



Truro Select Board

Tuesday, June 9, 2020

Remote Meeting-5:00pm

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website. Click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting please call in toll free at 1-866-899-4679 and enter the following access code when prompted: 195-788-781.** Please note that there may be a slight delay (15-30 seconds) between the meeting and the live-stream (and television broadcast). If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Town Manager at rpalmer@truro-ma.gov with your comments.

1. PUBLIC COMMENT

A. Covid-19 Update - Staff

2. PUBLIC HEARINGS NONE

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS NONE

4. TABLED ITEMS NONE

5. SELECT BOARD ACTION

A. Discussion of Finance Committee Membership

Presenter: Jan Worthington, Chair

B. Discussion and Possible Adoption of M.G.L. c.110G, Use of Electronic Signatures by Council/ Board/ Commission Members

Presenter: Kelly Clark, Assistant Town Manager

C. Vote to Electronically Sign and Post the Annual Town Election Warrant

Presenter: Kelly Clark, Assistant Town Manager

D. Discussion of Town Manager Screening Process

Presenter: Paul Wisotzky, Chair of the Town Manager Screening Committee

E. Review and Discussion of Annual Town Election Ballot Questions

Presenter: Rae Ann Palmer, Town Manager

F. Non-Regulatory Boards/Committees Meeting

Presenter: Rae Ann Palmer, Town Manager

6. CONSENT AGENDA

A. Review/Approve and Authorize Signature:

1. *M.A. Frazier Inc. Agreement*

B. Review and Approve 2020 Seasonal Licenses: Lewis Brothers Ice Cream (Hawker Peddler)

C. Vote to Authorize Town Manager to Sign Cemetery Certificate

D. Review and Approve Select Board Minutes: May 12, 2020 Regular and Work Session, May 19, 2020 Regular Session

7. SELECT BOARD REPORTS/COMMENTS

8. TOWN MANAGER REPORT

9. NEXT MEETING AGENDA: June 16 (Re-opening Taskforce)



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager for Jan Worthington, Chair

REQUESTED MEETING DATE: June 9, 2020

ITEM: Discussion of Finance Committee Membership

EXPLANATION: Under Public Comment during the remote Select Board Meeting on May 28th, 2020, Truro Resident Joan Holt requested an item be discussed by the Select Board. Due to the postponement of Annual Town Meeting the Town Charter current Section 2-2-4, will remain in full effect.

The Petitioned Charter Amendment Article (Section 2-2-4) in the Annual Town Meeting Draft Warrant reads as follows:

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

Until that vote transpires for this Petitioned Article, the process would continue as written in the Town Charter. The appointments of two Finance Committee Members will be expiring on June 30th. It has been asked of the Board to extend the two appointments in question and not allow for a renewal at this time.

The Charter Amendment process requires that any changes be approved at Town Meeting, approved by the Attorney General and then approved at the ballot the following year. This process takes a full year to complete. A successful Town Meeting vote will not automatically change the process. The current appointing authority for Finance Committee members, in accordance with the Town Charter, is the Town Moderator.

FINANCIAL SOURCE (IF APPLICABLE): N/A

SUGGESTED ACTION: *MOTION TO*

ATTACHMENTS:

1. Truro Charter Section 2-2-4
2. Email from Joan Holt
3. Draft Annual Town Meeting Warrant Article #41

Chapter 2 - The Legislative Branch: Town Meeting

Section 1 - Conduct of the Town Meeting

- 2-1-1 The legislative powers of the Town shall be vested in a Town Meeting which shall consider and act upon, with or without amendments, all operating budgets, capital budgets, bond issues or other financial matters, all proposed By-laws or amendments to By-laws, and any other business which may properly come before it.
- 2-1-2 The Annual Town Meeting shall be held in each year on the last Tuesday in April.
(255/1993,192/2000)
- 2-1-3 A Special Town Meeting shall be held at the call of the Board of Selectmen; or, upon petition on an approved form signed by 200 of the registered voters of the Town, the Board of Selectmen shall call a Special Town Meeting to be held within 45 days. (119/2000)
- 2-1-4 A quorum for Town Meeting shall be 100 registered voters as listed at the close of the registration period for Town Meeting. If a quorum is not reached, the Moderator shall adjourn the meeting to a stated date, time, and place which shall be within seven days.
(181/1993,119/2000)
- 2-1-5 Elected officials, the Town Manager, division and department heads, and chairpersons of multi-member bodies, or their designated representatives, shall attend Town Meeting in order to provide information when an article or articles which may affect their particular office or function are included in the warrant. If any person so required to attend Town Meeting in accordance with this section is not a resident of the Town, such person shall be allowed to address the Town Meeting. (Q3/2016)

Section 2 - The Moderator

- 2-2-1 A Moderator shall be elected in accordance with section 3-1-1 of this Charter and shall preside at Town Meeting.
- 2-2-2 The Moderator shall conduct the proceedings of Town Meeting in accordance with the latest revised edition of Town Meeting Time, unless otherwise provided by General Laws, this Charter, or By-laws.
- 2-2-3 If the Moderator is absent, an acting Moderator shall be elected in accordance with the latest revised edition of Town Meeting Time until such time as the Moderator returns.
- 2-2-4 The Moderator shall appoint a Finance Committee in accordance with the provisions of Chapter 6. The Finance Committee shall act in an advisory capacity to the legislative branch, the Town Meeting. (119/2000)
- 2-2-5 **Deleted** (119/2000)

From: Joan Holt [REDACTED]
Sent: Thursday, May 28, 2020 12:54 PM
To: Jan Worthington <jworthington@truro-ma.gov>
Cc: Rae Ann Palmer <rpalmer@truro-ma.gov>
Subject: For consideration at today's Select Board meeting

1. There is an article on the Warrant bearing on the manner in which appointments to the Finance Committee are made. The terms of two members of the Finance Committee are about to end. Had Town Meeting been held this Spring and had the article on the Warrant bearing on the manner in which Finance Committee appointments are made been passed, the reappointments of these two members by the Town Moderator would not have been automatic and without transparency. Instead a public process would have had to be undertaken to fill the expiring seats (i.e., posting of the vacancies, applications to serve, and a public interview process by the Town Moderator). Since the process of appointment may be changed in the Fall, it seems only fair to the voters that any renewal of expiring terms be limited to six month, to be reconsidered after Town Meeting.

Annual Town Meeting – Tuesday, April 28, 2020

ARTICLE 41

TWO-THIRDS
VOTE

Article 41: Charter Amendment to Section 2-2-4- Petitioned Article

To see if the Town will vote to amend Section 2-2-4 of the Town Charter by adding new language as follows (new language shown **bold underline**), or to take any other action relative thereto.

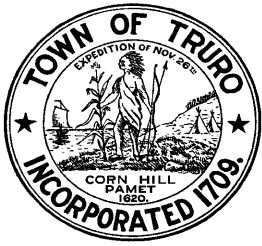
2-2-4 *The Moderator shall appoint a Finance Committee in accordance with the provisions of Chapter 6. The Finance Committee shall act in an advisory capacity to the legislative branch, the Town Meeting. **The Moderator shall conduct an open search, selection and appointment process for candidates for new, renewing, and/or vacant seats for the Finance Committee. The Moderator will adhere to the procedures and practices used by the Select Board for appointed, members to Town committees and pursuant to General Law and to Chapter 6 of the Town Charter, as established and amended by Town Vote.***

Requested by Citizen Petition

Select Board Comment: This article was submitted by petition for consideration at Town Meeting.

Petitioner's Comment: The Finance Committee serves an essential and significant role year-round in developing departmental and Town-wide budget(s) for approval annually at ATM. Presently, members are appointed at the sole discretion of the Town Moderator in a private process. The public should have an opportunity to apply, make their skills and interests known to the Townspeople as well as the Moderator, and be subject to public interviews and transparent selection processes.

Select Board Recommendation	3	1	1
Charter Review Committee Recommendation			



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: Discussion and Possible Adoption of M.G.L. c.110G, Use of Electronic Signatures by Council/ Board/ Commission Members

EXPLANATION: As the Select Board currently holds remote meetings due to the COVID-19 Public Health Emergency, obtaining physical “wet” signatures for various documents from Board members is challenging. Town Counsel advised the Select Board may accept the provisions of M.G.L. 110G regarding electronic signatures, which will allow the Board to execute documents either with electronic signatures or with wet ink signatures.

Guidance provided by Town Counsel states that “an electronic signature is legally binding to the same extent as a handwritten signature.” Town Counsel noted that electronic signatures can include digital signature stamps, scanned signatures, and similar variations of these methods. Signatures for Board Members are already on file and, if M.G.L. 110G is accepted, could be used to “drop” signatures into documents approved by the Board. The following statement would be included on all digitally signed documents:

Pursuant to the vote taken by the Truro Select Board on June 9, 2020, the following signatures are made in accordance with M.G.L. c.110G and pursuant to the Truro Select Board’s electronic signature authorization vote recorded on [DATE] with the Barnstable Registry of Deeds.

As this matter is being considered at a “virtual” meeting of the Select Board, the vote must be by roll call, and recorded in the minutes as a roll call vote. If approved, the Temporary

Assistant Town Clerk would prepare the Certificate of Vote to be recorded at the Registry of Deeds.

SUGGESTED ACTION: *{Roll Call vote required} Move that the Truro Select Board hereby recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect.*

ATTACHMENTS:

1. MGL 110G
2. Massachusetts Deed Indexing Standards 2018- April 2020 Amendment

Massachusetts General Law: Chapter 110G: Uniform Electronic Transactions

Section 1: Title of chapter

Section 1. This chapter may be cited as "The Uniform Electronic Transactions Act".

Section 2: Definitions

Section 2. In this chapter, the following words shall have the following meanings:—

"Agreement", the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

"Automated transaction", a transaction conducted or performed, in whole or in part, by electronic means or electronic records, in which the acts or records of one or both parties are not reviewed by an individual in the ordinary course in forming a contract, performing under an existing contract, or fulfilling an obligation required by the transaction.

"Chief information officer", the chief information officer of the information technology division within the executive office for administration and finance as defined in subparagraph (d) of section 4A of chapter 7.

"Computer program", a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result.

"Contract", the total legal obligation resulting from the parties' agreement as affected by this chapter and other applicable law.

"Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

"Electronic agent", a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual.

"Electronic record", a record created, generated, sent, communicated, received, or stored by electronic means.

"Electronic signature", an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Executive department", those parts of the executive branch of the commonwealth serving under the governor or within one of the executive offices headed by a secretary appointed by the governor.

"Governmental agency", an executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the federal government or a state or a county, municipality, or other political subdivision of a state.

"Information", data, text, images, sounds, codes, computer programs, software, databases or the like.

"Information processing system", an electronic system for creating, generating, sending, receiving, storing, displaying or processing information.

"Person", an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation or any other legal or commercial entity.

"Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

"Security procedure", a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.

"State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band, or Alaskan native village, which is recognized by federal law or formally acknowledged by a state.

"Supervisor", the supervisor of records as defined in section 1 of chapter 66.

"Transaction", an action or set of actions occurring between 2 or more persons relating to the conduct of business, commercial, or governmental affairs.

Section 3: Application of chapter; transactions governed by other laws

Section 3. (a) Except as otherwise provided in subsection (b), this chapter applies to electronic records and electronic signatures relating to a transaction.

(b) This chapter shall not apply to a transaction to the extent it is governed by:

(1) A law governing the creation and execution of wills, codicils or testamentary trusts;

(2) Chapter 106, other than sections 1–107 and 1–206, section 2 and section 2A of said chapter 106;

(3) This chapter applies to a transaction governed by the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. section 7001 et. seq., but is not intended to limit, modify or supersede section 101(c) of that Act, 15 U.S.C. section 7001(c). This chapter shall not apply to a signature, contract or other record, or otherwise to any transaction, to the extent it is governed by any of the laws or bodies of law indicated in the following subsection:—

(i) a statute, regulation, or other rule of law governing the creation and execution of wills, codicils, or testamentary trusts;

(ii) a state statute, regulation, or other rule of law governing adoption, divorce or other matters of family law;

(iii) court orders or notices, or official court documents, including briefs, pleadings and other writings, required to be executed in connection with court proceedings;

(iv) a statute, regulation, or other rule of law governing any notice of the cancellation or termination of utility services, including water, heat and power; or of the default, acceleration, repossession, foreclosure, or eviction, or the right to cure, under a credit agreement secured by, or a rental agreement for, a primary residence of an individual;

(v) a statute, regulation, or other rule of law governing the cancellation or termination of health insurance or benefits or life insurance benefits, excluding annuities;

(vi) a statute, regulation, or other rule of law governing recall of a product, or material failure of a product, that risks endangering health or safety; or

(vii) any document, required by a statute, regulation, or other rule of law governing, to accompany any transportation or handling of hazardous materials, pesticides or other toxic or dangerous materials.

(c) This chapter applies to an electronic record or electronic signature otherwise excluded from the application of this chapter under subsection (b) to the extent it is governed by a law other than those specified in said subsection (b).

(d) A transaction subject to this chapter shall also be subject to other applicable substantive law.

Section 4: Electronic records or electronic signatures governed by chapter

Section 4. This chapter applies to any electronic record or electronic signature created, generated, sent, communicated, received, or stored on or after the effective date of this chapter.

Section 5: Transactions governed by chapter; consent of parties; waiver

Section 5. (a) This chapter does not require a record or signature to be created, generated, sent, communicated, received, stored, or otherwise processed or used by electronic means or in electronic form.

(b) This chapter applies only to transactions between parties each of which has agreed to conduct transactions by electronic means. Whether the parties agree to conduct a transaction by electronic means is determined from the context and surrounding circumstances, including the parties' conduct.

