessors, Charter Review Committee, Commission on Disabilities, Conservation Commission, Board of Health, Part-Time Residents Advisory Committee, Planning Board, and Water Resources Oversight Committee;

Susan Areson – Zoning Board of Appeals, Finance Committee, Historical Commission, Local Comprehensive Planning Committee (member), and Open Space Committee;

Janet Worthington – Beach Commission, Cemetery Commission, Council on Aging, Fire & Rescue, Pamet Harbor, Taxation Aid Committee, and Concert Committee; and

Kristen Reed – Cable & Internet Advisory Committee, Cultural Council, Housing Authority, and Human Services.

Maureen Burgess moved to approve the revised list of liaison assignments. Robert Weinstein seconded, and the motion carried 5-0.

### ***Select Board Goals and Objectives***

Assistant Town Manager Kelly Clark reviewed the Fiscal Year 2019 Goals and Objectives.

#### **Town Services**

TS1: Shark response money came from state for Truro and the neighboring towns.

TS2: Additions will be made for uses of Town-property.

TS3: Two consultants are sought for Council on Aging needs.

#### **Fiscal Management**

FM1: Budget development using new software is in progress. This year there was a separate public hearing for the FY20 Budget. The home rule petition for a local real estate transfer tax to help fund the Capital Improvement Stabilization Fund passed with an amendment at Town Meeting. Plans to start the budget process early next year will be added as a FY20 goal.

#### **Public Safety**

PS1: The Town is seeking opinion from Town Counsel on noise bylaws.

PS2: The initiative for neighborhood storm teams began. There is a sign-up process for neighborhood captains. The Barnstable Coordinator for Storm Preparedness made a presentation at a Selectmen's meeting in March.

#### **Community Sustainability**

CS1: Environmental projects for the Pamet River, East Harbor, Mill Creek, and the Little Pamet are all in progress. The Coastal Management Municipal Vulnerability Preparedness (MVP)

meeting was held on May 31, 2019. Truro is working on a grant with neighboring towns to create a coastal resiliency plan for the bay side.

CS2: A joint work session with the Housing Authority was held about the Cloverleaf Property.

CS3: Expansion of the residential tax exemption passed at Town Meeting 2019.

CS4: Selectmen worked with the Planning Board and ZBA on preparation of ADU bylaws for Town Meeting approval, but the Article was withdrawn. The effort will continue for Town Meeting 2020.

CS5: Additional funding sources for the Affordable Housing Trust were achieved through the Town Meeting amendment to Article 15 which will put 50% of real estate transfer fees into the Trust Fund.

CS6: Development of a timetable for Comcast contract negotiations is underway.

CS7: Engaging with business community is ongoing.

### **Community Engagement & Governance**

CEG1: Alert Truro has been a success. The Town website refresh is expected to be completed this month.

CEG2: Changes to charges and review of boards with possible consolidations are underway.

CEG3: The Cape Cod Commission has revised the Local Comprehensive Plan Guide. The LCPC will be meeting in May and June to work on the Truro plan.

CDG4: Events are being planned to recognize the service of volunteers and staff.

CEG5: There was nothing new on a Select Board manual, but Kristen Reed is working on additional Open Meeting Law materials.

### ***Letter from Laurie Frottier***

*Kristen Reed disclosed that she was a friend of the parties involved.*

Town Manager Rae Ann Palmer said that Laurie Frottier had submitted a letter requesting consideration of forgiveness for all or part of her housing rehabilitation loan granted through the Fiscal Year 2014 Truro Regional Housing program. She had received two loans: one to make repairs to her home at 249 Gross Hill Rd., Wellfleet, and one to create an affordable accessory dwelling unit (AADU). Alice Boyd of Bailey Boyd Associates had sent a letter suggesting that the \$25,362.89 balance for the AADU could be considered, but she said that forgiving the housing rehab loan with a balance of \$25,480.40 would not set a good precedent, and she did not recommend doing so. Ms. Palmer said that financial information on the rehab portion was insufficient. She did not recommend forgiving the rehab loan, but the Select Board is authorized to make a decision on forgiveness for both loans. Robert Weinstein asked about partial forgiveness of the rehab loan.