(c) A party that agrees to conduct a transaction by electronic means may refuse to conduct other transactions by electronic means. The right granted by this subsection may not be waived by agreement.

(d) Except as otherwise provided in this chapter, the effect of any of its provisions may be varied by agreement. The presence in this chapter of the words "unless otherwise agreed", or words of similar import, shall not imply that the effect of other provisions may not be varied by agreement.

(e) Whether an electronic record or electronic signature has legal consequences is determined by this chapter and other applicable law.

Section 6: Construction of chapter

Section 6. This chapter shall be construed and applied:

(1) to facilitate electronic transactions consistent with other applicable law;

(2) to be consistent with reasonable practices concerning electronic transactions and with the continued expansion of those practices; and

(3) to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

Section 7: Electronic signature; enforceability; satisfaction of legal requirements

Section 7. (a) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.

(b) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.

(c) If a law requires a record to be in writing, an electronic record satisfies the law.

(d) If a law requires a signature, an electronic signature satisfies the law.

Section 8: Information provided in electronic form; posting or display of records; ability to retain; agreements regarding non-use of United States mail

Section 8. (a) If parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered, as the case may be, in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record.

(b) If a law, other than this chapter, requires a record to be posted or displayed in a certain manner, to be sent, communicated, or transmitted by a specified method, or to contain information that is formatted in a certain manner, the following rules apply:

(1) The record shall be posted or displayed in the manner specified in the other law.

(2) Except as otherwise provided in subparagraph (2) of subsection (d), the record shall be sent, communicated, or transmitted by the method specified in the other law.

(3) The record shall contain the information formatted in the manner specified in the other law.

(c) If a sender inhibits the ability of a recipient to store or print an electronic record, the electronic record shall not be enforceable against the recipient.

(d) The requirements of this section may not be varied by agreement, but:

(1) to the extent a law other than this chapter requires information to be provided, sent, or delivered in writing but permits that requirement to be varied by agreement, the requirement under subsection (a) that the information be in the form of an electronic record capable of retention may also be varied by agreement; and

(2) a requirement under a law other than this chapter to send, communicate, or transmit a record by regular United States mail, may be varied by agreement to the extent permitted by the other law.

Section 9: Attribution of electronic signature; effect

Section 9. (a) An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

(b) The effect of an electronic record or electronic signature attributed to a person under subsection (a) is determined from the context and surrounding circumstances at the time of its creation, execution, or adoption, including the parties' agreement, if any, and otherwise as provided by law.

Section 10: Change or error during transmission of electronic record

Section 10. If a change or error in an electronic record occurs in a transmission between parties to a transaction, the following rules shall apply:—

(1) If the parties have agreed to use a security procedure to detect changes or errors and one party has conformed to the procedure, but the other party has not, and the nonconforming party would have detected the change or error had that party also conformed, the conforming party may avoid the effect of the changed or erroneous electronic record.

(2) In an automated transaction involving an individual, the individual may avoid the effect of an electronic record that resulted from an error made by the individual in dealing with the electronic agent of another person if the electronic agent did not provide an opportunity for the prevention or correction of the error and, at the time the individual learns of the error, the individual:

(A) promptly notifies the other person of the error and that the individual did not intend to be bound by the electronic record received by the other person; and

(B) takes reasonable steps, including steps that conform to the other person's reasonable instructions, to return to the other person or, if instructed by the other person, to destroy the consideration received, if any, as a result of the erroneous electronic record; and

(C) has not used or received any benefit or value from the consideration, if any, received from the other person.

(3) If neither subparagraph (1) nor subparagraph (2) applies, the change or error has the effect provided by other law and the parties' contract, if any.

(4) Subparagraphs (2) and (3) may not be varied by agreement.

Section 11: Fulfillment of notarization, acknowledgement, verification, or oath requirements

Section 11. If a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

Section 12: Retention requirements

Section 12. (a) If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record which:—

(1) accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and

(2) remains accessible for later reference.

(b) A requirement to retain a record in accordance with subsection (a) shall not apply to any information the sole purpose of which is to enable the record to be sent, communicated or received.

(c) A person may satisfy subsection (a) by using the services of another person if the requirements of that subsection are satisfied.

(d) If a law requires a record to be presented or retained in its original form, or provides consequences if the record is not presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with subsection (a).

(e) If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with subsection (a).

(f) A record retained as an electronic record in accordance with subsection (a) satisfies a law requiring a person to retain a record for evidentiary, audit, or like purposes, unless a law enacted after the effective date of this chapter specifically prohibits the use of an electronic record for the specified purpose.

(g) This section shall not preclude a governmental agency of the commonwealth from specifying additional requirements for the retention of a record subject to the agency's jurisdiction.

Section 13: Legal proceedings

Section 13. In a legal proceeding, evidence of a record or signature may not be excluded solely because it is in electronic form.

Section 14: Automated transactions; contracts

Section 14. In an automated transaction, the following rules shall apply:—

(1) A contract may be formed by the interaction of electronic agents of the parties, even if no individual was aware of or reviewed the electronic agents' actions or the resulting terms and agreements.

(2) A contract may be formed by the interaction of an electronic agent and an individual, acting on the individual's own behalf or for another person, including by an interaction in which the individual performs actions that the individual is free to refuse to perform and which the individual knows or has reason to know will cause the electronic agent to complete the transaction or performance.

(3) The terms of the contract are determined by the substantive law applicable to it.

Section 15: When electronic record is sent and received; location; knowledge; documentation

Section 15. (a) Unless otherwise agreed between the sender and the recipient, an electronic record is sent when it:—

(1) is addressed properly or otherwise directed properly to an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record;

(2) is in a form capable of being processed by that system; and

(3) enters an information processing system outside the control of the sender or of a person that sent the electronic record on behalf of the sender or enters a region of the information processing system designated or used by the recipient which is under the control of the recipient.

(b) Unless otherwise agreed between a sender and the recipient, an electronic record is received when:

(1) it enters an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record; and

(2) it is in a form capable of being processed by that system.

(c) Subsection (b) applies even if the place the information processing system is located is different from the place the electronic record is considered to be received under subsection (d).

(d) Unless otherwise expressly provided in the electronic record or agreed between the sender and the recipient, an electronic record is deemed to be sent from the sender's place of business and to be received at the recipient's place of business. For purposes of this subsection, the following rules shall apply:—

(1) If the sender or recipient has more than 1 place of business, the place of business of that person is the place having the closest relationship to the underlying transaction.

(2) If the sender or the recipient does not have a place of business, the place of business is the sender's or recipient's residence, as the case may be.

(e) An electronic record is received under subsection (b) even if no individual is aware of its receipt.

(f) Receipt of an electronic acknowledgment from an information processing system described in subsection (b) establishes that a record was received but, by itself, does not establish that the content sent corresponds to the content received.

(g) If a person is aware that an electronic record purportedly sent under subsection (a), or purportedly received under subsection (b), was not actually sent or received, the legal effect of the sending or receipt is determined by other applicable law. Except to the extent permitted by the other law, the requirements of this subsection may not be varied by agreement.

Section 16: Transferable record; control; holder for purposes of Uniform Commercial Code; proof

Section 16. (a) In this section, "transferable record" means an electronic record that:

(1) would be a note under section 3 of chapter 106 or a document under section 7 if the electronic record were in writing; and

(2) the issuer of the electronic record expressly has agreed is a transferable record.

(b) A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

(c) A system satisfies subsection (b), and a person is considered to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that:—

- (1) a single authoritative copy of the transferable record exists which is unique, identifiable, and, except as otherwise provided in subparagraphs (4), (5) and (6), unalterable;
 - (2) the authoritative copy identifies the person asserting control as:—
 - (A) the person to which the transferable record was issued; or
 - (B) if the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record was most recently transferred;
 - (3) the authoritative copy is communicated to and maintained by the person asserting control or its designated custodian;
 - (4) copies or revisions that add or change an identified assignee of the authoritative copy can be made only with the consent of the person asserting control;
 - (5) each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy; and
 - (6) any revision of the authoritative copy is readily identifiable as authorized or unauthorized.
- (d) Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in section 1–201(20) of chapter 106, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under said chapter 106, including, if the applicable statutory requirements under section 3–302(a), 7–501, or 9–308 of said chapter 106 are satisfied, the rights and defenses of a holder in due course, a holder to which a negotiable document of title has been duly negotiated, or a purchaser, respectively. Delivery, possession, and indorsement are not required to obtain or exercise any of the rights under this subsection.
- (e) Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under chapter 106.
- (f) If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record. Proof may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

Section 17: Creation, maintenance and preservation of electronic records by executive department agencies and other government agencies

Section 17. (a) The supervisor of records under section 1 of chapter 66 and clause Twenty-sixth of section 7 of chapter 4, the records conservation board under section 42 of chapter 30, and the information technology division under section 7 of chapter 4A, shall determine whether, the extent to which and the manner by which each executive department agency shall create, maintain and preserve electronic records, signatures and contracts and the method of converting paper government records to electronic format. Nothing in this chapter shall affect the existing authority of the supervisor of records, the records conservation board or the information technology division under the cited sections.

(b) The supervisor of records under section 1 of chapter 66 and clause Twenty-sixth of section 7 of chapter 4, and the records conservation board under section 42 of chapter 30, shall determine whether, the extent to which

and the manner by which each government agency not in the executive department, nor in the legislative or judicial departments, shall create, maintain and preserve electronic records, signatures and contracts and the method of converting paper government records to electronic format.

Section 18: Promotion of consistency and interoperability among governmental agencies and nongovernmental persons; standards

Section 18. The chief information officer and the supervisor of records shall encourage and promote consistency and interoperability with other governmental agencies and nongovernmental persons. If appropriate, they may specify differing levels of standards from which governmental agencies of the commonwealth may choose in implementing the most appropriate standard for a particular application.

Massachusetts Deed Indexing Standards 2018

April 2020 Amendment

The Massachusetts Registers and Assistant Registers of Deeds Association has adopted the following Amendment to the Massachusetts Deed Indexing Standards 2018. This amendment is effective April 17, 2020.

13-7. Electronic Signatures by Municipal Boards – The following procedure is recommended for municipal boards and committees that wish to execute documents in accordance with Massachusetts General Laws chapter 110G (Uniform Electronic Transaction Act) which documents are then to be recorded at the registry of deeds.

1. At a properly called meeting, the municipal board or commission should formally vote that the board recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect.
2. The board then records at the registry of deeds a Certificate of Vote that provides the language of the motion that was made regarding electronic signatures and attests to the vote taken, and obtains the Town Clerk's certification.
3. Then, board members may cause their electronic signature to be affixed to permitting or compliance documents that have been approved by a board vote. Such electronically signed documents should also include a statement that the signatures are made in accordance with M.G.L. c.110G and pursuant to the board's electronic signature authorization vote recorded on [DATE] in [BOOK and PAGE or REG. LAND DOCUMENT NUMBER] at the [NAME OF REGISTRY] Registry of Deeds.
4. Any document so executed shall be accepted for recording at the registry of deeds either in electronic form or as a paper print of the electronically executed document.

This procedure has been authorized by Land Court for use with Registered Land but only for the duration of the COVID-19 emergency declaration in the Commonwealth of Massachusetts.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: Vote to Electronically Sign and Post the Annual Town Election Warrant

EXPLANATION: Annually, the Select Board signs the Annual Town Meeting and Annual Town Election Warrant as one document and posts both the Annual Town Meeting and the Annual Town Election at the same time. Due to the COVID-19 Public Health Emergency, both the Town Meeting and Town Election were postponed to June 2020 and in May, the Board voted to postpone the Annual Town Meeting to September 2020.

The Annual Town Election will take place on June 30, 2020 from 7:00 am to 8:00 pm at the Truro Community Center and will need to be posted in accordance with MGL Chapter 39, Section 10. The Warrant will need to be signed by the Select Board and the Board may do this electronically, per guidance from Town Counsel, provided that M.G.L. c. 110G is accepted by the Board. The Election Warrant is prepared and included in your packet.

SUGGESTED ACTION: *MOTION TO electronically sign and post the Annual Town Election Warrant for the June 30, 2020 Annual Town Election.*

ATTACHMENTS:

1. Annual Town Election Warrant



ANNUAL TOWN ELECTION

TUESDAY, JUNE 30, 2020 FROM 7:00 A.M. TO 8:00 P.M.
TRURO COMMUNITY CENTER

Commonwealth of Massachusetts

Barnstable, ss.

To the Constable for the Town of Truro

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in a Town Election, to vote at Truro Community Center, 7 Standish Way, Truro, MA on Tuesday, June 30, 2020 from 7:00 am to 8:00 pm for the following Town offices and questions:

#	OFFICE	TERM
1	Selectmen	3 year
1	School Committee	3 year
1	Moderator	3 year
2	Library Trustee	3 year
1	Cemetery Commission	3 year
2	Planning Board	5 year
1	Housing Authority	5 year

QUESTION 1

Shall the Town of Truro be allowed to assess an additional one hundred seventy thousand dollar (\$170,000.00) in real estate and personal property taxes for the purpose of acquiring a heavy duty tractor truck, and for the payment of all other costs incidental and related thereto, for the fiscal year beginning July first, two thousand and twenty?

Yes_____

No_____

QUESTION 2

Shall the Town of Truro be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of acquiring a Fire Department Ambulance, and for the payment of all other costs incidental and related thereto?

Yes_____

No_____

QUESTION 3

Shall the Town of Truro be allowed to assess an additional three hundred fifty-one thousand, nine hundred four dollars (\$351,904.00) in real estate and personal property taxes to supplement the operating budget for the addition of (4) full-time firefighter/paramedics to the Fire/Rescue Department's staffing, for the fiscal year beginning July first, two thousand and twenty?

Yes_____

No_____

You are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, seven days, at least, before the date of said meetings.

Hereto fail not and make due return of the warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this 9th day of June in the Year of our Lord, Two Thousand and Twenty.

We, the members of the Select Board of the Town of Truro, have read the warrant for the Annual Town Election to be held from 7:00 a.m. to 8:00 p.m. on June 30, 2020, at the Truro Community Center.

Acting in capacity of the Select Board we do hereby grant approval of and permission for the above mentioned warrant.

**SELECT BOARD
TOWN OF TRURO**

A TRUE COPY, ATTEST:

Susan Joseph
Temporary Assistant Town Clerk
Date of Posting:

Janet W. Worthington, Chair

Robert M. Weinstein, Vice-Chair

Kristen M. Reed, Clerk

Susan H. Areson

Stephanie J. Rein

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Grozier's Garage, Water's Automotive, Savory and the Sweet Escape, Pamet Valley Liquors, Truro Post Office, North Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.

Constable

Date



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Jan Worthington, Chair

REQUESTED MEETING DATE: June 9, 2020

ITEM: Town Manager Screening Discussion with Bernard Lynch, Community Paradigm Associates

EXPLANATION: At the June 4, 2020 Select Board Special Meeting, Paul Wisotzky of the Town Manager Screening Committee reported on the status of the screening process. The Board discussed the committee's status and requested that Bernard Lynch of Community Paradigm Associates attend this meeting to provide further information to the Board so that they may make an appropriate decision about how to proceed with the Town Manager Search. Mr. Lynch and Mr. Wisotzky committed to join the meeting.

SUGGESTED ACTION: *MOTION TO*

ATTACHMENTS:

1. Select Board Policy 63 – Select Board Powers of Appointment



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

POLICY MEMORANDUM #63

Date: December 12, 2019
Subject: **POLICY ON SELECT BOARD'S POWERS OF APPOINTMENT**

I. Introduction

This policy is created by the Select Board in accordance with Chapter 4, Section 2 of the Truro Charter and establishes the process by which the Select Board may exercise their powers of appointment in accordance with Chapter 4, Section 4-3-1 of the Truro Charter, the General Laws of Massachusetts, and the Truro Personnel Bylaws,

II. Procedures

Effective as of the date this Policy is adopted by the Truro Select Board, the Board shall adhere to the following procedures when appointing the Town Manager, Police Chief or Fire Chief for permanent positions within the Town of Truro:

A. Recruitment of Candidates

1. When a position becomes vacant or will be vacant shortly, or a new position is created, the Select Board shall review the existing job description for the position, with input from the Town Manager, and determine whether it needs to be modified or updated.
2. The Town Manager shall solicit the services of a search consultant on behalf of the Select Board in accordance with MGL c 30B procurement requirements. The Select Board shall interview and select the firm in accordance with MGL c 30B procurement requirements.
3. Working with the selected firm, the Select Board, with staff assistance from the Town Manager, shall prepare a position profile.
4. The Search Consultant shall advertise in appropriate professional publications and newspapers and conduct the recruitment.
5. The Search Consultant shall review all application materials submitted in response to the Position Profile and shall determine the candidates who qualify for further consideration based on merit and fitness.

B. Appointment of Employees

1. The Select Board will appoint a Search Committee of seven to nine individuals including two members of the Select Board, four to six community members and two Town employees which may include the Town Manager.
2. Working with the Search Consultant, the Search Committee shall review the qualified applicants and determine how many applicants to interview. The Search Committee shall interview the selected candidates and provide the Select Board with a short list of three to five candidates for their consideration.
3. The Select Board shall receive all recruitment materials and search committee comments on the selected candidates.
4. Each Select Board member shall interview each candidate individually while escorting the candidate to Town Buildings, beaches or points of interest.
5. After completion of the individual interviews, or prior to the interviews, the Select Board shall hold a public reception for the candidates to meet Town staff and community members.
6. The Select Board may elect to host a community meet and greet for the candidates on the evening prior to the Select Board interview to allow community members an opportunity to ask questions to and learn about the candidates.
7. Each candidate will then be interviewed separately at a duly posted and recorded meeting of the Select Board. Each candidate will be asked the same initial questions. To ensure that no advantage is provided to any candidate, the candidates will only be present in the meeting room for their individual interview.
8. The Select Board will reconvene the next day to deliberate on which candidate will be selected. The Board may meet in Executive Session to determine the terms of an initial offer in preparation for contract negotiations.
9. Employment offers will be conditional in nature and will require satisfactory physical exams, drug/ alcohol screens, background record checks and reference verification.
10. The Town Manager will prepare an offer letter on behalf of the Select Board and work with the Select Board and Town Counsel to prepare a contract of employment.

Janet Worthington, Chair

Robert Weinstein, Vice-Chair

Kristen Reed, Clerk

Susan Areson, Member



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: Review and Discussion of Annual Town Election Ballot Questions

EXPLANATION: Annual Town Meeting is typically held two weeks before the Annual Town Election. At the Town Meeting, articles are considered and voters are able to participate in discussion on each article. Some articles (namely certain types of financial articles and Charter amendments) also require a ballot question for approval. When Town Meeting occurs prior to the election, voters are able to ask questions and provide comment on the issues prior to casting their ballots. Due to COVID-19, this year's Town Meeting will be held in September 2020 and the Annual Town Election will be held on June 30, 2020 so there will not be an opportunity for voters to ask questions or to provide comment prior to casting their ballots. To provide this opportunity, the Board invites the public to discuss the ballot questions on the Annual Town Election Warrant.

All three ballot questions are related to financial articles. The questions are included in the Annual Town Election Warrant in the agenda packet and staff and Board members are available to provide additional information regarding the heavy duty tractor truck, Fire Department Ambulance and the override related to the addition of (4) full-time firefighter/paramedics. The corresponding Town Meeting articles are included for reference.

SUGGESTED ACTION: *None.*

ATTACHMENTS:

1. Annual Town Election Warrant
2. Warrant Articles



ANNUAL TOWN ELECTION

TUESDAY, JUNE 30, 2020 FROM 7:00 A.M. TO 8:00 P.M.
TRURO COMMUNITY CENTER

Commonwealth of Massachusetts

Barnstable, ss.

To the Constable for the Town of Truro

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in a Town Election, to vote at Truro Community Center, 7 Standish Way, Truro, MA on Tuesday, June 30, 2020 from 7:00 am to 8:00 pm for the following Town offices and questions:

#	OFFICE	TERM
1	Selectmen	3 year
1	School Committee	3 year
1	Moderator	3 year
2	Library Trustee	3 year
1	Cemetery Commission	3 year
2	Planning Board	5 year
1	Housing Authority	5 year

QUESTION 1

Shall the Town of Truro be allowed to assess an additional one hundred seventy thousand dollar (\$170,000.00) in real estate and personal property taxes for the purpose of acquiring a heavy duty tractor truck, and for the payment of all other costs incidental and related thereto, for the fiscal year beginning July first, two thousand and twenty?

Yes_____

No_____

QUESTION 2

Shall the Town of Truro be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of acquiring a Fire Department Ambulance, and for the payment of all other costs incidental and related thereto?

Yes_____

No_____

QUESTION 3

Shall the Town of Truro be allowed to assess an additional three hundred fifty-one thousand, nine hundred four dollars (\$351,904.00) in real estate and personal property taxes to supplement the operating budget for the addition of (4) full-time firefighter/paramedics to the Fire/Rescue Department's staffing, for the fiscal year beginning July first, two thousand and twenty?

Yes _____

No _____

You are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, seven days, at least, before the date of said meetings.

Hereto fail not and make due return of the warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this 9th day of June in the Year of our Lord, Two Thousand and Twenty.

We, the members of the Select Board of the Town of Truro, have read the warrant for the Annual Town Election to be held from 7:00 a.m. to 8:00 p.m. on June 30, 2020, at the Truro Community Center.

Acting in capacity of the Select Board we do hereby grant approval of and permission for the above mentioned warrant.

**SELECT BOARD
TOWN OF TRURO**

A TRUE COPY, ATTEST:

Susan Joseph
Temporary Assistant Town Clerk
Date of Posting:

Janet W. Worthington, Chair

Robert M. Weinstein, Vice-Chair

Kristen M. Reed, Clerk

Susan H. Areson

Stephanie J. Rein

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Grozier's Garage, Water's Automotive, Savory and the Sweet Escape, Pamet Valley Liquors, Truro Post Office, North Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.

Constable

Date

Annual Town Meeting – Tuesday, April 28, 2020	ARTICLE 15
--	-----------------------

Article XX: Capital Exclusion Request for Heavy Duty Tractor Truck Replacement

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of one hundred seventy thousand dollars (\$170,000) more or less, to pay costs of acquiring a heavy duty tractor truck, and for the payment of all other costs incidental and related thereto; provided that no sums shall be expended hereunder unless and until the Town shall have voted to exclude the amounts needed to meet this appropriation from the limitations imposed by M.G.L. c. 59, §21C (Proposition 2 1/2), or take any other action relative thereto.

Requested by the Select Board

Article XX: Borrowing Authorization for Ambulance

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of three hundred fifty thousand dollars (\$350,000) more or less, to pay costs of acquiring a Fire Department Ambulance, and for the payment of all other costs incidental and related thereto; provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by M.G.L. c. 59, §21C (Proposition 2 1/2), or take any other action relative thereto.

Requested by the Select Board

Article XX: General Override

To see if the Town will vote to add four (4) full-time firefighter/paramedics to the Fire/Rescue Department's staffing, effective July 1, 2020, to raise and appropriate the sum of Three Hundred Fifty-One Thousand, Nine Hundred Four dollars and no cents (\$351,904.00), of which \$267,424.00 is to be added to the Fire/Rescue Salary and Wage budget (01022051), \$13,000.00 is to be added to the Fire/Rescue Capital budget (01022058), and \$71,480.00 is to be added to the Group Health Insurance: Town Share budget (01091451), and further to make this appropriation contingent upon the passage of an override ballot question under Chapter 59, Section 21C(g) of the General Laws (Proposition 2 1/2), or to take any other action relative thereto.

Requested by the Select Board



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: Non-Regulatory Boards/Committees Meeting

EXPLANATION: When the COVID-19 Public Health Emergency began in March, all non-regulatory and non-adjudicatory boards' meetings were suspended. At the June 2, 2020 Select Board Meeting, the Board requested an agenda item to consider allowing non-regulatory/non-adjudicatory boards to begin meeting again so that they may continue work that has been on hold in the recent months.

Non-regulatory boards could begin meeting again virtually via the GoToMeeting platform. It is important that all boards use the Town's platform and process to ensure compliance with the virtual Open Meeting Law rules. As a reminder, all meetings must be accessible to the public or posted with verbatim minutes on the website within a short period of time. The GoToMeeting platform allows for the public to call into the meeting, the recording of the meeting and posting on the website, thereby ensuring compliance with the virtual meeting regulations. By recording and posting the meeting on the website, the use of verbatim minutes is not required.

There are enough GoToMeeting "seats" to allow more than one meeting to take place at a time, however, only one meeting at a time can be live-streamed. The recommended process for holding a meeting is:

- The board or committee chair coordinates with the Administration Office Executive Assistants to set up a time and date for the meeting (a minimum of three days in advance of the meeting so there is time to coordinate and post in accordance with the Open Meeting Law).
- The Executive Assistants schedule the meeting and provide the board or committee chair with the call-in information for the scheduled meeting.

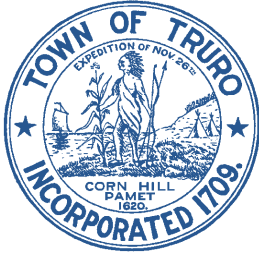
- The board or committee chair will include the call-in information on the meeting agenda and will work with the Executive Assistants to post the meeting.
- The board or committee chair will record the meeting on the GoToMeeting platform (instructions will be provided) so that the recording can be posted to the website.
- The board or committee will allow the public to provide comment by calling into the meeting.
- The recording of the meeting will be uploaded to the website, by staff, after the meeting, which will satisfy the Open Meeting Law rules.

It will be essential that chairs coordinate with the Executive Assistants to ensure that the Open Meeting Law is adhered to and that the public has access to the meetings. It will be the responsibility of the board chair to distribute any information to their board members about how to use the GoToMeeting platform and to ensure that their members are able to use the technology. It is important to remember that there are some areas in Truro that have limited cellular and internet capabilities.

Staff recommends that the Select Board allow boards and committees to begin meeting again virtually using the process outlined. In-person board meetings are still not be permitted as the Governor's Order restricts gathering sizes to less than 10 people and Open Meeting Law requires that the public have access to the meetings.

SUGGESTED ACTION: *MOTION TO allow non-regulatory and non-adjudicatory Town boards and committees to hold virtual meetings using the GoToMeeting platform and procedures outlined by the Town Manager.*

ATTACHMENTS: None



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. M.A. Frazier Inc. Agreement

B. Review and Approve 2020 Seasonal Licenses: Lewis Brothers Ice Cream (Hawker Peddler)

C. Vote to Authorize Town Manager to Sign Cemetery Certificate

D. Review and Approve Select Board Minutes: May 12, 2020 Regular and Work Session, May 19, 2020 Regular Session



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: M.A. Frazier Inc. Agreement

EXPLANATION: Attached for your review and approval is a contract with M.A. Frazier to supply portable bathrooms and hand washing stations at various locations in Town. Due to guidance from the State, the Town must provide handwashing stations at all portable bathroom locations and clean each unit daily. This requires a substantial increase the budget, from a projected amount of \$45,000 to \$141,431. It is staff's understanding that some or all of the increase may be absorbed by CARES Act funds.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Town of Truro will not have a contracted agreement for portable restrooms, which are provided at all local beaches and other Town property.