John Wolf from Wellfleet spoke on behalf of Ms. Frottier, who had provided affordable housing, but had found it increasingly difficult. She now cannot afford to keep the home, he said. She had also experienced an unforeseen personal tragedy.

Laura Frottier came forward to explain her request for forgiveness of the AADU loan but did not have an expectation for forgiveness of the rehab portion of the loan. She said she has a lot of debt, so the sale of her house will not leave her with much money. That is why she is asking for



forgiveness of the loan. It turned out that the affordable apartment was not an asset in selling the property.

Robert Weinstein moved to forgive the affordable accessory dwelling unit loan granted through the FY14 Truro Regional Housing Rehab program in the amount of \$25,362.89 as well as 50% of the balance of the rehab loan in the amount of \$12,740.20. Janet Worthington seconded, and the motion carried 4-0-1.

### ***Date for Public Forum on Walsh Property***

Rae Ann Palmer sought a date for a community meeting to discuss ideas for the Walsh Property. Ms. Palmer asked the Select Board to pick a date for the event, and she will get a facilitator and schedule it at the Community Center. Eric Parker came forward to say that a weeknight evening was preferable to a weekend date. Ms. Palmer said the initial meeting could have an evening date, and another meeting with childcare available could be held on a Saturday. Susan Howe commented on how busy late June becomes and suggested a mid-June date. Joan Holt said an earlier date was better. She suggested including six graders in the brainstorming meeting. Eric Parker returned to recommend lots of publicity for the event.

The Select Board agreed upon a date of June 27, 2019 at 6 p.m. at the Community Center. Ms. Palmer said there will be small group discussions led by a facilitator on “Wishes and Worries.”

Kristen Reed read into record a statement on the importance of diversity and a definition of diversity for Truro in planning a committee for the Walsh Property. Susan Areson agreed that it should be a community-wide effort to choose who is represented on the committee. Ann Greenbaum praised the preparation for forming the Walsh Property committee and expressed confidence that the community will be engaged. Ms. Palmer said there are already at least two people who have indicated their willingness to serve on the committee. Kristen Reed said Senator Julian Cyr was willing to help with facilitated meetings for the Walsh Property. Ms. Palmer said that Senator Cyr offered money for planning, a community outreach survey and for engineering. Janet Worthington expressed reservations about use of state money, preferring that Truro maintain an unbiased approach. Ms. Palmer said that money for engineering might be accepted from the state.

Kristen Reed moved to set a date of June 27, 2019 at 6 p.m. at the Truro Community Center for a community meeting on the Walsh Property Planning Committee and process. Maureen Burgess seconded, and the motion carried 5-0.

### **CONSENT AGENDA**

- A. Review/Approve and Authorize Signature: *none*
- B. Review and Approve 2019 Payomet Performing Arts (Entertainment and Sunday Entertainment)
- C. Review and Approve 2019 Seasonal Licenses: Blackfish Restaurant (Common Victualer), Hillside Farmstand and Perry’s Furniture (Transient Vendor), and Lewis Brothers Ice Cream (Hawker Peddler)

- D. Change Order Request for East Harbor with MIG, Inc.
- E. Review and Approve Board of Selectmen Minutes: April 16, 2019, April 17, 2019, and April 23, 2019

Maureen Burgess made a correction to the minutes of April 23, 2019.

Robert Weinstein moved to approve the Consent Agenda as amended. Maureen Burgess seconded, and the motion carried 5-0 with Kristen Reed abstaining on the Blackfish Restaurant license in Item C and Susan Areson abstaining on the minutes in Item E.

### **SELECT BOARD REPORTS AND TOWN MANAGER REPORT**

Chair Worthington suggested that Board members and Town Manager include their comments in the report section of the meeting.