SUGGESTED ACTION: *Motion to approve the M.A. Frazier Inc. Agreement and Authorize the Town Manager to Sign Under the Authority of the Select Board of Truro.*

ATTACHMENTS:

1. M.A. Frazier Inc. Agreement

M.A. FRAZIER INC.
P.O. Box 1079
North Eastham, MA 02651

Phone: 877-908-7768 508-349-7969
Fax: 508-349-2203 www.mafrazier.com



06/02/2020

Relative to the spreadsheet provided to us on 5/28/2020 which outlines the locations, quantities, and level of service of both regular portable restrooms, ADA compliant portable restrooms and hand wash stations, M.A. Frazier Disposal furnishes the following TOTAL price including daily service (once per day service) on all units: \$141,430.45.

All other prices from the 2020 agreement shall remain in place including additional emergency units pricing and emergency pumping pricing.

Placing any units on a 2x per day schedule shall not constitute the use of the emergency pumping rate.

All units are to be pumped and cleaned and restocked with sanitizer and toilet tissue. All units shall be replenished with fresh water and portable toilet deodorizer.

All hand wash stations are to be cleaned, pumped, fresh water holding tanks refilled, soap refilled and paper towels re-stocked.

M.A. Frazier does not furnish a trash can for paper towels.

Contract shall be for the period April 1, 2020 through March 31, 2021.

Due to the overwhelming commitment of resources, both physical, tangible and financial, contract shall have a "no back-out clause". Simply put, portable restroom contractors and our assets and services are highly sought after in the municipal, private, and military arenas at this time.

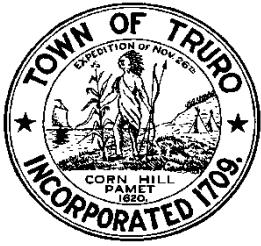
While we are most fortunate to be able to service our local communities with our services, we must have a firm guaranteed contract in exchange for the commitment we are offering our customers.

M.A. Frazier Disposal, Inc.

Town Of Truro

Matthew Frazier-Owner

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



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: June 9, 2020

ITEM: Approval of Seasonal License Renewals for 2020:
Hawker Peddler License: Lewis Brother's Ice Cream

EXPLANATION: The 2020 Seasonal License renewal for the following: Lewis Brother's Ice Cream and the supporting documentation are under the authority of the Select Board as Local Licensing Authorities. Except for food service licenses, if you approve these for renewal, they will be held until Governor Baker's closure of non-essential businesses has ended and only upon compliance with all regulations and receipt of the necessary fees. The Health Department license was approved May 28, 2020.

Mass General Law	Licenses & Permits Issued by Board of Selectmen	Names of Businesses
Chapter 101 § 13	Hawker Peddler Mobil Food Truck	Lewis Brother's Ice Cream Route: Cold Storage, Great Hollow, Corn Hill, Ballston, Longnook, Coast Guard, Head of the Meadow, Puma Park, Adventure Bound Campgrounds, Truro Center for the Arts at Castle Hill

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The applicant will not be issued their 2020 Hawker Peddler License to operate Lewis Brother's Ice Cream Truck.

SUGGESTED ACTION: *MOTION TO approve the Hawker Peddler License for Lewis Brother's Ice Cream upon compliance with all regulations and receipt of the necessary fees, and the issuance of the Health Food Service Licenses AND to authorize the Town Manager to sign.*

ATTACHMENTS:

1. 2020 Renewal Application and Board of Health License Lewis Brothers Ice Cream

Number: 2020-100

Fee \$75.00

Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Permit To Operate A Food Establishment

In accordance with Regulations promulgated under authority of Chapter 111, Section 127A of the General Laws a Permit is hereby granted to:

Mobile Ice Cream Vendor – Lewis Brothers Homemade Ice Cream
David Lewis, Manager

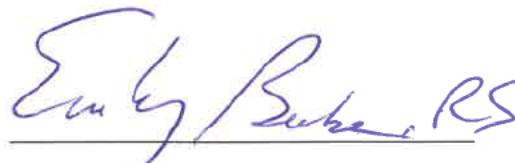
Whose place of business is **310 Commercial Street, Provincetown MA**

Type of business and any restrictions **Mobile Food Cart**

To operate a food establishment in **Truro**
(City or Town)

Permit Expires: **December 31, 2020**

Date Issued: *May 28, 2020*



Emily Beebe, R.S.,
Agent for the Truro Board of Health



2020-100

HEALTH DEPARTMENT
TOWN OF TRURO

MAY 27 2020

RECEIVED BY:

**TOWN OF TRURO
BOARD OF HEALTH**

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004 x131 Fax: 508-349-5508

Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

APPLICATION FOR MOBILE FOOD SERVICE PERMIT

☐ New ☒ Renewal

Section 1 – Type of Mobile Food Service

- ☐ Mobile Food Truck (potentially hazardous foods)
☒ Ice Cream Truck
☐ Pushcart (limited to non-potentially hazardous foods)

RCVD 2020APR21 94050

ADMINISTRATIVE OFFICE
TOWN OF TRURO

Section 2 – Business/Owner/Manager Information

Business Name: LEWIS BROTHERS, INC. FEIN: [REDACTED]

Owner Name: DAVID LEWIS Email Address: [REDACTED]

Mailing Address: 155 SAMOSET RD. EASTHAM, MA 02642

Phone No: [REDACTED] 24 Hour Emergency: SAME

Certified Food Manager(s) (attach copy):

DAVID LEWIS

Allergen Awareness Certification (attach copy):

DAVID LEWIS

List fixed or stationary location(s) where food will be sold:

ON FILE

Has your menu changed from last year? ☐ Yes ☒ No

If yes please attach copy of menu or provide description of food to be prepared and sold:

Section 3 – Base of Operations

(All Mobile Food Vendors must operate out of a fixed Licensed Establishment)

Name: LEWIS BROTHERS HOMEMADE ICE CREAM

Telephone: [REDACTED]

Address: 310 COMMERCIAL ST. PTOWN

Owner/Manager: DAVID LEWIS

Type of Establishment: RETAIL FOOD SERVICE

Section 4 – Waste

WATER SYSTEM/WASTE RETENTION:

☐ Site has potable water hookup

☒ Potable water supply tank on unit. Capacity 5 gal.

Capacity of waste retention tank 7 gal (should be greater than supply)

How and where will the liquid waste water be disposed of?

BASE OF OPERATIONS

Section 5 - Attestation

I, the undersigned, attest to the accuracy of the information provided in this application and further agree to allow the regulatory authority access to the mobile vending truck or pushcart as specified under § 8-402.11. I affirm that the mobile food service operation will comply with 105 CMR 590.000, Truro Board of Health Regulation Section X, Food Service Regulations and all other applicable laws. Pursuant to MGL Ch. 62C § 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid state and local taxes required by law.

Signature of Applicant: Danika Lewis

Date: 3/5/2020

Application Checklist:

☐ Smoke detector/fire protection certification.

☐ Copy of inspection of commercial hood/ventilation system report (if applicable)

☒ IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance

☐ IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit

☐ Copy of valid food service permit for base of operations (if located outside Truro)

☒ Copy of most recent food service inspection report for base of operations (if located outside of Truro)

☐ Copy of the commissary agreement (base of operations).

☐ ICE CREAM TRUCKS ONLY: complete CORI form and permit to engage in ice cream vending mgl 270 §25

☒ Copy of state Hawker Peddler License



The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street, Suite 100
Boston, MA 02114-2017
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: LEWIS BROTHERS, INC.

Address: 310 COMMERCIAL ST.

City/State/Zip: PROVINCE TOWN, MA 02657 Phone #: [REDACTED]

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with 10 employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☒ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: AEC

Insurer's Address: 54 THIRD AVE

City/State/Zip: BURLINGTON, MA 01803

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 8/21/2020

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: David S. Lewis Date: 3/5/2020

Phone #: [REDACTED]

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
6. Other _____

Contact Person: _____ Phone #: _____



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

TAX STATUS REQUEST FOR LICENSING (from the Select Board's Office)

Date 4/16/2020

Owner's Name Dave Lewis

Business Name Lewis Brothers Ice Cream Truck

Business Address Mobil Truck (base of ops: Provincetown)

Map and Parcel N/A

Please verify whether the Real Estate and Personal Property taxes to this property are up to date for the current fiscal year.

✓ all set

Molly Stevens
Tax Collector's Signature

4/21/2020
Date



WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY
INFORMATION PAGE

Associated Employers Insurance Company
54 Third Avenue, Burlington, Massachusetts 01803-0970
(800) 876-2765

NCCI NO 40959

POLICY NO.
PRIOR NO.

ITEM

1. The Insured: Lewis Brothers Inc
DBA:
Mailing address: 310 Commercial Street
Provincetown, MA 02657

FEIN:

Legal Entity Type: Corporation

Other workplaces not shown above:

2. The policy period is from 08/21/2019 to 08/21/2020 12:01 a.m. standard time at the insured's mailing address.
3. A. Workers Compensation Insurance: Part One of the policy applies to the Workers Compensation Law of the states listed here: MA
- B. Employers' Liability Insurance: Part Two of the policy applies to work in each state listed in item 3.A.

The limits of liability under Part Two are:

Bodily Injury by Accident	\$	100,000	each accident
Bodily Injury by Disease	\$	500,000	policy limit
Bodily Injury by Disease	\$	100,000	each employee

C. Other States Insurance: Coverage Replaced by Endorsement WC 20 03 06 B

D. This Policy includes these Endorsements and Schedules: SEE SCHEDULE

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required below is subject to verification and change by audit.

Classifications		Premium Basis	Rates	
	Code No.	Estimated Total Annual Remuneration	Per \$100 Of Remuneration	Estimated Annual Premium
INTRA	000183786			
INTER		SEE CLASS CODE SCHEDULE		

Minimum Premium

GOV	GOV
STATE	CLASS
MA	8017

Total Estimated Annual Premium
Deposit Premium

State Assessments/Surcharges
\$1,718.00 x 3.5100%

This policy, including all endorsements, is hereby countersigned by

Authorized Signature

07/22/2019
Date

Service Office:
54 Third Avenue
Burlington MA 01803

Benson Young & Downs Ins
P.O. Box 559
56 Howland Street
Provincetown, MA 02657

WC 00 00 01 A (7-11)

Includes copyrighted material of the National Council on Compensation Insurance, used with its permission.

Office / Agent: 46-3337

Tax I.D. No.:

Policy Number:

**DECLARATIONS - MASSACHUSETTS
BUSINESS AUTO COVERAGE FORM
MM 00 97 09 98**



ARBELLA

PROTECTION INSURANCE COMPANY

ITEM ONE- NAMED INSURED AND ADDRESS
LEWIS BROTHERS INC.
310 COMMERCIAL STREET
PROVINCETOWN, MA 02657

Producer Name and Address 46-3337
BENSON YOUNG AND DOWNS INS
P.O. BOX 717
WELLFLEET, MA 02667-0717

POLICY PERIOD: Policy Covers FROM 09/21/2019 TO 09/21/2020 12:01 A.M. Standard Time at the Named
Reason for Declaration: RENEWAL Insured's Address stated above
Named Insured's Business: CORPORATION DIRECT BILL
Effective Date: 09/21/2019

**IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL TERMS OF THIS
POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.**

ITEM TWO - SCHEDULE OF COVERAGES AND COVERED AUTOS

This policy provides only those coverages where a charge is shown in the premium column below. Each of these coverages will apply only to those "Autos" shown as covered "Autos" for a particular coverage by the entry of one or more of the symbols from the COVERED AUTOS Section of the Business Auto Coverage Form next to the name of the coverage.

LIABILITY INSURANCE

COVERAGES	COVERED AUTOS (Entry of one or more of the symbols from the COVERED AUTOS Section of the Business Auto Coverage Form show which autos are covered autos.)	LIMIT The most we will pay for any accident or loss	PREMIUM
Compulsory Bodily Injury	7	20,000 Each Person 40,000 Each Accident	
Personal Injury Protection	7	8,000 Each Person	
Optional Bodily Injury and Property Damage (compulsory Limit 5,000)	7, 8, 9	1,000,000 Each Accident Combined Single Limit (CSL)	
Auto Medical Payments Insurance	7	SEE SCHEDULE Each Person	
Uninsured Motorists (COMPULSORY LIMITS \$20,000/\$40,000)	7	SEE SCHEDULE Each Person SEE SCHEDULE Each Accident	
Underinsured Motorists	7	SEE SCHEDULE Each Person SEE SCHEDULE Each Accident	

PHYSICAL DAMAGE INSURANCE

Actual Cash Value or cost of repair, whichever is less, minus the deductible for each Covered Auto.

Comprehensive Coverage	7	SEE SCHEDULE Deductible	
Specified Perils Coverage		Deductible	
Collision Coverage	7	SEE SCHEDULE Deductible	
Limited Collision Coverage		Deductible	

Loss of Use-Rental Reimbursement			
Towing and Labor		For each disablement of a private passenger auto.	

Forms and Endorsements attached to this Coverage Form:

26 AP 1033 (01/10) CA 23 94 (03/06) MM 99 17 (09/98)
26 AP 1092 (01/10) IL 00 17 (11/85) MM 99 23 (09/98)
26 AP 1102 (04/11) IL 00 21 (04/98) MM 99 51 (09/98)
CA 00 01 (10/01) MM 99 11 (10/11) MM 99 54 (09/98)
CA 23 86 (01/06) MM 99 13 (09/98)

**PREMIUM
FOR ENDORSEMENTS
ADDITIONAL OR
RETURN PREMIUM
*ESTIMATED TOTAL
PREMIUM**

* This policy may be subject to final audit

Office / Agent: 46-3337

Tax I.D. No.:

Policy Number: [REDACTED]

**DECLARATIONS - MASSACHUSETTS
BUSINESS AUTO COVERAGE FORM
SCHEDULE - MM 00 97 09 98**

**ARBELLA**

PROTECTION INSURANCE COMPANY

ITEM THREE- SCHEDULE OF COVERED AUTOS YOU OWN**VEHICLE INFORMATION**

DESCRIPTION				
Auto No.	Year, Make, Model, Body Vehicle Identification No. (VIN)	Original Cost New	Size GVW, GCW or Seating Capacity	Territory, City & State where the covered auto will be garaged
001	2003 FORD ECONOLINE E350 SUPER DUTY 1FCJE39L43HB38747	19,025	0-10,000 LBS	MA PROVINCETOWN

CLASSIFICATION								
Auto No.	Business use - Service Retail, Commercial	Symbol	Age Group	Class	Radius of Operation	Mobile Equip	Inspect Code	Loss of Use Amt/Days
001	C	06	9	03133	LOCAL			/
								/
								/
								/

LIABILITY LIMITS (* Limit(s) in Thousands)											
Compulsory Bodily Injury (\$20,000/\$40,000) each pers./each acc.		Personal Injury Protection \$8,000 Each Person		Optional Bodily Injury and Property Damage (Compulsory Limit \$5,000)		Auto Medical Payments		Uninsured Motorists Compulsory Limits (\$20,000/\$40,000)		Underinsured Motorists	
Auto No.	Premium	Premium	*Limit	PD Ded.	Premium	Limit	Premium	*Limit	Premium	*Limit	Premium
001	240	11	1,000		795	5,000	2	500 1,000	8	500 1,000	[REDACTED]

PHYSICAL DAMAGE										
Auto No.	@ Value Type and Limit	** Specified Perils			Comprehensive		Collision		Limited Collision	
		Cov.	Ded.	Premium	Ded.	Premium	Ded.	Premium	Ded.	Premium
001	ACV				500	83	500	172		

Auto No.	Passive Rest.	ATD	*** Waiver of Ded.	Loss of Use	Towing and Labor	** F - Fire Coverage, T - Theft Coverage, F&T - Fire and Theft, CAC - Combined Additional Coverage. *** YES-Designates Waiver of Deductible. ### Designates Policy Level Additional Insured - Lessor applies. @ Designates whether Actual Cash Value, Stated Amount or Agreed Value and, except for ACV, the limit of Liability.
001			Y			

Auto No.	Except for towing all physical damage loss is payable to you and the loss payee named below as interests may appear at the time of loss.

Includes copyrighted material of Insurance Services Office with its permission.

CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: DAVID LEWIS

Certificate Number: 2265038

Date of Completion: 3/24/2018

Date of Expiration: 3/24/2021



*The above-named person is hereby issued this certificate
for completing an allergen awareness training program
recognized by the Massachusetts Department of Public Health
in accordance with 105 CMR 590.009(G)(3)(a).*

This certificate will be valid for five (5) years from date of completion.

Issued By:



Massachusetts Restaurant Association
333 Turnpike Road, Suite 102
Southborough, MA 01772
508-303-9905
www.marestaurantassoc.org



800.765.2122
www.restaurant.org

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

DAVID LEWIS

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)-Conference for Food Protection (CFP).

14941426

CERTIFICATE NUMBER

5236

EXAM FORM NUMBER

4/3/2017

DATE OF EXAMINATION

4/3/2022

DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.



#0655

Sherman L Brown
Sherman Brown
SVP, National Restaurant Association Solutions



In accordance with Maritime Labour Convention 2006, Resolution A2.2 (Regulation 3.2, Standard A3.2).

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74102901

v.1401

Contact us with questions at 175 W Jackson Blvd. Ste 1500, Chicago, IL 60604 or ServSafe@restaurant.org.

SPECIAL STATE LICENSE

Hawker or Pedler

Take care of your license.

Lost license will not be replaced.

2019/20

Fee: \$60.00

Display \$2.00

No

A

licensee: David Lewis
155 Samoset Rd.
Eastham, MA 02642



expires: 4-27-20

The Commonwealth of Massachusetts

DIVISION OF STANDARDS

ONE ASHBURTON PLACE, BOSTON

ate of Birth: [REDACTED]

Date 4-28-19

bove portion must be worn in a visible
nd conspicuous manner on outer clothing.

It is known unto all to whom these presents come, that the above-named person is hereby
censed to go about as a HAWKER or PEDLER in all the Cities and Towns in this Common-
wealth, and to sell or expose for sale or barter any meats, butter, cheese, fish, fruits, vegetables,
r other goods, wares or merchandise; except jewelry, furs, wines, spirituous liquors, small arti-
cial flowers or miniature flags.

This license is not valid until after the licensee has endorsed his usual signature in the space
rovided in the margin hereof, and the license is dated and stamped with the official stamp or
ignature of the Director. The portion of the license indicating the license number, licensee's name
nd the date of expiration must be worn in a visible and conspicuous manner on outer clothing,
therwise he will be liable to the same penalty as if he had no license.

James P. Cassidy Jr.

Director of Standards

THIS LICENSE IS NOT TRANSFERABLE

David S. Lewis

Signature of Licensee

2020/21

SPECIAL STATE LICENSE

Hawker or Pedler

Take care of your license.

Lost license will not be replaced.

No **128208 A**

Fee: \$60.00

Display \$2.00

Licensee: **DAVID LEWIS**
155 SAMOSET ROAD
EASTHAM, MA 02642



The Commonwealth of Massachusetts

DIVISION OF STANDARDS

ONE ASHBURTON PLACE, BOSTON

Expires:04/26/21.....

Date of Birth:[REDACTED].....

Date04/27/20.....

*Above portion must be worn in a visible
and conspicuous manner on outer clothing.*

It is known unto all to whom these presents come, that the above-named person is hereby licensed to go about as a **HAWKER** or **PEDLER** in all the Cities and Towns in this Commonwealth, and to sell or expose for sale or barter any meats, butter, cheese, fish, fruits, vegetables, or other goods, wares or merchandise; except jewelry, furs, wines, spirituous liquors, small artificial flowers or miniature flags.

This license is not valid until after the licensee has endorsed his usual signature in the space provided in the margin hereof, and the license is dated and stamped with the official stamp or signature of the Director. The portion of the license indicating the license number, licensee's name and the date of expiration must be worn in a visible and conspicuous manner on outer clothing, otherwise he will be liable to the same penalty as if he had no license.

James P. Cassidy Jr.

Director of Standards

THIS LICENSE IS NOT TRANSFERABLE

Signature of Licensee

David S. Lewis

The Commonwealth of Massachusetts
Provincetown
Food Establishment License

Fee
\$300.00

Number: BOHF-17-2466-03

Issue Date: 03/09/2020

Mailing Address:

LEWIS BROTHERS, INC.
LEWIS BROTHERS HOMEMADE ICE CREAM

Location Address:

308 10UA2 COMMERCIAL ST

IS HEREBY GRANTED A LICENSE


TO OPERATE: Food Establishment -

ADD ONS: Catering

Foods Permitted to Prepare:

ICE CREAM, DAIRY, OR NON-DAIRY FAT-CONTAINING BEVERAGES; COFFEE AND TEA; BAR GARNISHES AND ICE; FROZEN DESSERT DISPENSING MACHINE;

This license is granted in conformity with the statutes and ordinances relating thereto, and expires December 31, 2020 unless sooner suspended or revoked and is not transferable.



Agent of the Board of Health

In accordance with Provincetown's General By-Law, 8-2: NO CORPORATION, FOREIGN OR DOMESTIC, (AND NO PERSON, PARTNERSHIP OR ASSOCIATION NOT REQUIRED BY LAW TO OBTAIN A LICENSE FOR THE CONDUCT OF ITS BUSINESS) SHALL WITHIN THE TOWN OF PROVINCETOWN CONDUCT ANY RETAIL OR WHOLESALE BUSINESS INVOLVING THE SALE OR RENTAL OF GOODS, WITHOUT FIRST HAVING REGISTERED WITH THE LICENSING AGENT. General By-Law 8-7: FOLLOWING REGISTRATION, ALL PREMISES SHALL UNDERGO AN ANNUAL INSPECTION SCHEDULED BY THE LICENSING AGENT, CONDUCTED BY THE DEPARTMENT OF REGULATORY MANAGEMENT, AND ARE SUBJECT TO ALL REGISTRATION FEES AND INSPECTION FEES AND WILL HAVE FILED A CURRENT CERTIFICATE OF GOOD STANDING OR A CERTIFICATE OF CORPORATE LEGAL EXISTENCE, AND WILL HAVE FILED A COPY OF ARTICLES OF ORGANIZATION ATTESTING TO THE CORPORATE STATUS OF THE REGISTRANT.

Expiration Date:
12/31/2020

Howard

Building or Health Official

LICENSING AUTHORITIES

Town of Provincetown Food Establishment Inspection Report

Establishment: Lewis Brothers Homemade Ice Cream 310 Com. St. **Date:** 7/29/19

Item/location	Temp (°F)	Item/location	Temp (°F)	Item/location	Temp (°F)
Ice Cream Freezer	-13°F	2 nd Ice Cream Freezer	-6°F	Large Back Fridge	40°F
Walk-in Freezer	-7°F	3 rd Ice Cream Freezer	-17°F	4 th Ice Cream Freezer	-3°F
Beverage Fridge	22°F				

Violations cited in this report must be corrected within the time frames stated below or in Section 8-405.11 of the Food Code

Discussion with Person-in-Charge:

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal pursuant to 105 CMR 590.000 you may request a hearing before the Board of Health in accordance with 105 CMR 590.015 (B). Violations not corrected are subject to fines.

Number of Violated Provisions Related to Foodborne Illness Risk Factors and Interventions (items 1-29):	Number of Repeat Violations Related to Foodborne Illness Risk Factors and Interventions (items 1-29)
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29

Signature of Person-In-Charge:

Signature of Inspector: Kristina Berto

Date: 7/29/19

Date of Re-inspection:

From: [David Lewis](#)
To: [Nicole Tudor](#)
Subject: Re: Hawker Peddler License (Reviewed for Approval June 9th)
Date: Tuesday, June 2, 2020 2:38:08 PM

Nicole,

Thank you for the information. **There are no adjustments to the route.** I have workplace safety standards from the Town of Provincetown, and will implement safe practices for our truck as well. Additionally, I will be dropping off my brother Mark's CORI form today in the Town Hall mailbox.

Sincerely,
David

On Jun 2, 2020, at 12:50 PM, Nicole Tudor <ntudor@truro-ma.gov> wrote:

Hi David,
The Select Board will be reviewing your Hawker Peddler License under Consent on June 9th.

Please advise on any adjustments to your route:

Beaches: Corn Hill Beach, Great Hollow Beach, Cold Storage, Ballston, Longnook, Coast Guard, Horton's Adventure Bound Camping Resort and North Truro Camping Area , Head of the Meadow Beach, Puma Park, Truro Center for the Arts

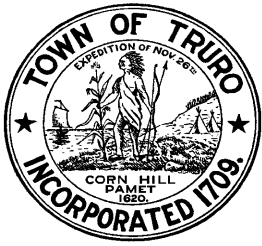
I have attached the Covid-19 Mandatory Workplace Safety Standards. The new workplace standards will apply to all workplaces that are ALREADY open and to those opening in Phase 1. These standards are designed to reduce the risk of COVID-19 transmission to employees and customers and are applicable to all sectors and industries. Truro essential businesses and those listed in Phase 1 (*Reopening Phases State and Industries*(Attached)) will be **required to comply** with **Mandatory Workplace Safety Standards** and any sector specific Safety Standards by **May 25, 2020**. Provincetown may have sent you this material for your Ice Cream store.

Thank you in advance for your time,

Nicole

Nicole Tudor

Executive Assistant
Administration and Select Board Office
Truro Town Hall | PO Box 2030
24 Town Hall Road | Truro, MA 02666
Direct Line: (508) 214-0925



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Rae Ann Palmer, Town Manager

REQUESTED MEETING DATE: June 9, 2020

ITEM: Vote to Authorize Town Manager to Sign Certificate of Cemetery Perpetual Care Trust Fund

EXPLANATION: The Select Board is practicing social distancing and meeting remotely due to the COVID-19 Public Health Emergency, which makes obtaining physical signatures for various documents from Board members challenging. Town Counsel advised that the Board may authorize me to sign documents moving forward by including this authorization in future motions. As an alternative, if a previous item was approved, the Select Board may vote to authorize the use of electronic signatures.

The following document requires a signature:

The Commonwealth of Massachusetts Town of Truro Certificate of Cemetery Perpetual Care Trust Fund.

SUGGESTED ACTION: MOTION TO authorize the Town Manager to sign the Commonwealth of Massachusetts Town of Truro Certificate of Cemetery Perpetual Care Trust Fund
or
to authorize the Select Board to sign the document with electronic signatures.

ATTACHMENTS:

1. Commonwealth of Massachusetts Town of Truro Certificate of Cemetery Perpetual Care Trust Fund

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF TRURO
CERTIFICATE OF CEMETERY PERPETUAL
CARE TRUST FUND

The Town of Truro, County of Barnstable, Commonwealth of Massachusetts, by its Town Treasurer, hereby acknowledges the receipt of the following

CEMETERY PERPETUAL CARE TRUST FUND

Total Amount Received: \$1,000.00 (One Thousand Dollars Even)

Amount Applied to Lot: \$1,000.00 Cemetery: N/A

Date of Deposit: June 1, 2020

From Whom Received: Donald I. Horton
Wendy Horton
5 Longnook Drive
PO Box 1180
Truro, MA 02666-1180

Name of Fund: Horton Fund

Name of Cemetery: Old North (C-2) Lot: 4B Section: E Area: South

The foregoing is held in accordance with the provisions of Section 19, Chapter 114 of the General Laws of Massachusetts, the income of said fund to be used for the preservation, care, improvement, or embellishment of the burial lot and/or cemetery described, said fund drawing interest from the first day of the month following the date of deposit.