Maureen Burgess had attended the April Cape Cod Selectmen & Councilors meeting, which focused on Education budgets, reimbursements from the state and new efforts and needs. She said Lisa Sette, who had made the seal presentation to the Board in January, has offered a Provincetown Coastal Studies vehicle that could be used for educational outreach one day a week should Truro want to avail themselves of it. Ms. Palmer suggested having Lisa Sette contact her and the Beach Director to work out arrangements.

Kristen Reed offered multiple thanks: to the citizens who voted, the poll volunteers and candidates of Town Elections; to the Chamber of Commerce for its dinner; to Bob Montano with a reminder to the Board about a proclamation for him; to those who attended the Annual Town Meeting, the Town Moderator and staff for its preparation; and to attendees at the Cloverleaf meeting. Next week she will receive a shout out in Washington as a young business owner. Ms. Reed mentioned winter media coverage of sharks on Cape Cod. She said she had promised a citizen who had asked about drone monitoring for sharks that she would mention it to the Board even though she had told the person that drone monitoring would not ensure safety.

Susan Areson thanked voters for their support. She announced a Community Engagement CDP workshop on Tuesday, June 18, 2019 at 5 p.m. at the Wellfleet COA.

Town Manager Rae Ann Palmer said that sharks and the Woods Hole Group's analysis of the shark situation could be a topic for a regular Select Board meeting with time for public comment. Preparedness for this summer includes the call boxes that are being shipped, Stop the Bleed kits for all beaches, and advertising for roving EMT's. She mentioned the drawbacks of drone monitoring. Anything we put into place has to work, she said. Several media outlets have approached her to ask what we are doing to make people safe in the water, but she has not responded because she can't answer that and doesn't want to misrepresent the Town. The Chamber of Commerce is working on marketing strategy and educating the public to understand risks. Ms. Palmer also reported on the first Cape Cod and Islands Water Protection Fund Management Program, where she volunteered for Bylaw Committee and learned what money is available through the state for water and wastewater systems. She said the water application for

the Cloverleaf Property had been approved. She continues to be very involved in the Walsh Property purchase process. She said that the May 21st Police Awards Ceremony will honor Bob Montano and suggested presenting the Town Proclamation for him at that time.

**NEXT MEETINGS**

Rae Ann Palmer said the agenda so far for the May 28, 2019 meeting included: a public hearing for a shellfish grant application, pay increases for non-union employees, appointments and a reappointment. The May 29, 2019 meeting is a joint one with Provincetown to discuss the water system. The Board and Ms. Palmer discussed holding a work session but ultimately decided there was not a compelling reason to hold one in May. They planned a few agenda items for June and discussed meetings that will need to be scheduled with the Planning Board, the Conservation Commission and the Board of Health.

**ADJOURNMENT**

Robert Weinstein moved to adjourn. Maureen Burgess seconded, and the motion carried 5-0. The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Mary Rogers

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Janet Worthington, Chair

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Maureen Burgess, Vice-chair

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Susan Areson

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Kristen Reed, Clerk

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Robert Weinstein

**Public Records Material of 5/15/19**

1. Eversource Petition
2. Application for new seasonal off-premises wine and malt package store license for Days Market and Deli at 271 Shore Rd.
3. Liaison list
4. Goals and Objectives FY19
5. Letters from Laurie Frottier and Alice Boyd re: forgiveness of loan
6. Application for 2019 Payomet Performing Arts licenses
7. 2019 Seasonal Licenses: Blackfish Restaurant (Common Victualer), Hillside Farmstand and Perry's Furniture (Transient Vendor), and Lewis Brothers Ice Cream (Hawker Peddler)
8. Change Order Request for East Harbor with MIG, Inc.

**Truro Select Board Meeting  
Wednesday, May 28, 2019  
Truro Town Hall Selectmen's Chambers**

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

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

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

## **PUBLIC COMMENT**

Eric Varty expressed his concerns about aquacultural development at Cold Storage Beach and recommended future creation of a comprehensive plan for all beaches.