Countersigned:

Signed:

Rae Ann J. Palmer, Town Manager
under authority by the Select Board of Truro

Treasurer of Truro

COMMONWEALTH OF MASSACHUSETTS

Town of Truro

BE IT KNOWN, that Donald & Wendy Horton
6303 Ohio Rd North Port FL 34291
[REDACTED]

is/are Proprietor(s) of Lot No. 4B Section E
Area South in Old North Cemetery,
subject to such Rules and Regulations as have been, or may be
adopted hereafter.

Truro, 27 May 2020
date

Robert Z H Mason
Marilyn Adams
Henry Jankovitz
Cemetery Commissioners

DRAFT

Truro Select Board Meeting Tuesday, May 12, 2020 Remote Meeting

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

Attending: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark; Health Agent Emily Beebe

Chair Janet Worthington opened the virtual meeting at 2:10 and explained how members of the public could participate in the meeting.

PUBLIC COMMENT

Janet Worthington promised to answer the many questions about the coming summer season and other COVID-19 related matters as soon as the Town has answers. Town Manager Rae Ann Palmer said that there were no callers or e-mails with public comment for the meeting.

COVID-19 UPDATE

Rae Ann Palmer reported that other Lower Cape towns were postponing their Annual Town Meetings until fall and suspected that Truro will too. She is still waiting to hear about legislative relief on Free Cash, so the Select Board does not have to decide yet about when to hold Town Meeting. The only town that might hold their Town Meeting in June is Orleans. Ms. Palmer said it will be hard to hold the Truro Annual Town Meeting this spring.

Health Agent Emily Beebe outlined Governor Baker's announcement of a four-phased approach for reopening. Ms. Beebe said she does not yet have all the details, but it's a sketch for what will happen after the "Stay at Home" orders are lifted. In the "Start Phase," some businesses with little face-to-face dealings with public will open. Second is the "Caution Phase" with more businesses opening. Third comes a "Vigilant Phase" when additional businesses will be allowed to open with guidance. The Fourth phase will be the "New Normal," she said. We don't yet know which businesses are included in each phase, but there will be guidance for each phase on mandatory orders for separation, distancing, hygiene, cleaning and operations specific to each sector. Agent Beebe said that social distancing, gatherings of not more than 10 people, face coverings and 14-day self-quarantines all remain in place at this time. Essential businesses now in operation need to reexamine their standards to be sure they are protecting both staff and the public. In response to a question from Chair Worthington, Ms. Beebe said the 14-day quarantine still applied for short-term rentals, but she expects to learn more about the rental situation on May 18th. She expects more information on cases and hospitalizations in Massachusetts at that time.

Assistant Town Manager Kelly Clark said that the Lieutenant Governor's task force is developing templates for businesses and municipalities on how to safely operate. These are meant to serve as standardized safety plans for businesses and town offices. The Lieutenant Governor's task force is expanding testing to asymptomatic people who have been exposed to

the virus, and they are developing best practices for reopening other areas like playgrounds, Ms. Clark said.

Emily Beebe reported that there are no new COVID-19 cases in Truro and only one active case at present. Janet Worthington said that the Provincetown Select Board has cancelled all events until December. She discussed more messaging and use of social media to inform people about masks and social distancing. Emily Beebe said the shared Facebook page with Wellfleet is doing just that. They will be including standards for particular businesses on the page. Ms. Palmer said that the group of Lower Cape towns and the National Seashore Superintendent are also seeking to provide consistent messages and signage for the towns. Fire Chief/Emergency Management Director Timothy Collins said his supply of personal protective equipment (PPE) is good, and more supplies are expected.

PUBLIC HEARING

FY19 Truro Regional CDBG-COVID-19 Application

Chair Janet Worthington opened the public hearing at 2:25 p.m.

Chair Worthington said that Alice Boyd of Baily Boyd Associates anticipates that the Department of Housing & Community Development (DHCD) will be making \$19 million available to non-entitlement communities statewide (non-entitlement cities and towns do not receive CDBG funding directly from the Federal Government and must compete for funds passed through the state). These new funds would be attached to the town's FY19 grant and serve residents of Truro and neighboring communities.

Alice Boyd read the public hearing advertisement and explained how the money should become available soon, but much of the state-wide money was likely to go to cities. The grant money covers forgivable loans to small businesses for salary payrolls for job retention, and it subsidizes mortgage and rental assistance. Ms. Boyd said the usual split is 70% for small business loans and 30% for mortgage and rentals. The Select Board decides on the split, and it can be tweaked to fit the community. Towns that had received a Fiscal Year 19 CDBG grant qualify, but applications will be handled on a first come, first served basis.

Kevin Galligan from Orleans joined the meeting to express support of the Community Development Block Grant. He reported that the Orleans Select Board had voted unanimously in support of the grant. He thanked Alice Boyd for keeping the regional approach and spoke highly of the opportunity to participate with Truro.

Alice Boyd said that the public comment period of the hearing was open for an extra week. Any comments should be sent to her; however, the Select Board could still make the motion to approve it at this meeting.

Rae Ann Palmer said she had received a comment via e-mail, which will be added to the record of hearing. Taylor Brown, owner of Fisherman's Daughter, wrote in support of the grant and for the regional approach.

Janet Worthington closed the public hearing at 2:25 p.m.

Stephanie Rein moved to approve the submission of a regional FY19 CDBG-CV grant for small business and microenterprise loans along with rental and mortgage subsidies. Robert Weinstein seconded, and the motion carried 4-0-1.

Kristen Reed recused herself in the event she might apply for the grant in the future.

SELECT BOARD ACTION

Town Employee Face Mask Wearing Policy

Assistant Town Manager Kelly Clark explained how she and Health Agent Emily Beebe had prepared *Policy 64: Masks and Social Distancing for the Town of Truro*, based on the Governor's Order and the Board of Health's Order. It contains the COVID-19 safety practices expected of Town employees, board, committee, commission members and the general public and must be adhered to on Town property. It prioritizes social distancing, discourages in-person meetings and allows exemptions for individuals with health issues and children under two years of age. If the Governor ordered a stricter policy that would supersede Policy #64. Policy #64 will need to be monitored and re-evaluated and will likely require amendments as information dictates, Ms. Clark said. Kelly Clark and the Health Agent had also provided more guidance for employees and a flyer to post on Town buildings to notify the public about the policy.

Janet Worthington asked what medical conditions are exempt. Ms. Clark said that it is up to individuals with the conditions to determine their status. This followed the language from the Governor and the CDC, she said. Robert Weinstein asked about monitoring and reevaluation of Policy #64. Kelly Clark said it would depend upon reports from Town employees to the Town Manager and guidance from the CDC and the Truro Board of Health.

Susan Areson moved to approve Policy #64 and to authorize the Town Manager to sign it on the Select Board's behalf. Robert Weinstein seconded, and the motion carried 5-0.

CONSENT AGENDA

A. Review/Approve and Authorize Signature: *None*

B. Review and Approve 2020 Seasonal Licenses: Transient Vendor-Cape Cod Treasures Chest (Perry's Furniture)

C. Review and Approve Select Board Minutes-April 28, 2020

Stephanie Rein, Robert Weinstein and Susan Areson made amendments to the minutes of April 28, 2020.

Susan Areson moved to approve the Consent Agenda with the amended minutes of April 28, 2020. Stephanie Rein seconded, and the motion carried 5-0.

SELECT BOARD REPORTS/COMMENTS

Members of the Select Board saved their comments for the work session, but Chair Janet Worthington reported on a meeting with other Outer Cape towns' representatives. She found it helpful and said it validated many of the Truro's worries, as the other towns are also concerned about: beaches, limiting day trippers, controlling numbers allowed in parking lots, postponing Town Meeting, short-term rentals and harbor operations. She said it was a good first meeting

for hearing everyone's concerns and trying to be on the same page, but all the towns are waiting to hear more from the governor.

TOWN MANAGER'S REPORT

Rae Ann Palmer said she was attempting to send a request from the Eastham Select Board to the Truro Select Board to take a survey. Ms. Palmer reported that the survey was an offshoot of the Lower Cape Town Managers/Administrators meeting with the National Seashore Superintendent. Those meetings have proven very valuable and will continue, Ms. Palmer said. The idea of consistent COVID-19 advisory messaging came out of these meetings.

NEXT MEETING AGENDA

So far there are only a few agenda items for the Select Board meeting of May 19, 2020: liquor licenses (businesses requesting to suspend their licenses for this year) and the Consent Agenda items.

ADJOURNMENT

Robert Weinstein moved to adjourn. Stephanie Rein seconded, and the motion carried 5-0. The meeting was adjourned at 2:50

Respectfully submitted,

Mary Rogers, Secretary

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

Public Records material of 5/12/2020

1. CBGR hearing advertisement and memo from Alice Boyd
2. E-mail from Taylor Brown
3. Select Board Policy #64
4. 2020 Seasonal License for Transient Vendor – Cape Cod Treasures Chest (Perry's Furniture)

DRAFT

Truro Reopening Task Force / Select Board Tuesday, May 19, 2020 Remote Work Session

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

Attending: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark; Health Agent Emily Beebe; Town Accountant Trudi Brazil; Superintendent of Schools Michael Gradone; Police Chief Jamie Calise; Recreation/Beach Director Damion Clements; Bob Montano, Steven Roderick

Chair Janet Worthington opened the Select Board's remote work session and Truro Reopening Task Force meeting at 2:51p.m.

Identifying Areas of Concern

Janet Worthington and the other participants at the meeting identified areas of concern for reopenings. These included: beaches, beach stickers, social distancing, retail businesses, restaurants, the ponds, Pamet Harbor, Recreation programs, day care, lodging and short-term rentals. Superintendent of Schools Michael Gradone discussed the possibility of a summer session at the Truro Central School and his expectation to open in September with conditions. Additional concerns included: human services, the Library, COA, Town offices, entertainment, museums, construction trades, landscapers, the business sector, essential businesses, the golf course, private clubs and a miscellaneous category.

Robert Weinstein offered his impression, starting with what he called the "Governor's vagaries." He cautioned about the effort to open things up in a hurry. Considering that Massachusetts is the third state with the most active Covid cases, he said that we need to wait until Governor Baker offers clearer direction. Although he sees Truro operating blind in unknown territory, he said that Town functions should be a first priority. Businesses in Truro would be the second category. He suggested thinking proactively about permitting, the School, the Library and uniformity of approach. He said he would like to hear what other Cape communities are doing to prepare for summer visitors and beach sticker permits for part-time residents.

Beach Concerns

Town Manager Rae Ann Palmer shared what she, Jarrod Cabral, Emily Beebe and Damion Clements had heard from Orleans at a recent meeting. The Beach Department is now planning how to handle the sale of beach stickers to resident homeowners and full-time residents who rent. Applications can be made online and delivery done through the mail. This will minimize or eliminate the need for people to visit the beach office, which still needs to be open for lifeguards and communications. Because there is no way to social distance inside the beach office, any beach stickers obtained there would need to be done through online applications and curb side pick-up. Other measures are to suspend day passes, even though it will mean reduced revenue for the Town. Plans for reduced parking spaces at the beaches will decrease numbers on the beach and provide distancing in the parking lots. Beach stickers for non-residents may be a possibility depending upon short-term rentals being allowed. There was not support from the group for eliminating all non-resident beach stickers. The group is developing plans for one-way paths to and from the beaches

for better distancing. Keeping the lifeguards safe is a priority. Ms. Palmer said that the Town plans to hire EMTs for ocean beaches. Damion Clements said the plans for the online sticker sales and a decrease in parking are to help control the number of people on beaches.

Janet Worthington asked how the Town would manage parking at the beaches. Rae Ann Palmer said Jarrod Cabral and Damion Clements will work out ways to mark the allowed spaces, and they will provide support for the parking attendants. She said that people will be coming soon, and steps need to be put in place. Damion Clements said he has been in contact with Beach departments from other Cape towns and will develop plans for Truro consistent with theirs. Ponds are another area of concern but are under Seashore jurisdiction. There may be a need for no parking signs on the road entrances to ponds. Emily Beebe said Truro is working on messages that would be consistent with other towns.

Stephanie Rein revisited the discussion about stickers and asked how a 14-day quarantine for all types of residents would be regulated if the Town is offering everyone beach stickers. Rae Ann Palmer said that some part-time residents have already returned and completed their self-quarantine, but beach stickers could be held for two weeks when others arrive.

Kristen Reed asked about renters receiving beach stickers. Ms. Palmer said she was referencing year-round renters, not short-term ones. Kelly Clark mentioned that summer-long renters at campgrounds get non-resident stickers.

When Susan Areson asked Emily Beebe if she thought the 14-day quarantine advisory would be for the whole summer, the Health Agent said she believed it will go beyond May 18th. Ms. Areson said that although Truro will take its lead from the Governor, the Town can control whatever is possible at the municipal level. While guidance on reopening businesses should be up to the Governor, the Town should be able to decide about short-term rentals and limiting beach and beach office access. Ms. Areson asked about expectations for self-quarantine for a one week stay at a condo or other rental property. Kelly Clark added that there are not self-quarantine guidelines for people who have travelled to Truro from within the state.

Susan Areson expressed concern for the young beach attendants who might have to deal with non-compliant people arriving at the parking lots. Police Chief Jamie Calise said the attendants are taught not to confront belligerent people. They are not expected to deal with people who are not complying and are advised to call their supervisors to handle the situation.

Robert Weinstein said he hopes that signs, which Truro and other communities post at beaches, will protect staff, inform the public about use of the beach and prevent the kind of recent bad behavior that has occurred elsewhere. He has observed disregard for social distancing and wearing masks in the pond area within the National Seashore. He said the Seashore should post signs about distancing and masks since their trails are open to the public. Chair Worthington said everyone is still waiting for guidance from the Governor.