## **PUBLIC HEARINGS**

### ***Shellfish Aquaculture Tidal Grant off Cold Storage Beach for Jeffrey and William Souza***

Chair Worthington opened the public hearing for the Souza Aquaculture grant.

Jeffrey Souza explained the request he and William Souza had made for a 1.5 acre grant off Cold Storage Beach. The proposal is conditioned on a Department of Marine Fisheries (DMF) survey, followed by a Notice of Intent to be filed with the Truro Conservation Commission and the Massachusetts Wildlife's Natural Heritage & Endangered Species Program. Mr. Souza explained why he had chosen the Cold Storage Beach area for shellfish aquaculture and described the proposed grant. He said the maximum number of cages would be 660, all placed within Town-owned property. As a part of his application, he also requested access to the beach via a small amphibious vehicle with minimum impact on the environment. He discussed what marking could be done in addition to the four corners of the plot. He reported on the historic fish weirs, once located at Cold Storage Beach.

Select Board members asked several questions. He explained the times that he would access the beach to avoid disturbing beach goers. He described the way the shellfish cages would be marked and affixed by helix anchors, taking into consideration boater, whale and turtle safety. He said the cages would be set up with room for small boats or kayaks to come in between the cages.

The public addressed the Board. Ron Boyles had questions on distances between the shore and the cages and the depth. Attorney William Henchy, representing Naida Wharton, who has deeds for flats at Cold Storage Beach Landing, objected to the Souza proposal. He said those flats are privately owned, and Ms. Wharton will challenge the grant because only fishing, fowling and boating are allowed. He said the grants needed to be confined to areas that are entirely sub-tidal. He said that whether or not the Town has title to the 30 feet in question, because of limited access to the water, the Town should not devote the resources to one or a few persons. He suggested a policy of land access for the amphibious vehicle.

Jeffrey Souza responded that, according to his title research, Ms. Wharton does not own the flats to the north of Cold Storage Beach. At present he could drive on the beach with a truck, but he was planning to use something more environmentally friendly.

Janet Worthington suggested continuing the hearing until the title can be further researched. The Town Manager said the hearing could be tabled but left open without taking any action now if the applicant agreed to do so.

There was further discussion about locating the grant in the sub-tidal zone further west by the lowest moon tide; the problems in the Aquaculture Development Area (ADA) that the Souzas were trying to avoid; reorientation of the grant; clear definition of Ms. Wharton's property boundaries on the flats; yearly changes in the beach; and starting over on the application process.

Naida Wharton discussed her memories of Cold Storage Beach. She said use of the Cold Storage Landing has changed over the years. Her concerns are for the safety of the beach, she said. She stated that the beach should be for the benefit of all. She wanted to know about the vehicle that would be used to access the grant.

Jeff Souza agreed to table the hearing and continue it at the July 9, 2019 Select Board meeting.

Maureen Burgess moved to continue, until the meeting of July 9, 2019, the hearing for the Souza shellfish aquaculture grant, located off Cold Storage Beach. Kirsten Reed seconded, and the motion carried 5-0.

### ***Transient Vendor License for 14 Truro Center Rd., Unit A***

Chair Worthington opened the public hearing for 14 Truro Center Rd. at 6 p.m.

Amy Rolnick explained her request for a new Transient Vendor (seasonal retail) license for Accent on Design to be located at 14 Truro Center Road, Unit A. She plans to open a gallery/shop that would have hours from 11 a.m. to 7 p.m.

Chair Worthington closed the public hearing.

Maureen Burgess moved to approve the 2019 Transient Vendor License (retail) for Accent on Design, located at 14 Truro Center Road, Unit A, upon compliance with all regulations and receipt of the necessary documents and fees. Robert Weinstein seconded, and the motion carried 5-0.

### **SELECT BOARD ACTION**

#### ***FY2020 Cost of Living Adjustment for Non-Union Employees***

Town Manager Rae Ann Palmer presented a plan that incorporates a 2% cost of living adjustment (COLA) for non-union employees that was approved at the 2019 Annual Town Meeting. The adjustment is equivalent to the COLA granted to union members through recent contract negotiations.