Concerns of Business Owners

Business owners, Bob Montano and Steve Roderick, had been invited to the meeting to share their thoughts and concerns about reopening. Bob Montano said that outdoor seating might be a solution for restaurants which have the space for it, but his restaurant's parking lot is not a viable space. There also are the issues of hauling equipment in and out and unpredictable weather. He believes people will be

willing to police themselves on their own and appreciate businesses that take precautions. Businesses need to reopen, he said. Restaurants need full staffs, kitchens, bars and seating. Operating at only 25% will put people out of work and maybe out of business. Operating at 50% is going to be hard for a small business, he said. The burden of operating at a reduced percent makes it hard to pay the bills. Although Montano's stays open all winter, he needs the summer season to succeed.

Steve Roderick looked at how limited operations could affect workers who would not have enough quarters of time to qualify for unemployment in winter. They will need extensions. People will be without money. He said that the community needs to start preparing now. He advised maximizing seating, promoting the businesses that are open and working on more deliveries for retail and restaurants. He and Kristen Roberts discussed signs that could encourage this.

Bob Montano said his goals are providing good hospitality and pleasing people, but his main goal is to not let people get sick. However, he does not want to see the business he has worked so hard to create disappear. He is worried about the meals tax. He said he is doing well with the take-out service, but sales are down. He is optimistic about a June 1st opening, but he isn't anticipating the sales he's had in the past. He also pondered how the Town would survive without the meals tax and short-term rentals tax.

Janet Worthington mentioned the list of restaurants offering take-out services. Kristen Reed said the list is posted on the Town website, and other names are being added as the restaurants open. Steve Roderick asked Kristen Reed about her business. She said she does not know yet how the food truck will work this year. Bob Montano remembered another reason that outdoor seating was not going to be a solution – mosquitoes. Emily Beebe said that mosquitoes are another health concern.

The Health Agent said she will need to have a plan from everyone that is opening and will keep working with Bob Montano on an opening. If Montano's were to reopen today, she said, masks would be required for his employees. Mr. Montano said that plastic straws were back, Purell stations are installed, masks and digital forehead temperature checks will be done for all employees. He did not think the cook can work wearing a mask. Ms. Beebe said line workers and cooks will not be required to wear masks. All the health agents have been talking about these issues and waiting for more guidance. Janet Worthington said that while restaurant staff would be masked, obviously, patrons would not since they would be eating. Health Agent Beebe said separating the tables to maintain adequate distance between diners is very important.

Kristen Reed brought up the problem of safety in bars, an issue that had not been discussed. She said she did not have answers. She asked how a business could not be crippled if its bar was removed. Janet Worthington wondered if it were possible to let people go outside with alcohol, but Bob Montano said you can't do that. He mentioned sneeze guards that are being installed for safety in some bars, but he questioned how much protection they provided.

Select Board members thanked Steve Roderick and Bob Montano for their participation, and Rae Ann Palmer asked them about their availability for future meetings. Both said they are available.

Harbor Concerns

Memorial Day is coming soon, and Chair Worthington said there are already concerns about the Harbor. Ms. Palmer said there are reports about out-of-state licenses there. She plans to ask the Police Chief and the Harbor Master to discuss ways of monitoring parking before it becomes more of a problem. She said

the Harbor needs signs and an enforcement plan. Janet Worthington asked about limiting the parking at the Harbor. Ms. Palmer said the orders pertain to launching boats, rather than parking, but it should be limited. There's already very limited parking area, and they need decided what to do about the trailers there. Susan Areson said that the state regulates the boat ramp but asked who regulated the parking lot and parking lot hours. Robert Weinstein said that the state regulates the parking lot and the ramp. He referenced the state order that no out-of-state vehicles are allowed, yet he has seen them there. He said that Rhode Island is allowing only in-state residents access for charter and head boats. Massachusetts is not allowing operation of charter boats and head boats. Mr. Weinstein said that Truro has control of the dock space and could establish social distancing for the dock. He said that the disease is calling the shots, not us. It presents a real issue as the time of the year with the biggest Harbor use is approaching. He said that signs reading, "Massachusetts residents only," would be helpful for the Harbor Master. Mr. Weinstein said the Town must encourage distancing and face coverings; it only takes one person to create disaster by spreading the disease.

Janet Worthington said that the dock is a very tight space, so that brings up enforcement issues and the need for a plan. Susan Areson wondered how many people with moorings are second homeowners who are from out of state. Rae Ann Palmer questioned how those people could get their boats into the water. The Governor could change the order, but the out-of-state homeowners want to put their boats into the water. Ms. Worthington noted that the Town cannot supersede state orders. Ms. Palmer said that the Town still has to realistically address the issue. Boats moored in the harbor are not the same as launches from the ramp. Susan Areson agreed that the Town needs to work with non-resident boat owners on a plan for putting their boats into their moorings. Mr. Weinstein said the Town needs to reach out to the out-of-state people with moorings to figure out a plan to let them use the facility. He said he was willing to work on this, but Rae Ann Palmer said Harbor Master Tony Jackett has already been in contact with the state board that makes the decisions.

Stephanie Rein and Kristen Reed offered a few ideas for identifying and monitoring mooring holders. Ms. Rein said that non-residents with a sticker identifying them as homeowners would work for mooring holders. Kristen Reed suggested having tags on vehicle mirrors to identify people authorized to operate in the parking lot to get to their boats.

Public Safety

Police Chief Jamie Calise discussed potential public safety problems. He said that the situation is fluid, and he is still awaiting guidance with the phasing that will be coming from the Governor next week. Truro's actions are dependent upon what is decided at the state level. The Police Chief said he would need to prioritize the most egregious actions, decide what the Truro Police Department is able to enforce and determine where they can rely on the public's cooperation. He believes that starts with messaging – signs at parking lots and the message boards on Rte. 6. Chief Calise said he puts a big emphasis on signs as a critical aspect of public safety. He said he has already received calls about people refusing to leave a business. Police chiefs from other towns are reporting similar incidents. He directs his officers to appeal to reason, but they will take enforcement action if necessary. He restated the importance of state-level guidance.

Janet Worthington asked about possible guidance on issuing warnings and tickets. He said that so far it has been up to the health agents with the police in supportive roles, but things are changing daily. With Massachusetts third in the most COVID-19 cases it is challenging. Chief Calise said that the police are working to the best of their ability. The department also gets messages out through Facebook.

Steve Roderick wanted to hear more about public safety issues. He said Provincetown faces the challenge of what to do about Commercial Street. They also want to avoid the stupid accidents that happen every summer. Closing the breakwater and bike trail, although that is controlled by the Park Service, were two possible ways to curtail the “stupid” accidents, leaving responders available for true medical emergencies, he said. He suggested that Truro think along these lines although he did not believe Truro had as many of those calls. Mr. Roderick also reported that a business owner said not all police were wearing masks in public areas as all leaders in the community should be doing. Police Chief Calise agreed that officers need to wear masks and are under the same orders for 6-foot distancing as everyone else.

Kristen Reed called attention to messages on the Town website from the Health Agent on best ways to wear a mask, regulations and voluntary compliance. She said there was also guidance for businesses on how to deal with non-compliant patrons. It included best practices for language to avoid escalation and advice on when to involve public safety officials. Emily Beebe said she would share that with other health agents to be sure signage is clear and standardized with other towns. Steve Roderick said some people are able to police themselves. It starts with good signage. However, he has witnessed arguments among patrons escalate. If a situation starts to develop, he said, sometimes it’s good to remain a witness and call the police, rather than let things escalate.

Susan Areson said that she would like to hear about plans for Truro Central School from Michael Gradone. She suggested suspending further discussion of other topics until next week after the Governor provides more information. Ms. Areson said the Town should start online sales of beach stickers to residents. Rae Ann Palmer said that was something in the works.

School & Recreation Summer Plans

Superintendent of Schools Michael Gradone said that he is considering offering summer sessions. Recreation Department Director Damion Clements and Town Manager Rae Ann Palmer are not sure that the Recreation program at the school will happen. Superintendent Gradone reported that he spends half his time on plans for reopening school, but he is waiting for the Governor’s decisions. He meets with Cape & Islands superintendents, who are also concerned about the neediest students. Superintendent Gradone would like to get them into a summer session and combine that with some vestige of a recreation program. It would also help their parents get back to work and restart the economy. He has been working on a plan with Damion Clements to operate in two levels of the building with recreation downstairs and classes upstairs. He will keep in touch with Health Agent Emily Beebe to see what will be allowed. Even a few kids over the summer could make up ground they’ve lost, he said.

Thinking ahead to a school opening in fall, Superintendent Gradone said one idea was splitting classes in half and meeting on alternate days. He said it might be possible to do split classes but not have to alternate the days. That could be done through local planning with assistance from the Health Agent. He expressed his willingness to continue participation in the Reopening Task Force meetings.

Chair Worthington suggested adding Governor Baker’s Monday, May 18, 2020 message to the agenda for next week’s regular meeting.

Beach Stickers Revisited

Stephanie Rein continued the beach sticker discussion with a question about stickers for non-residents from other states. She asked how the Town could keep track of who’s been here and when. Damion

Clements said that unless the Beach Department can come up with a better mechanism for keeping track, there may not be sales of non-resident beach stickers this year. Kristen Reed said it might not be a popular idea, but what if everyone was required to wait 14 days before they could pick up their beach sticker. Ms. Palmer said the Town plans to mail the beach stickers in order to avoid pick-up at the Beach Office. She said information on the 14-day self-quarantine could be added into the envelope. She acknowledged that it would be impossible to figure out who comes back when. Susan Areson said that message boards and the mail inclusion would help, but the Town still will have to rely on people to do what they are being asked to do. The Town can't police everyone. Stephanie Rein observed that people can be anywhere when they order since the stickers are being offered online. She liked the suggestion to mail self-quarantine messages with the beach stickers.

Kristen Reed said you can't regulate people, but the Town can regulate parking lots. Regulations in place for parking could help with compliance. Ms. Palmer cautioned against creating confrontational situations at the beaches, saying those can occur no matter how good someone is at diffusing situations. Susan Areson said you can't make determinations on people based on their out-of-state license plates, pointing out that people coming from Vermont, a place with low instances of COVID-19 cases, is very different from someone arriving from a hotspot in Massachusetts.

Focus for Next Meeting

Janet Worthington and Rae Ann Palmer agreed that discussions for the work sessions should be narrowed down and suggested focusing on the Pamet Harbor at the next meeting. Robert Weinstein said the Board should not drop the Town Manager Screening Committee from agendas and recommended setting up a calendar for moving forward with the Town Manager search. Ms. Palmer said she needed to contact the consultant to see what he suggests, and he will start working with the Screening Committee.

Kristen Reed suggested adding event cancellations to the agenda. Susan Areson reported that all Truro Meeting House events have been cancelled. Rae Ann Palmer said even the PanMass Challenge has been cancelled. She suggested withholding approvals of other events seeking use of Town property.

Janet Worthington recommended discussion of the Harbor and events at the next work session. Rae Ann Palmer said she will invite National Seashore Superintendent Brian Carlstrom to a meeting. Susan Areson asked about a decision date for the Recreation program. Damion Clements said staff has been returning, and he has been preparing just in case they are given a go-ahead. He is waiting for guidance from CDC. Ms. Palmer said that even though former staff members are returning and recruitment is underway, there has been no decision on hiring yet. The program usually begins at the end of June, so a decision will have to be made early in June. Susan Areson suggested having the discussion on Recreation at the meeting in two weeks. Ms. Palmer said Damion Clements and Micheal Gradone could be invited to that meeting to discuss their plans for a summer program at the school. She said Eastham and Wellfleet are having the same conversations about their Recreation programs.

Ms. Palmer read and e-mail from Daniel Holt suggesting that beach stickers be dated. She mentioned that enforcement could be difficult, but she said that she will see what Damion Clements thinks of the idea.

Adjournment

Stephanie Rein moved to adjourn. Susan Areson seconded, and the motion carried 5-0. The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Mary Rogers, Secretary

Rae Ann Palmer
On behalf of the Truro Select Board

Public records material of work session of 5/12/2020

- E-mail message from Daniel Holt

Truro Select Board Meeting Minutes
Remote-Dial In
Tuesday, May 19, 2020 @ 2:00PM

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

Attending: Town Manager-Rae Ann Palmer, Assistant Town Manager-Kelly Clark, Health/Conservation Agent-Emily Beebe, DPW Director-Jarrold Cabral, Town Accountant-Trudi Brazil, Senator-Julian Cyr, Representative-Sarah Peake

Callers: Fire Chief-Timothy Collins, Harbor Master-Anthony Jackett, Police Chief-Jamie Calise, Clint Kershaw, Steve Roderick, Eric Jansen

Chair Worthington called the meeting to order at 2:00PM.

Senator Cyr began the conversation, stating that he and Representative Peake are on a virtual road tour visiting all Select Boards this week. He feels it's important to work in collaboration with each other during this cautious reopening phase. He, and Representative Peake, have been working with the Cape and Islands delegation and the Chamber of Commerce of Barnstable County to form a regional reopening task force with participation from Cape Cod Healthcare, municipalities, and representatives from the Cape Cod and the Islands Selectmen and Counselor's Association. This effort is three-fold;

- To ensure that we are providing uniform information to the public.
- To ensure that we are making a strong case for the unique needs of the region, particularly our seasonality.
- To ensure that both businesses and municipalities have the technical assistance and information needed to enable various stages of reopening, when that's possible.

He believes a strong case for seasonality has been made. A working group was established on restaurants, accommodations and tourism, as part of the Governor's opening advisory board, to focus on seasonal areas like the Cape and Islands.