Robert Weinstein moved to approve a 2% cost of living adjustment for non-union employees.

Kristen Reed seconded, and the motion carried 5-0.

### ***Other Post Employment Benefits (OPEB) Trust***

Town Accountant Trudi Brazil explained the OPEB liability trust document, the investment policy statement and the funding policy. She had also submitted the agreement between Truro and the Rockland Trust, which had been previously chosen to manage the account. Susan Areson asked about unfunded liability after the money goes into an account, but Ms. Brazil said that would depend upon structure of the investment. Ms. Palmer said the discount rate also influences the unfunded liability. Susan Areson asked about the relationship between OPEB and Barnstable County Pension liability. Trudi Brazil said the Town's goal was to invest equally in OPEB and Barnstable's pension.

Kristen Reed moved to approve establishment of the Truro OPEB Liability Trust and the OPEB Liability Trust Investment Policy Statement, including Addendum 1, OPEB Trust Funding Policy; to approve and authorize the Chair to sign the Rockland Trust Investment Management Account agreement and finally, to place an item on a subsequent Select Board meeting agenda to appoint one member of this Board and two additional individuals to the OPEB Trust's Board of Trustees. Susan Areson seconded, and the motion carried 5-0.

### **CONSENT AGENDA**

- A. Review/Approve and Authorize Signature:
  - 1. Application for an Entertainment License: Sustainable Cape – Truro's Farmers Market
  - 2. Application for a Sunday One-day Entertainment License: Truro Vineyards of Cape Cod
- B. Reappoint Diane Messinger to the Conservation Commission, Chris Lucy to the Zoning Board of Appeals (alternate to full member)
- C. Review and Approve Seasonal Licenses: Days Market and Deli (Common Victualer)
- D. Review and Approve the April 2019 updated Truro Police Department's Rules and Regulations Manual
- E. Review and Approve Select Board Minutes: May 7, 2019

Robert Weinstein asked to remove the Truro Police Department's *Rules and Regulations Manual* for further discussion at another meeting. The Police Chief was unable to attend this meeting. Janet Worthington asked to remove the Truro Vineyards Item since it involves new licensing.

Susan Areson moved to approve the Consent Agenda with Item D Police Department *Rules and Regulations* and Item A-2 for Truro Vineyards removed. Kristen Reed seconded, and the motion carried 5-0 with Maureen Burgess abstaining on the minutes of May 7, 2019.

### **SELECT BOARD REPORTS/COMMENTS**

Robert Weinstein had attended the School Committee meeting, where discussion included Rural Funding, the Pre-School Program, and Capital funding for boiler replacement and other

maintenance. He said the School Committee would like to have a representative appointed to the committee for planning uses of the Walsh Property.

Susan Areson mentioned the *Globe* article on schools. She had attended an event sponsored by the Chamber of Commerce, where participants tried to form a common message to summer visitors regarding beach safety, not just shark safety.

Kristen Reed thanked Assistant Town Manager Kelly Clark for the redesigned Town website, and she thanked the Town Manager, Assistant Town Manager and staff for beach preparation with satellite communications for the summer season. She reported on a business conference with the Chamber of Commerce, educating the public on cannabis and host community agreements. Finally, she thanked Jeff Souza and the Public Safety staff for help in a recent medical emergency at Blackfish Restaurant.

Janet Worthington reported on the Truro Police Promotion and Awards ceremony where Police promotions, new officers and achievements were acknowledged. Bob Montano, Amy Rogers and Bronwyn Bresnahan received certificates of appreciation at the event.

#### **TOWN MANAGER'S REPORT**

Rae Ann Palmer said she's been receiving many inquiries for the committee on the Walsh Property. She has been seeking an available facilitator for the meeting planned for June. Senator Cyr secured \$25,000 for planning for Walsh Property, she said. The Environmental Review Phase 1 for the Walsh Property is scheduled with BSC engineering. She said there is continued work on website, call boxes are in for the beaches, radios are on the way, and the in-vehicle repeater is due by this summer.