Under the Governor's reopening plan, we are in Phase 1 (this phase started May 18, 2020). There is no firm timeline for each phase and it is based on public health surveillance. Each phase will last at least three weeks and may be longer. Phase 2 would begin no sooner than June 8, 2020. Personal responsibility is paramount in the Governor's plan. The public needs to adhere to the public health precautions that are recommended;

- Covering your nose and mouth when you can't be apart from others.
- Washing hands and surfaces often.
- Keeping your distance.
- Staying vigilant for symptoms.
- When you are sick, stay home.

How the virus will manifest in Massachusetts in the coming weeks, and what will be open and when, will be determined by adherence to the public health guidelines and personal responsibility.

Many tourist activities and industries are scheduled to reopen in Phase 2 or Phase 3, including leisure, accommodations, or other activities. The earliest opening date for phase 2 would be June 8th, 2020.

Senator Cyr expressed that we need more specifics for restaurants, accommodations, and tourism to open.

He also expressed that it is important to share a uniform message. He does not feel the public distinguishes between Wellfleet and Orleans, or Yarmouth and Mashpee, so uniform, consistent information is important. He would like to hear questions, concerns, and needs that municipalities have around enforcement and asked that people rely on himself and Representative Peake as partners.

Representative Peake continued the conversation, stating that since we are dealing with a public health, economic, and mental health threat that it's important as government leaders to work collaboratively together. She told the Board about items she's been focused on;

- She has been in touch with the Lieutenant Governor regarding people whose livelihood is connected to our tourism and economy. She can say with certainty that there is an understanding of that at the State level. Lt Governor Polito chaired the Governor's working group on reopening and helped come up with a lot of the guidelines.
- The Restaurant and Hospitality Group have already met to develop procedures for opening. Representative Peake has heard from owners in her District who are counting on opening in Phase 1, if only for outside dining. These owners are concerned that they may have to wait until mid-June. Looking at the best public health data they have and looking at the metrics established by the Administration to measure our progress, she is hoping our restaurants and lodging accommodations open as expeditiously as possible.
- Ensuring that public health guidelines are modified to reflect changes in the public health data, including positive test rates, number of individuals who have died, and number of patients in hospitals.
- Ensuring safety in the fall. As critical it is to reopen the economy on the Cape, we have to make sure that when September rolls around, all the children will be able to get back to school safely.

Representative Peake has heard from towns about their concern around enforcement. It is understood that the current setup could stretch local resources. When restaurants can reopen, there will be a checklist of protocols. The owner will go through the checklist and then certify that they are complying with the protocols. Enforcement will be triggered by complaints. If there is a complaint from staff or a customer, the local Board of Health and the Health Agent will inspect the business, and may issue escalating penalties and enforcement. Sean O'Brien, of the Barnstable County Department of Health and Environment, has hired three additional people for the summer months who can help with public health inspections.

Questions from Select Board

Chair Worthington asked, if someone is at a restaurant and observes something that's not correct, who do they call during those restaurant hours? Would it be up to the Town to have extra people to field the complaints or will there be a phone number which people can call? A lot of complaints will be outside of working hours. Representative Peake stated that people will most likely call Town Hall. Some people may email the Select Board. Those people will then be referred to Health Agent Beebe. She doesn't think there's an expectation that there is a 24-hour hotline. If it's after business hours, the issue will have to wait until the next day.

Chair Worthington's second question had to do with the harbor, boating, and charters. She asked what kind of restrictions were in place now, and will be in the future, for people going out on charter boats, or their own boats. Representative Peake answered that charter boats may operate in Phase 1. There are a series of guidelines that charters have to follow regarding masks and social distancing. On the State

website www.mass.gov/reopening there is an industry-specific information. Beach regulations are there, boat ramp regulations, cleaning protocols, protocols for churches to reopen, and the like.

Member Areson stated that there are some advisories that seemed to be in conflict. For example, if someone wants to come down for Memorial Day weekend, and owns a second home here, they are advised to quarantine for fourteen days but they aren't going to be here for fourteen days. Secondly, right now the ramp regulations at the harbor say that unless you have a trailer and car licensed in Massachusetts, you cannot use the ramp. She wonders how we can accommodate our taxpaying citizens of Truro who might want to launch a boat there, but don't have cars or trailers which are registered in Massachusetts. Senator Cyr, addressing the second question, stated he's elevated that inquiry to the Division of Marine Fisheries and the Environmental Affairs staff. As for her first question regarding the fourteen-day quarantine, Senator Cyr was speaking with the State Officials regarding further guidance on this travel advisory. Member Areson thinks a Q & A to clarify what can, and cannot, be done during quarantine would be helpful.

Member Reed asked if specific guidelines for businesses opening in other phases will be available for businesses so they can start preparing now, ordering equipment, putting up plexiglass and changing work stations. Representative Peake stated there are a lot of businesses that cannot open until the 25th and her understanding was that delay was implemented to give business owners lead time to prepare. Senator Cyr added that there is a COVID-19 Control Plan available on the website which businesses can get now.

Member Weinstein has read Order 33 about charter boats. He's disappointed with the language the State has used. It's conflated the words "must", "may", "require", and "shall". He expressed concern about having readily accessible testing and contact tracing and that the only preclusion for charter boats is that they may not have more than ten people on a boat. He noted that the Select Board voted on Policy 64 which has to do with the wearing of masks, and used the word "requires" on all Town property. That means that masks are required to be worn at the Harbor and the dock. He understands the difficulty of policing. He thinks it's incumbent on legislators and committees to look at the language. He also hopes there is an effort from the Commonwealth to move testing and tracing forward aggressively.

Member Reed noted that she did not see any guidance about Council on Aging, Municipal Buildings, or Public Library, and wondered if there was any information. Representative Peake stated that guidelines are being developed now and the Towns should receive that guidance next week about how to reopen. Town Manager Palmer would like to know how quickly Towns will get the signage which is desperately needed at the harbor and our beaches. Senator Cyr responded that signs around beaches and then boating will be coming as soon as possible. Town Manager Palmer also wished to point out that not all beaches have bath houses. She saw a draft sign which included reference to bath houses and Truro would need something that pertains to portable bathrooms.

Eric Jansen, owner of Blackfish Restaurant, is wondering about support from the Town for non-compliance from customers. Town Manager Palmer stated that the Police and Fire Chiefs, the Health Agent, the Assistant Town Manager, and herself, are having ongoing discussions about enforcement. If something escalated to the point where it was unsafe, to call the Police. Chair Worthington suggested signage that references public responsibility

Public Comment-None

Covid-19 Update

Town Manager Palmer updated the Board on what the guidance means for reopening Town Hall. A mass notification, particularly for the construction industry, is being put together to let businesses know what the guidelines are, what the checklist is, and what the State requirements are. A similar notification is being developed for the boating community as well. Health Agent Beebe and Assistant Town Manager Clark are holding meetings with staff. Some work needs to be done to the HVAC systems before reopening buildings. She stated that the community transmission has been low because the people who live here are really careful. Signage and information will help get visitors to comply with the Public Health guidelines.

Health Agent Beebe will be attending a conference call with the Department of Public Health where she hopes to get guidance on childcare, camps, and certain other outdoor recreational facilities. Chair Worthington asked if tennis and pickleball would be discussed. Health Agent Beebe stated the guidance was already out. As long as you are not sharing equipment, those activities can resume. Health Agent Beebe informed that Board that Truro and Wellfleet share two graduate students who are working on signage that would be shared with Wellfleet. Member Areson is concerned about renegade businesses. She received an email from a business in Wellfleet that states they are opening this weekend for patio dining, and she didn't think that was allowed and wants Truro to be prepared. Member Weinstein noted that you cannot safely fit six people, plus a Captain, on a boat less than thirty-feet long. It only takes one outbreak to infect lots of people. He hopes the Health Department and the Department of Public Health will be very careful about how they use the directive words he mentioned earlier. He hopes that any signage the Town is putting forward will be consistent. In something like boating, that signage should be consistent from one community to another.

Town Manager Palmer stated that it is important we have consistent signage across the region. She cautioned that we can give businesses guidance on language for signage, but we cannot make businesses use the signs.

Town Manager Palmer continued by stating that given everything that's going on, they should postpone Town Meeting until the Fall, perhaps mid-September. She'd like to place a discussion for this on the next agenda to choose a new Town Meeting date.

Select Board Action

Temporary Suspension for Alcohol Licenses for Restaurants

Town Manager Palmer explained that some businesses are only doing curbside pick-up, so they do not want to sell alcohol. The businesses are requesting the Select Board to grant a temporary suspension of their alcohol license so that they do not have to pay the alcohol license fee, and they will not incur a penalty. In the following year, they will not have to start from scratch to obtain their alcohol license. Town Manager Palmer feels the Town has responsible owners, and she recommends the temporary suspension. The Select Board would vote to authorize the Town Manager, as their agent, to approve the temporary suspensions as they come in. Member Weinstein asked if there were businesses that have paid for their licenses already but now cannot use them, and did the Town have something in place where a refund could be issued? Town Manager Palmer stated that most of the businesses that have paid for their licenses already are year-round businesses. The businesses questioning whether they want to use their alcohol licenses are seasonal businesses. The Town doesn't have a mechanism in place to refund monies, from an accounting perspective. If the Board decides they'd like the Town to issue

refunds, then staff can explore how to handle that. Member Rein agreed with Member Weinstein and wondered if someone who held a year-round license but realized they wouldn't be using it during the season would be able to pay a pro-rated rate for the months they aren't selling alcohol. Town Manager Palmer reminded everyone that businesses with alcohol licenses could sell alcohol to go at this point to help mitigate the loss of alcohol revenue. Member Areson asked if all alcohol licenses were in demand and were all taken. Town Manager Palmer stated that in her tenure in Truro, an applicant for an alcohol license has never been turned down. She does not see Member Areson's question being an issue. Member Reed wished to recuse herself from all discussion and voting on this issue.

Member Weinstein made a motion to authorize the Town Manager as agent of the Select Board to approve the suspension of alcohol licenses at the request of the licensee with no fees or penalties.

Member Rein seconded.

Town Manager Palmer noted there are no limits on seasonal alcohol licenses.

So voted; 4-0-1 (Member Reed abstained), motion carries.

Select Board Meeting Schedule Discussion

Town Manager Palmer stated that the Select Board has been meeting every Tuesday at 2:00PM, and now hold Reopening Task Force meetings as well. Tuesday is the same day that other calls (such as the Department of Public Health calls) are scheduled, which creates a conflict for the Health Agent. She proposed holding Task Force meetings on Thursday afternoons each week and regular meetings on the regular schedule of every 2nd and 4th Tuesday of the month. Member Areson agreed with the new schedule but requested for the Board to consider (down the road when things are opened up) that 2 pm might be too early for citizens who may want to listen in, in case people are going back to work.

Member Areson made a motion to amend the current meeting schedule to hold regular meetings at 2:00PM, dates in accordance with the approved meeting schedule, and to set a weekly meeting of the Reopening Task Force for Thursdays at 2:00PM until such group is no longer required.

Member Reed seconded.

Town Manager Palmer asked how to handle the few of action items for next week. The Board was in agreement to handle those items on the 28th. Town Manager Palmer stated the motion could be amended to read, *"To amend the current meeting schedule to hold regular meetings at 2:00PM, dates in accordance with the approved meeting schedule (except May 26th), etc."*

Member Areson stated, "So amended".

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

Consent Agenda

Review and Approve 2020 Seasonal Licenses: North of Highland Camping Area (Transient Vendor and Pool Table License); Blackfish Restaurant (Common Victualer); Hillside Farmstand (Transient Vendor)
Review and Approve Select Board Minutes-May 5, 2020 (Regular and Work Session)

Member Areson noted some typos in the minutes of May 5, 2020 Work Session, and needed clarification on a section of the regular May 5, 2020 meeting minutes. Town Manager Palmer stated that the Executive Assistants would review the recording of the meeting for the clarification, and suggested that Member Areson send her corrections of the May 5, 2020 work session minutes to the Executive Assistants for fixing.

Member Rein had two corrections for the minutes from May 5, 2020. She also expressed concern about approving the Pool Table license at the campground. Town Manager Palmer noted that the pool tables were not opening and the Town will be holding those licenses.

Member Areson made a motion to approve the consent agenda as printed with the amendments that were raised.

Member Weinstein seconded.

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

Select Board Reports/Comments

Member Reed stated the Commonwealth's website includes a supplies and manufacturers list for protective equipment for business owners and she suggested that the link be added to the Town's Covid webpage.

Member Areson pointed out that she received a notification today that the Town Manager Screening Committee will be meeting on Thursday, May 21st. She wanted to let citizens know that work is ongoing.

Town Manager Report

Town Manager Palmer reviewed the next agenda for Thursday, May 28th. She noted that the sale of the bonds took place that day. Town Accountant Brazil added that the Town received a good price, but it suggested that the Town go through a bond rating.

Member Weinstein made a motion to adjourn at 3:23PM.

Member Rein seconded.

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

Meeting then proceeded into the Select Board Work Session.

Respectfully submitted, Noelle L. Scoullar

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

Public Records material of 5/19/2020

- 1. Email from Whitman House Restaurant Owner, Robert Rice (May 12, 2020)**
- 2. ABCC Notice Extending Ban on Premises Consumption Covid 19 (May 1, 2020)**
- 3. 2020 Truro Select Board Meeting Schedule**
- 4. 2020 Renewal Application and Board of Health Licenses-North of Highland Camping Area**
- 5. 2020 Renewal Application Blackfish Restaurant**
- 6. 2020 Renewal Application for Hillside Farmstand**
- 7. Select Board Minutes of Regular May 5, 2020 Remote Meeting**
- 8. Select Board Minutes of Work Session May 5, 2020 Remote Meeting**