#### **NEXT MEETING AGENDA**

The Town Manager reviewed agenda items for the June meetings. She is scheduling the postponed items for Police Rules & Regulations and a new license for Truro Vineyards; a shark presentation; and Select Board Goals & Objectives. Kristen Reed suggested an agenda item for consolidation of committees and liaison assignments. Ms. Palmer will add this to one of the meetings.

#### **ADJOURNMENT**

Maureen Burgess moved to adjourn. Robert Weinstein seconded, and the motion carried 5-0. The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Mary Rogers, Secretary



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Janet Worthington, Chair

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Maureen Burgess, Vice-chair

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Susan Areson

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Kristen Reed, Clerk

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Robert Weinstein

**Public Records Material of 5/28/19**

1. Application and materials for Aquaculture Grant off Cold Storage Beach
2. Application for Seasonal Retail License for 14 Town Hall Rd., Unit A
3. Cost of Living Adjustment papers for Non-Union Employees
4. OPEB papers and Rockland Trust
5. Application for Entertainment License: Sustainable Cape – Truro’s Farmers Market
6. Appointment papers for Diane Messinger to the Conservation Commission, and Chris Lucy to the Zoning Board of Appeals (alternate to full member)
7. Seasonal Licenses: Days Market and Deli (Common Victualer)

**Provincetown Select Board Joint Meeting  
Wednesday, May 29, 2019  
Truro Community Center**

**Truro Selectmen Present:** Chair Janet Worthington; Susan Areson, Kristen Reed, Robert Weinstein

**Regrets:** Maureen Burgess

**Provincetown Select Board Present:** Chair Cheryl Andrews; Robert Anthony, John T. Golden, Louise A. Venden

**Regrets:** Lise King

**Present:** Truro Town Manager Rae Ann Palmer; Provincetown Interim Town Manager David Gardner; Truro Assistant Town Manager Kelly Sullivan-Clark; Truro DPW Director Jarrod Cabral; Water Superintendent Cody Salisbury; Provincetown Director of Public Works Richard Waldo; Provincetown Recording Secretary Elizabeth Paine

Truro Chair Janet Worthington and Provincetown Chair Cheryl Andrews opened the meeting at 5:06 p.m.

### **Provincetown Water System**

Cody Salisbury, Provincetown Water Superintendent, presented an overview of the Provincetown Water System, highlighting: well locations, accomplishments of past year, performance models, storage tanks, fire flow, ISO pressure requirements for the Truro Elementary School, pumping stations, monitoring or observation wells, the North Union Field well site, testing for water quality for sodium and chloride, salt water up-coning, inorganic sampling every three years, the Winslow St. storage tank maintenance, replacement services in Provincetown, water withdrawals in 2018, unaccounted-for-water, peak usage levels, water audits, the leak detection program, financials for the Water Department, water user rates, upcoming projects, and a MassDEP award.

Questions and discussion followed the PowerPoint presentation. The impact of new breweries in Provincetown is predicted to be negligible, according to Cheryl Andrews and Mr. Salisbury. The Shankpainter Rd. water main replacement has not been coordinated with a road project planned for the street. Provincetown DPW Director Richard Waldo said the water replacement is planned first. Members from both Select Boards commended Cody Salisbury and Richard Waldo for the attention and planning they devote to the water system.

### **ADJOURNMENT**

Sue Areson moved to adjourn. Robert Weinstein seconded, and the motion carried 5-0. The meeting was adjourned at 5:54p.m.

Respectfully submitted,

Mary Rogers, Secretary

Absent

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Janet Worthington, Chair

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Maureen Burgess, Vice-chair

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Susan Areson

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Kristen Reed, Clerk

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Robert Weinstein

**Public Records Material of 5/29/19**

1. 2018 Annual Drinking Water Quality Report for Provincetown Water Dept.
2. Provincetown DPW Water System Update of 5/29/19
3. PowerPoint slide presentation of 5/29/19